

**BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO**

Appeal of  
SUNSET PARKSIDE EDUCATION AND )  
ACTION COMMITTEE (SPEAK), )  
Appellant(s) )  
vs. )  
PLANNING COMMISSION, )  
Respondent )

Appeal No. **23-035**

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on August 10, 2023, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on July 27, 2023, to the United Irish Cultural Center, Inc., of a Coastal Zone Permit (Demolition of a two-story, community facility and new construction of a six-story-over-basement, 91 foot tall, mixed-use building that contains public and private community facilities, restaurant, bar, office, nighttime entertainment and instructional land uses, 54 off-street parking spaces, two car share spaces, 42 Class1 and 44 Class 2 bicycle spaces) at 2700 45th Avenue.

**APPLICATION NO. 2022-001407CTZ (Motion No. 21375)**

**FOR HEARING ON July 17, 2024**

Address of Appellant(s):

Address of Other Parties:

Sunset Parkside Education and Action Committee (SPEAK), Appellant(s) c/o Eileen Boken, Agent for Appellant(s)	United Irish Cultural Center, Inc., Permit Holder(s) c/o John Kevlin, Attorney for Permit Holder(s) Reuben Junius & Rose LLP One Bush Street, Suite 600 San Francisco, CA 94104
---	---



Date Filed: August 10, 2023

**CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS**

**PRELIMINARY STATEMENT FOR APPEAL NO. 23-035**

---

I / We, **Sunset Parkside Education and Action Committee (SPEAK)**, hereby appeal the following departmental action: **ISSUANCE of Coastal Zone Permit No. 2022-001407CTZ (Motion No. 21375)** by the **Planning Commission** which was issued or became effective on: **July 27, 2023**, to: **United Irish Cultural Center, Inc.**, for the property located at: **2700 45th Avenue**.

**BRIEFING SCHEDULE:**

Appellant's Brief is due on or before: 4:30 p.m. on **August 24, 2023**, (no later than three Thursdays prior to the hearing date). The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org), [julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org), [corey.teague@sfgov.org](mailto:corey.teague@sfgov.org), [tina.tam@sfgov.org](mailto:tina.tam@sfgov.org), and [jkevin@reubenlaw.com](mailto:jkevin@reubenlaw.com).

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **September 7, 2023**, (no later than one Thursday prior to hearing date). The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy shall be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org), [julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org), [corey.teague@sfgov.org](mailto:corey.teague@sfgov.org), [tina.tam@sfgov.org](mailto:tina.tam@sfgov.org), [aeboken@gmail.com](mailto:aeboken@gmail.com), and [er@sonic.net](mailto:er@sonic.net).

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, September 13, 2023, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place**. The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org). Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at [www.sfgov.org/boa](http://www.sfgov.org/boa). You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

---

**The reasons for this appeal are as follows:**

See attached.

**Eileen Boken, Appellant's Agent, filed this appeal by email.**

**From:** [aeboken](#)  
**To:** [BoardofAppeals \(PAB\)](#); [Rosenberg, Julie \(BOA\)](#); [Evan Rosen](#)  
**Subject:** Notice of Appeal  
**Date:** Wednesday, August 9, 2023 7:06:24 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Board of Appeals:

PLEASE TAKE NOTICE that the Sunset Parkside Education and Action Committee "SPEAK" appeals the Coastal Zone Permit for 2700 45th Avenue which is Planning Commission Motion #21375 (Record No. 2022-001407CTZ).

The reason for the appeal is that the Planning Commission erred in its findings that the project "conforms to the requirements and objectives of the San Francisco Local Coastal Program" and approved the Coastal Zone Permit in error.

Sincerely,

/s/ Eileen Boken

Eileen Boken  
President  
Sunset Parkside Education and Action Committee "SPEAK"

Sent from my Verizon, Samsung Galaxy smartphone



# PLANNING COMMISSION MOTION NO. 21375

**HEARING DATE: JULY 27, 2023**

**Record No.:** 2022-001407CTZ  
**Project Address:** 2700 45<sup>th</sup> Avenue  
**Zoning:** Neighborhood Commercial, Small Scale (NC-2) Zoning District  
100-A Height and Bulk District  
**Cultural District:** Sunset Chinese Cultural District  
**Block/Lot:** 2513 / 026  
**Project Sponsor:** Dane Bunton  
Studio BANAA  
2169 Folsom Street, Suite #106  
San Francisco, CA 94110  
**Property Owner:** United Irish Cultural Center Inc.  
San Francisco, CA 94116  
**Staff Contact:** Gabriela Pantoja – (628) 652-7380  
Gabriela.Pantoja@sfgov.org

ADOPTING FINDINGS RELATING TO THE GRANTING OF A COASTAL ZONE PERMIT PURSUANT TO PLANNING CODE SECTION 330 TO ALLOW THE DEMOLITION OF A TWO-STORY, COMMUNITY FACILITY AND NEW CONSTRUCTION OF A SIX-STORY-OVER-BASEMENT, 91-FT TALL, MIXED-USE BUILDING (APPROXIMATELY 129,538 SSQUARE FEET) OPERATED BY THE UNITED IRISH CULTURAL CENTER THAT CONTAINS PUBLIC AND PRIVATE COMMUNITY FACILITIES, RESTAURANT, BAR, OFFICE, NIGHTTIME ENTERTAINMENT, AND INSTRUCTIONAL LAND USES, 54 OFF-STREET PARKING SPACES, TWO CAR SHARE SPACES, 42 CLASS 1 AND 44 CLASS 2 BICYCLE PARKING SPACES LOCATED AT 2700 45<sup>TH</sup> AVENUE, BLOCK 2513 LOT 026 WITHIN THE NC-2 (NEIGHBORHOOD COMMERCIAL, SMALL SCALE) ZONING DISTRICT, WAWONA STREET AND 45<sup>TH</sup> AVENUE CULTURAL CENTER SPECIAL USE DISTRICT, AND 100-A HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMNETAL QUALITY ACT.

## PREAMBLE

On February 18, 2022, Dane Bunton of Studio BANAA (hereinafter "Project Sponsor") filed Application No. 2022-001407CTZ (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Coastal Permit Zone to allow the demolition of a two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment,

and Instructional land uses, 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. (hereinafter “Project”) at 2700 45<sup>th</sup> Avenue, Block 2513 Lot 026 (hereinafter “Project Site”).

The Project is exempt from the California Environmental Quality Act (“CEQA”) as an Infill Exemption per CEQA Guidelines Section 15183.3.

On July 27, 2023, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Coastal Zone Permit Application No. 2022-001407CTZ.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2022-001407CTZ is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The 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 the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Coastal Zone Permit as requested in Application No. 2022-001407CTZ, subject to the conditions contained in “EXHIBIT B” of this motion, based on the following findings:

## 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:

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The proposal is 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) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses. The proposed building will contain 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. The Project will improve the pedestrian walkways with new ADA curb ramps, a new bulbout at the intersection of Wawona St. and 45th Ave., ADA passenger loading zones, street trees, and Class 2 bicycle parking spaces. A total of three signs will be erected at the site.
- 3. Site Description and Present Use.** The subject property is an approximately 16,250 square foot irregular shaped lot located on the west side of 45<sup>th</sup> Avenue, between Wawona Street and Sloat Boulevard. The lot at maximum measures 132 feet 6 inches in depth and 125 feet in width and is developed with a two-story L-shaped building. Developed in 1974, the building is approximately 21,263 square feet in size and is composed of a library, store, restaurant, bar, member’s lounge, office, ballroom, and social hall. A surface parking lot is located at the east section of the subject property and contains 12 off-street parking spaces. Since its opening in 1975, the “United Irish Cultural Center” has occupied the existing building and served the Irish community in San Francisco and the greater Bay Area.

- 4. Surrounding Properties and Neighborhood.** The subject property is located within the Neighborhood Commercial, Small Scale (NC-2) Zoning District, 100-A Height and Bulk District, and Coastal Zone area. The property is located within the Parkside neighborhood, adjacent to the Lakeshore neighborhood. The immediate neighborhood's context is predominantly mixed in character with one-to-three story residential and commercial developments. Immediately to the south of the subject property is a vacant parking lot and a one-story restaurant, Java Beach Café, to the east are four three-story multi-unit residential buildings, and to the southeast is a two-story motel. Across the street of the subject property is 2700 Sloat Blvd., the current home of the Sloat Garden Center. Other zoning districts in the vicinity of the subject property include RH-1 (Residential-House, One-Family), RM-2 (Residential-Mixed, Moderate Density), and P (Public) Zoning Districts.

The Project is located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The Sunset Chinese Cultural District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.

- 5. Public Outreach and Comments.** Prior to the submittal of the listed applications, the Project Sponsors 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 Sponsors have continued to provide community members with Project updates via a monthly newsletter and a dedicated website. Over 200 community members have already expressed support for the proposed development including Cub Scout Pack 0108, The Kennelly and Michael Dillon Schools of Irish Dance, SF Connaught Social and Athletic Club, and District 4 Board of Supervisor, Joel Engardio. To date, the Department has not received any correspondence in opposition of the Project.
- 6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

Pursuant to Planning Code Section 330, the Project is consistent with the Coastal Zone Permit process and conforms to the requirements and objectives of the San Francisco Local Coastal Program.

- 7. General Plan Compliance.** The Project is, on balance, 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.

## URBAN DESIGN ELEMENT

Objectives and Policies

## OBJECTIVE 3

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

### POLICY 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

## OBJECTIVE 4

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

### POLICY 4.12

Install, promote and maintain landscaping in public and private areas.

## TRANSPORTATION ELEMENT

Objectives and Policies



## OBJECTIVE 25

### IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

#### POLICY 25.2

Maintain and expand the planting of street trees and the infrastructure to support them.

#### POLICY 25.4

Preserve pedestrian-oriented building frontages

## WESTERN SHORELINE AREA PLAN

### RICHMOND AND SUNSET RESIDENTIAL NEIGHBORHOODS

#### Objectives and Policies

## OBJECTIVE 11

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

#### 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.

*On balance, the Project is consistent with the Objectives and Policies of the General Plan and the Western Shoreline Area Plan. The Project will develop 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 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, is a proven manager and operator of a large community facility.*

*The Project 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. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.*

*Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area. The Project 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.*

*Located within proximity to public transportation, the Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the neighborhood's existing on-street parking availability. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will also be provided along both 45th Ave. and Wawona Street.*

**8. Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The Project will not remove or displace an existing neighborhood serving retail uses. The Project site is currently and will continue to be occupied by a community facility (United Irish Cultural Center). The Project will, however, enhance and provide neighborhood serving retail use opportunities, job opportunities, and business opportunities to the residents of the neighborhood. Furthermore, the Project will introduce new patrons to the area, and therefore, strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.*

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The Project will conserve and protect the existing housing and neighborhood character, including the cultural and economic diversity of the neighborhood. The Project will maintain and help grow the presence of the United Irish Cultural Center within the Outer Sunset and Parkside neighborhoods by demolishing an existing two-story, community facility building and constructing a six-story-over-basement, mixed-use building with private and public community facilities, bar, restaurant, office, nighttime entertainment, and instructional uses. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.*

*Reflecting the history and aspirations of the Irish community, the proposed building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area while respecting the scale and form of the surrounding neighborhood.*

- C. That the City's supply of affordable housing be preserved and enhanced,

*The Project does not currently possess any existing affordable housing.*

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the immediate neighborhood's existing on-street parking availability; the Project site is well served by public transportation. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will be provided along both 45<sup>th</sup> Ave. and Wawona Street.*

- E. 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 Project will not displace any service or industry sectors due to a commercial office development and will not affect residents' employment and ownership opportunities of industrial and service sector. Rather, the Project will increase the future employment and ownership opportunities. The Project will demolish a two-story, community facility building and construct a much larger mixed-use building that includes private and public community facilities, restaurant, bar, office, nighttime entertainment, and instructional uses.*

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings.*

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Project will create a new shadow on the San Francisco Zoo which is under the jurisdiction of the Recreation and Park Department. However, the amount of net new shadow cast onto the Zoo as a result of the Project will not be significant or adverse to the enjoyment of the park.*

9. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
10. The Commission hereby finds that approval of the Coastal Zone Permit would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Coastal Zone Permit Application No. 2022-001407CTZ** subject to the following conditions attached hereto as “EXHIBIT B” in general conformance with plans on file, dated July 18, 2023, and stamped “EXHIBIT C”, which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Coastal Zone Permit to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Ave., Suite 1475, San Francisco, CA 94103.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Coastal Zone Permit to the California Coastal Commission within ten (10) working days after the California Coastal Commission receives notice of final action from the Planning Department pursuant to the provisions of Section 330.9. Appeals to the California Coastal Commission are subject to the aggrieved party provisions in Section 330.2(a). An applicant is required to exhaust local appeals before appealing to the California Coastal Commission. For further information about appeals to the California Coastal Commission, including current fees, contact the North Central Coast District Office at (415) 904 - 5260.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 27, 2023.

*Laura Lynch* Laura C Lynch  
Laura Lynch Acting Commission Secretary  
Digitally signed  
by Laura C Lynch  
Date: 2023.08.09  
08:42:20 -07'00'

AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner  
NAYS: None  
ABSENT: Moore  
ADOPTED: July 27, 2023

# EXHIBIT B

## Authorization

This authorization is for a coastal zone permit to allow the demolition of an existing two-story, community facility and new construction of a six-story-over-basement, mixed-use building (approximately 129,538 square feet) to be operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses pursuant to Planning Code Sections 249.96, 303, and 330 within the NC-2 District, Wawona Street and 45<sup>th</sup> Avenue Cultural Center Special Use District, and a 100-A Height and Bulk District; in general conformance with plans, dated July 18, 2023, and stamped “EXHIBIT C” included in the docket for Record No. 2022-001407CTZ and subject to conditions of approval reviewed and approved by the Commission on July 27, 2023 under Motion No. 21375. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

## Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 27, 2023 under Motion No. 21375.

## Printing of Conditions of Approval on Plans

The conditions of approval under the “Exhibit B” of this Planning Commission Motion No. 21375 shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Coastal Zone Permit and any subsequent amendments or modifications.

## Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. “Project Sponsor” shall include any subsequent responsible party.

## Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Coastal Zone Permit.

# CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

## Performance

- 1. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) become effective. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 2. Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 3. Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) became effective.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 4. Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 5. Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 6. Additional Project Authorization.** The Project must obtain a Conditional Use Authorization, Planning Code Text Amendment Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District at 2700 45th Avenue, Assessor's parcel Block No. 2513, Lot No. 026, and amend Zoning Map No. SU13 to illustrate the Wawona Street And 45th Avenue Cultural Center Special Use District (Board of Supervisor File No. 230505). The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Planning Director, shall apply.

This approval is contingent on and will be of no further force and effect until the date that the San Francisco Board of Supervisors has approved by resolution approving the Planning Code Text Amendment and Map Amendment.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Parking and Traffic

- 7. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Monitoring - After Entitlement

- 8. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

**Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit B of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

# BRIEF SUBMITTED BY THE APPELLANT(S)



# **SPEAK** SUNSET PARKSIDE EDUCATION AND ACTION COMMITTEE

1329 7th Avenue, San Francisco, CA 94122-2507

August 22, 2023

## **Delivered Via E-Mail**

President Rick Swig and Commissioners  
San Francisco Board of Appeals  
49 South Van Ness, Suite 1475 (14th Floor)  
San Francisco, CA 94103

Re: Appellant Brief in Support of Appeal No: 23-035  
Determination Type: Review of Coastal Zone Permit per PC §330.5.1(b)  
BOA Hearing Date: September 13, 2023

Dear President Swig and Commissioners:

“SPEAK” -Sunset Parkside Education and Action Committee (“Appellant”) appeals the Coastal Zone Permit approved by the Planning Commission on July 27, 2023 as Motion #21375 (Record No. 2022-001407CTZ) and Coastal Zone Permit application -2700 45<sup>th</sup> Ave. ***[Exhibit A: “Planning Commission Motion #21375 for Coastal Zone Permit; Coastal Zone Permit application; Project and CUA applications attached hereto and incorporated by reference].***

Appellant respectfully requests that this Board reverse the Planning Commission’s approval of the Coastal Zone Permit - Motion #21375 (Record No. 2022-001407CTZ) and deny the Coastal Zone Permit. Appellant requests reversal and denial of the permit for the following reason:

**The Planning Commission erred in its findings that the project “conforms to the requirements and objectives of the San Francisco Local Coastal Program” and issued the Coastal Zone permit in error.**

*[see Exhibit A, pdf p. 17 Planning Comm. Motion #21375 Coastal Zone Permit p. 3, Findings #6]*

## **A. BOARD OF APPEALS AUTHORITY**

Planning Code §330.5.1(b), provides that the Board of Appeals shall review all appeals of coastal zone permit applications *[See Exhibit B, pdf p. 51]* . This code section is also part of the Coastal Zone Permit Review Procedures component of the San Francisco Local Coastal Program (LCP) certified by the California Coastal Commission as provided for

by the California Coastal Act which is codified in the California Public Resources Code §30108.6, §30355, §30403 and §30500-§30526. ***[Exhibit B: Coastal Zone Permit Review Procedures component of certified Local Coastal Program attached hereto and incorporated by reference]***

## **B. STANDARD OF REVIEW**

Planning Code §330.5.1(b), included in the certified Local Coastal Program, provides that the Board of Appeals shall review all appeals of coastal zone permit applications for consistency with the requirements and objectives of the San Francisco Local Coastal Program. *[See Exhibit B, pdf p. 51, §330.5.1(b), LCP Coastal Zone Permit Review Procedures]*

Planning Code §330.5.2 is also in the Coastal Zone Permit Review Procedures component of the certified Local Coastal Program. This section provides that the Board of Appeals shall adopt factual findings that the project is consistent or not consistent with the Local Coastal Program. *[See Exhibit B, pdf p. 51, §330.5.2, LCP Coastal Zone Permit Review Procedures]*

## **C. LOCAL COASTAL PROGRAM AND CALIFORNIA COASTAL ACT**

The Legislature passed the California Coastal Act of 1976 to protect coastal resources and maximize public access to the shoreline. The act made the Coastal Commission a permanent state agency with broad authority to regulate development within a defined coastal zone.

The Coastal Act provides for the Coastal Commission's certification of local coastal programs prepared by counties and cities located in whole or in part within the Coastal Zone. Coastal Act §30108.6 defines a local coastal program as:

***“a local government’s (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resources areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, this division at the local level.”***

The statute requires that each of these components be certified by the Coastal Commission [*Coastal Act §30501*].

The Coastal Commission certified the San Francisco Local Coastal Program (LCP) on March 14, 1986. The 4 LCP components include:

- 1) Coastal Zone Permit Review Procedures [*See Exhibit B, pdf p. 44*]
- 2) Neighborhood Commercial Rezoning with zoning sections of the Planning Code [*Exhibit C: LCP Neighborhood Commercial Rezoning component attached hereto and incorporated by reference*],
- 3) Variances section of the Planning Code [*Exhibit D: LCP Variances section of Planning Code component attached hereto and incorporated by reference*] and
- 4) Land use plan (amended on May 10, 2018). [*Exhibit E: LCP Land Use Plan/Western Shoreline Area Plan component attached hereto and incorporated by reference*]

San Francisco has amended only the land use plan component of its local coastal program, and the Coastal Commission certified that amendment on May 10, 2018. The amended land use plan component is also known as the Western Shoreline Area Plan which is part of San Francisco's General Plan.

There have been no additional amendments to San Francisco's Local Coastal Program certified on March 14, 1986. Accordingly, other components including the Neighborhood Commercial Rezoning, Coastal Zone Permit Review Procedures, and Variances section of the Planning Code certified by the Coastal Commission on March 14, 1986 remain components of San Francisco's current Local Coastal Program. Accordingly, applications for coastal zone permits must be consistent with the requirements and objectives of these LCP components.

Once a local coastal program is certified by the Coastal Commission, original coastal zone permit jurisdiction resides with the local government. The exception is certain lands such as tidelands and submerged lands below the mean high tide for which the Coastal Commission retains original jurisdiction.

## D. PROPOSED PROJECT



Rendering of 2700 45<sup>th</sup> Avenue and concept for 2700 Sloat Boulevard from video at <https://irishcenter2025.org>

The proposed project includes requests for Coastal Zone Permit, Conditional Use Authorization, Shadow Findings and Planning Code Text and Zoning Map Amendments to establish a Special Use District. On July 27, 2023, the Planning Commission recommended/authorized the “Wawona Street and 45<sup>th</sup> Avenue Cultural Center Special Use District” (SUD) which would modify Planning Code requirements regarding permitted uses and use categories and eliminate applicability of large lot development and non-residential use size limit requirements [*Exhibit F, pdf p. 230*]. The Planning Commission also adopted Shadow Findings and adopted a Conditional Use Authorization for the proposed project which authorizes exemptions from zoning sections of the Planning Code for floor area ratio, rear yard setbacks, and bulk.

***[Exhibit F: Executive Summary by Planning staff; Planning Commission Draft Resolution re: proposed ordinance that would amend Planning Code/Zoning Map to create the “Wawona Street and 45<sup>th</sup> Avenue Cultural Center Special Use District”; Proposed Ordinance; Draft Motions for proposed project; Project Plans; Streamlined Review for Infill Projects attached hereto and incorporated by reference]***

§ 330.5.1(a) of the Coastal Zone Permit Review Procedures component of the certified LCP requires that the Planning Department review all applications for conditional use authorizations, variances, Planning Code amendments, and zoning map changes as well as Coastal Zone Permits within the Coastal Zone for consistency with the requirements and objectives of the Local Coastal Program.

*[See Exhibit B, pdf p. 50, LCP Coastal Zone Permit Review Procedures, § 330.5.1(a)]*

The project proposal includes demolition of the existing United Irish Cultural Center (UICC) and new construction of a six-story over 2-level basement, 91-foot tall mixed use building approximately 129, 538 square feet. The project would be located on 45<sup>th</sup> Avenue at Wawona Street across from the proposed new residential concept known as 2700 Sloat Boulevard per UICC renderings. Yet the renderings suggest that the two structures would be similar scale even though the scale is very different based on project proposals to date. The 2700 45<sup>th</sup> Ave. CUA application suggests a link between projects and states that the proposed concept at 2700 Sloat “**sets a precedent for development and massings of this scale in this neighborhood.**” *[See Exhibit A, pdf p. 38, CUA application, p. 2, conditional use findings #1, last paragraph]*. The same law firm is representing the sponsors/owners of both 2700 45<sup>th</sup> Avenue and 2700 Sloat Boulevard.

On July 26, 2023, this Board rejected an appeal and upheld the Zoning Administrator’s interpretation of the Planning Code regarding a proposed 50-story residential tower at 2700 Sloat Boulevard across from the proposed project herein at 2700 45<sup>th</sup> Avenue. Nevertheless, the Planning Department includes the 2700 Sloat project in the cumulative impact analysis in its Streamlined Review for Infill Projects *document* *[See Exhibit F, pdf p. 337, Streamlined Review for Infill Projects, p. 14]*

Construction cost estimates for the UICC 2700 45<sup>th</sup> Avenue project range from nearly \$46.7 million as stated in the Planning application to \$74 million on the UICC’s Irish Center 2025 web site: <https://irishcenter2025.org> *[Exhibit G: Construction cost estimate attached hereto and incorporated by reference]*.

## E. ARGUMENT

### 1. Coastal Zone Permit Cannot be Approved for Proposed Project which Requires Special Use District without Amending Local Coastal Program and without Coastal Commission Certification.

§ 330.5 (d)(2) of the Coastal Zone Permit Review Procedures of the certified Local

Coastal Program states:

***“Any proposed amendments, set-back proceedings, zoning map changes or interim zoning controls which may alter the Local Coastal Program shall be submitted as a request for an amendment of the Local Coastal Program for review by the California Coastal Commission...Such amendment shall take effect only after it has been certified by the California Coastal Commission.”****[See Exhibit B, pdf p. 50, Coastal Zone Permit Review Procedures]*

There is no mention of the statutory requirement to amend the certified Local Coastal Program for this project in either the Planning Commission’s Motion #21375 or the Planning Department’s Executive Summary. Further, there is no mention of this statutory requirement in any other Planning documents for this proposed project including the “Streamlined Review for Infill Projects” nor did Planning staff mention this during the Planning Commission hearing. Also, there is no mention of this statutory requirement in the application materials.

Further, the Planning Department failed to mention this statutory requirement in the “Review Process” section *[Exhibit H, pdf p. 473]* of its Notice of Public Hearing to amend the Planning Code and the zoning map and create the new “Wawona Street and 45<sup>th</sup> Avenue Special Use District.” ***[Exhibit H: Notice of Public Hearing: 2700 45<sup>th</sup> Avenue attached hereto and incorporated by reference].***

Therefore, approving a Coastal Zone Permit for this proposed project is not consistent with § 330.5 (d)(2) of the Coastal Zone Permit Review Procedures of the certified Local Coastal Program. Accordingly, this Board must overturn the Planning Commission’s Coastal Zone Permit authorization and deny the Coastal Zone Permit.

**2. Coastal Zone Permit for Proposed Project which Requires Special Use District Not Consistent with Certified Local Coastal Program-Neighborhood Commercial Rezoning Component**

The Coastal Zone Permit application is not consistent with the Neighborhood Commercial Rezoning component of the Local Coastal Program certified by the Coastal Commission. The Neighborhood Commercial Rezoning component contains only four special use districts, none of which are in the Coastal Zone.

*[See Exhibit C, pdf p. 96, § 702.2, Neighborhood Commercial Rezoning component of the certified Local Coastal Program, p. 34].*

There is no provision in the certified Local Coastal Program for creating new special use districts in the Coastal Zone. Therefore, approving a Coastal Zone Permit for a project for which the Planning Commission has also approved a resolution recommending/authorizing Planning Code text and zoning map amendments and creating a new special use district is not consistent with the requirements and objectives of the Local Coastal Program.

As a factual finding, this Board must find that authorizing a Coastal Zone Permit for a project which requires text changes of zoning sections of the Planning Code and zoning map amendments creating a new special use district is **not** consistent with the requirements and objectives of the certified Local Coastal Program. Accordingly, this Board must overturn the Planning Commission's approval of Motion #21375 and deny the Coastal Zone Permit.

**3. Planning Commission Motion for Coastal Zone Permit and Planning Department Executive Summary Fail to Adequately Address Consistency with LCP**

There is next to no mention in either the Planning Commission Motion #21375 or the Planning Department's Executive Summary of how the proposed project is in any way *consistent* with the Local Coastal Program. Other than Finding #6 that the proposed project "conforms" with the Local Coastal Program, the only mention of anything related to the Local Coastal Program is a restating of Objective 11 of the LCP Land Use Plan/Western Shoreline Area Plan and a one-sentence conclusion that "on balance" the project is consistent with the

Western Shoreline Area Plan. The Western Shoreline Area Plan is only one of the four components of the certified Local Coastal Program [see *LCP components, brief, p. 3*].

Notably, there is neither any mention nor any discussion of whether the project is *consistent* with other components of the Local Coastal Program such as the Neighborhood Commercial Rezoning component [Exhibit C] and the Coastal Zone Permit Review Procedures component [Exhibit B]. These are glaring omissions.

**4. Issuance of Coastal Zone Permit Not Consistent with Neighborhood Commercial Rezoning Component of Certified Local Coastal Program.**

The proposed project is inconsistent with multiple requirements and objectives of the Neighborhood Commercial Rezoning component of the certified Local Coastal Program as follows: The Neighborhood Commercial Rezoning component states that zoning for Sloat Boulevard from 44<sup>th</sup> Avenue to the Great Highway is NC-2 Small-Scale Neighborhood Commercial District. The description of NC-2 districts states that:

***“Small-scale district controls provide for mixed-use buildings which approximate or slightly exceed the standard development pattern.”***  
[See Exhibit C, pdf p. 107, LCP Neighborhood Commercial Rezoning, p. 45]

In contrast, this project for which the Planning Commission authorized a Coastal Zone Permit greatly exceeds the standard development pattern as is clear from renderings [Exhibit F].

The Neighborhood Commercial Rezoning component of the Local Coastal Program states for NC-2 zoned areas:

***“Eating and drinking, entertainment... are confined to the ground story.”***  
[See Exhibit C, pdf p. 107, LCP Neighborhood Commercial Rezoning, p. 45]

Yet the project for which the Planning Commission authorized a Coastal Development Permit proposes a sixth floor roof deck with 1,130 square feet for two outdoor dining areas, a fire pit table and 1,570 square feet of restaurant seating, a 1,270 square foot commercial kitchen, a 1,320 square foot lounge with seating area, and two bars among other facilities. [See Exhibit F, pdf p.326, Streamlined Review for Infill Projects, p. 3].



This is clearly not consistent with the Neighborhood Commercial Rezoning component of the Local Coastal Program.

The “Scale, Height and Bulk” section of the Neighborhood Commercial Rezoning component of the Local Coastal Program states:

***“The height of a proposed development should relate to the individual neighborhood character and the height and scale of adjacent buildings to avoid an overwhelming or dominating appearance of new structures.”***  
*[See Exhibit C, pdf p. 86, LCP Neighborhood Commercial Rezoning, top p. 20]*

The rendering of the proposed project submitted by the project sponsor shows a building that is not consistent with neighborhood character and inconsistent with the height and scale of adjacent existing buildings. Further, this proposed project would clearly overwhelm and dominate which is inconsistent with the Neighborhood Commercial Rezoning component of the Local Coastal Program.

The “Materials” section of the Neighborhood Commercial Rezoning component of the Local Coastal Program states:

***“The materials, textures and colors of new or remodeled structures should be visually compatible with the predominant materials of nearby structures. In most neighborhood commercial districts, painted wood or masonry are the most appropriate and traditional exterior facade materials.”***  
*[See Exhibit C, pdf p. 87, LCP Neighborhood Commercial Rezoning, p. 21]*

Inconsistent with this section is the way project sponsor Studio Banaa describes the proposed project in its Project Application Exhibit ***[Exhibit I: PRJ Application Exhibit Letter attached hereto and incorporated by reference, pdf p. 475]*** as follows:

***“The new building design is inspired by the form of the Irish Ogham standing stones and the traditional thatched roof cottages of Ireland, and is expressed as a massing split into four distinct pieces, representing the four provinces of Ireland....The building’s exterior façade utilizes a slate rainscreen cladding which evokes the slate roofs found in traditional Irish architecture.”***  
*[See Exhibit I, pdf p. 476, PRJ Application Exhibit Letter-Project Description, p. 2]*

Further, the Planning staff notes in its Executive Summary that the building will:

***“incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland.”***  
*[See Exhibit F, pdf p. 227, Planning Exec. Summ., “General Plan Compliance,” p. 3]*

The “Guidelines for All Uses” section of the “Neighborhood Commercial Rezoning” component of the Local Coastal Program certified by the Coastal Commission states:

***“The use primarily should serve the local community and not attract a major part of its clientele from outside the district in which it is located.”***  
*[See Exhibit C, pdf p. 72, LCP Neighborhood Commercial Rezoning, p.6]*

Inconsistent with this section is project sponsor Studio Banaa’s project description in its Project Application Exhibit:

***The new building aims to become an iconic destination for Irish culture and activity on the Western Coast of the United States...***  
*[See Exhibit I, pdf p. 476, PRJ Application Exhibit Letter-Project Description, p. 2]*

Similarly, at the Planning Commission hearing, vice consul Jennifer Chadwick of the Consulate General of Ireland on behalf of Micheál Smith, Consul General of Ireland-Western United States read a statement into the record:

***“I am confident that this building will serve as the flagship cultural center of the State of California.”***  
*[See Planning Commission Hearing 7-27-23, archived video, counter 1:46:52]*

Further, published articles in the *Irish Herald* suggest that the proposed project relies at least in part on funding from the national government of Ireland.

***[Exhibit J: Irish Herald, July and Feb, 2023: “Irish Government Officials Explore Future Vision of the UICC”; “San Francisco Irish Center Enters National Spotlight”]***

Clearly, the primary intended use of this nearly \$46.7 million to \$74 million proposed facility is not for the local community. Accordingly, this project is not consistent with the requirements and objectives of the Neighborhood Commercial Rezoning component of the certified Local Coastal Program.

**5. Coastal Zone Permit for Project that Requires Planning Code Text Changes and Zoning Map Changes Creating New Special Use District Not Consistent with Certified Local Coastal Program-Land Use Plan/Western Shoreline Area Plan.**

Objective 11 of the land use component of the SF Local Coastal Program (Western Shoreline Area Plan) under the heading “Richmond and Sunset Residential Neighborhoods” states:

**“Preserve the scale of residential and commercial development along the Coastal Zone area.”**[Exhibit E, pdf p. 220, Western Shoreline A.P.]

*Policy 11.1 states:*

**“Preserve the scale and character of existing residential neighborhoods by setting allowable densities at the density generally prevailing in the area and regulating new development so its appearance is compatible with adjacent buildings.”** [Exhibit E, pdf p. 220, Western Shoreline A.P.]

Policy 11.7 states:

**“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.”** [Exhibit E, pdf p. 220, West. Sh A.P.]

In contrast, this proposed project creating a new special use district (SUD) which would limit certain zoning sections of the Planning Code fails to preserve the scale and character of commercial development and the neighborhood and is therefore not consistent with the land use plan of the certified Local Coastal Program. The floor area ratio alone is proposed at 7 to 1 as compared with 3.6 to 1 for commercial and institutional uses for NC-2 zoning in the Local Coastal Program.

*[See Exhibit C, pdf p. 108, LCP Neighborhood Commercial Rezoning, p. 46]*

Further, the appearance of the proposed project is not remotely compatible with adjacent buildings. Clearly, this project is not consistent with the land use plan/Western Shoreline Area Plan of the Local Coastal Program certified by the Coastal Commission nor is it consistent with other components of the certified Local Coastal Program.

## **F. FACTUAL FINDINGS**

Planning Code §330.5.1(b) of the Coastal Zone Permit Review Procedures of the certified LCP provides that the Board of Appeals shall review all appeals of coastal zone

permit applications **for consistency with the requirements and objectives of the San Francisco Local Coastal Program**. [See Exhibit B: §330.5.1(b), LCP Coastal Zone Permit Review Procedures, pdf p.51]. Section §330.5.2 provides that the Board of Appeals shall adopt factual findings that the project is consistent or not consistent with the Local Coastal Program. [See Exhibit B: §330.5.2, LCP Coastal Zone Permit Review Procedures, pdf p.51]

For all of the reasons in this brief, this Board must adopt factual findings that the proposed project requires Planning Code text changes and zoning map changes creating a new special use district (SUD) which would modify Planning Code requirements regarding permitted uses and use categories and eliminate applicability of large lot development and non-residential use size limit requirements. Accordingly, this Board must adopt factual findings that the Coastal Zone Permit application for the proposed project herein is not consistent with the Coastal Zone Permit Review Procedures, Neighborhood Commercial Rezoning, and Land Use Plan/Western Shoreline Area Plan components of the certified Local Coastal Program.

#### A. CONCLUSION

Clearly, the Coastal Zone Permit application and proposed project fail the Board's standard of review. For all of the reasons above, appellant respectfully requests that the Board of Appeals adopt factual findings that the Coastal Zone Permit application is not consistent with the Local Coastal Program. Appellant further respectfully requests that the Board of Appeals uphold the appeal and overturn the Planning Commission's approval of the Coastal Zone Permit application for 2700 45<sup>th</sup> Avenue- *Motion #21375* (Record No. 2022-001407CTZ) and deny a Coastal Zone Permit for this proposed project.

Respectfully submitted,



Sunset Parkside Education and Action Committee ("SPEAK")

Eileen Boken, President

# Exhibits

## Table of Contents

**Exhibit A:** Planning Commission Motion #21375 for Coastal Zone Permit: page 15  
Coastal Zone Permit application: page 27  
Project (PRJ) application: page 30  
CUA application: page 38

**Exhibit B:** Coastal Zone Permit Review Procedures component of certified LCP: page 44

**Exhibit C:** LCP Neighborhood Commercial Rezoning component: page 62

**Exhibit D:** LCP Variances sections of Planning Code component: page 210

**Exhibit E:** LCP Land Use Plan/Western Shoreline Area Plan component: page 212

**Exhibit F:** Executive Summary by Planning staff: page 225  
Planning Commission Draft Resolution re: proposed ordinance that would amend  
Planning Code/Zoning Map to create the “Wawona Street and 45th Avenue Cultural  
Center Special Use District”: page 230  
Proposed Ordinance: page 237  
Draft Motions for proposed project: 242  
Project plans: page 288  
Streamlined Review for Infill Projects: page 324

**Exhibit G:** Construction cost estimate: page 470

**Exhibit H:** Notice of Public Hearing: page 472

**Exhibit I:** PRJ Application Exhibit Letter: page 475

**Exhibit J:** Articles from *Irish Herald*,  
July, 2023 -“Irish Government Officials Explore Future Vision of the UICC”: page 485  
February, 2023 -“San Francisco Irish Center Enters National Spotlight”: page 486

# EXHIBIT A



# PLANNING COMMISSION MOTION NO. 21375

**HEARING DATE: JULY 27, 2023**

**Record No.:** 2022-001407CTZ  
**Project Address:** 2700 45<sup>th</sup> Avenue  
**Zoning:** Neighborhood Commercial, Small Scale (NC-2) Zoning District  
100-A Height and Bulk District  
**Cultural District:** Sunset Chinese Cultural District  
**Block/Lot:** 2513 / 026  
**Project Sponsor:** Dane Bunton  
Studio BANAA  
2169 Folsom Street, Suite #106  
San Francisco, CA 94110  
**Property Owner:** United Irish Cultural Center Inc.  
San Francisco, CA 94116  
**Staff Contact:** Gabriela Pantoja – (628) 652-7380  
[Gabriela.Pantoja@sfgov.org](mailto:Gabriela.Pantoja@sfgov.org)

ADOPTING FINDINGS RELATING TO THE GRANTING OF A COASTAL ZONE PERMIT PURSUANT TO PLANNING CODE SECTION 330 TO ALLOW THE DEMOLITION OF A TWO-STORY, COMMUNITY FACILITY AND NEW CONSTRUCTION OF A SIX-STORY-OVER-BASEMENT, 91-FT TALL, MIXED-USE BUILDING (APPROXIMATELY 129,538 SSQUARE FEET) OPERATED BY THE UNITED IRISH CULTURAL CENTER THAT CONTAINS PUBLIC AND PRIVATE COMMUNITY FACILITIES, RESTAURANT, BAR, OFFICE, NIGHTTIME ENTERTAINMENT, AND INSTRUCTIONAL LAND USES, 54 OFF-STREET PARKING SPACES, TWO CAR SHARE SPACES, 42 CLASS 1 AND 44 CLASS 2 BICYCLE PARKING SPACES LOCATED AT 2700 45<sup>TH</sup> AVENUE, BLOCK 2513 LOT 026 WITHIN THE NC-2 (NEIGHBORHOOD COMMERCIAL, SMALL SCALE) ZONING DISTRICT, WAWONA STREET AND 45<sup>TH</sup> AVENUE CULTURAL CENTER SPECIAL USE DISTRICT, AND 100-A HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMNETAL QUALITY ACT.

## PREAMBLE

On February 18, 2022, Dane Bunton of Studio BANAA (hereinafter "Project Sponsor") filed Application No. 2022-001407CTZ (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Coastal Permit Zone to allow the demolition of a two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment,

and Instructional land uses, 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. (hereinafter “Project”) at 2700 45<sup>th</sup> Avenue, Block 2513 Lot 026 (hereinafter “Project Site”).

The Project is exempt from the California Environmental Quality Act (“CEQA”) as an Infill Exemption per CEQA Guidelines Section 15183.3.

On July 27, 2023, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Coastal Zone Permit Application No. 2022-001407CTZ.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2022-001407CTZ is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The 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 the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Coastal Zone Permit as requested in Application No. 2022-001407CTZ, subject to the conditions contained in “EXHIBIT B” of this motion, based on the following findings:

## 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:

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The proposal is 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) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses. The proposed building will contain 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. The Project will improve the pedestrian walkways with new ADA curb ramps, a new bulbout at the intersection of Wawona St. and 45th Ave., ADA passenger loading zones, street trees, and Class 2 bicycle parking spaces. A total of three signs will be erected at the site.
- 3. Site Description and Present Use.** The subject property is an approximately 16,250 square foot irregular shaped lot located on the west side of 45<sup>th</sup> Avenue, between Wawona Street and Sloat Boulevard. The lot at maximum measures 132 feet 6 inches in depth and 125 feet in width and is developed with a two-story L-shaped building. Developed in 1974, the building is approximately 21,263 square feet in size and is composed of a library, store, restaurant, bar, member’s lounge, office, ballroom, and social hall. A surface parking lot is located at the east section of the subject property and contains 12 off-street parking spaces. Since its opening in 1975, the “United Irish Cultural Center” has occupied the existing building and served the Irish community in San Francisco and the greater Bay Area.



- 4. Surrounding Properties and Neighborhood.** The subject property is located within the Neighborhood Commercial, Small Scale (NC-2) Zoning District, 100-A Height and Bulk District, and Coastal Zone area. The property is located within the Parkside neighborhood, adjacent to the Lakeshore neighborhood. The immediate neighborhood's context is predominantly mixed in character with one-to-three story residential and commercial developments. Immediately to the south of the subject property is a vacant parking lot and a one-story restaurant, Java Beach Café, to the east are four three-story multi-unit residential buildings, and to the southeast is a two-story motel. Across the street of the subject property is 2700 Sloat Blvd., the current home of the Sloat Garden Center. Other zoning districts in the vicinity of the subject property include RH-1 (Residential-House, One-Family), RM-2 (Residential-Mixed, Moderate Density), and P (Public) Zoning Districts.

The Project is located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The Sunset Chinese Cultural District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.

- 5. Public Outreach and Comments.** Prior to the submittal of the listed applications, the Project Sponsors 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 Sponsors have continued to provide community members with Project updates via a monthly newsletter and a dedicated website. Over 200 community members have already expressed support for the proposed development including Cub Scout Pack 0108, The Kennelly and Michael Dillon Schools of Irish Dance, SF Connaught Social and Athletic Club, and District 4 Board of Supervisor, Joel Engardio. To date, the Department has not received any correspondence in opposition of the Project.
- 6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

Pursuant to Planning Code Section 330, the Project is consistent with the Coastal Zone Permit process and conforms to the requirements and objectives of the San Francisco Local Coastal Program.

- 7. General Plan Compliance.** The Project is, on balance, 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.

## URBAN DESIGN ELEMENT

Objectives and Policies

## OBJECTIVE 3

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

### POLICY 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

## OBJECTIVE 4

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

### POLICY 4.12

Install, promote and maintain landscaping in public and private areas.

## TRANSPORTATION ELEMENT

Objectives and Policies

## OBJECTIVE 25

### IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

#### POLICY 25.2

Maintain and expand the planting of street trees and the infrastructure to support them.

#### POLICY 25.4

Preserve pedestrian-oriented building frontages

## WESTERN SHORELINE AREA PLAN

### RICHMOND AND SUNSET RESIDENTIAL NEIGHBORHOODS

#### Objectives and Policies

## OBJECTIVE 11

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

#### 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.

*On balance, the Project is consistent with the Objectives and Policies of the General Plan and the Western Shoreline Area Plan. The Project will develop 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 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, is a proven manager and operator of a large community facility.*

*The Project 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. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.*

*Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area. The Project 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.*

*Located within proximity to public transportation, the Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the neighborhood's existing on-street parking availability. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will also be provided along both 45th Ave. and Wawona Street.*

**8. Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The Project will not remove or displace an existing neighborhood serving retail uses. The Project site is currently and will continue to be occupied by a community facility (United Irish Cultural Center). The Project will, however, enhance and provide neighborhood serving retail use opportunities, job opportunities, and business opportunities to the residents of the neighborhood. Furthermore, the Project will introduce new patrons to the area, and therefore, strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.*

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The Project will conserve and protect the existing housing and neighborhood character, including the cultural and economic diversity of the neighborhood. The Project will maintain and help grow the presence of the United Irish Cultural Center within the Outer Sunset and Parkside neighborhoods by demolishing an existing two-story, community facility building and constructing a six-story-over-basement, mixed-use building with private and public community facilities, bar, restaurant, office, nighttime entertainment, and instructional uses. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.*

*Reflecting the history and aspirations of the Irish community, the proposed building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area while respecting the scale and form of the surrounding neighborhood.*

- C. That the City's supply of affordable housing be preserved and enhanced,

*The Project does not currently possess any existing affordable housing.*

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the immediate neighborhood's existing on-street parking availability; the Project site is well served by public transportation. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will be provided along both 45<sup>th</sup> Ave. and Wawona Street.*

- E. 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 Project will not displace any service or industry sectors due to a commercial office development and will not affect residents' employment and ownership opportunities of industrial and service sector. Rather, the Project will increase the future employment and ownership opportunities. The Project will demolish a two-story, community facility building and construct a much larger mixed-use building that includes private and public community facilities, restaurant, bar, office, nighttime entertainment, and instructional uses.*

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings.*

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Project will create a new shadow on the San Francisco Zoo which is under the jurisdiction of the Recreation and Park Department. However, the amount of net new shadow cast onto the Zoo as a result of the Project will not be significant or adverse to the enjoyment of the park.*

9. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
10. The Commission hereby finds that approval of the Coastal Zone Permit would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Coastal Zone Permit Application No. 2022-001407CTZ** subject to the following conditions attached hereto as “EXHIBIT B” in general conformance with plans on file, dated July 18, 2023, and stamped “EXHIBIT C”, which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Coastal Zone Permit to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Ave., Suite 1475, San Francisco, CA 94103.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Coastal Zone Permit to the California Coastal Commission within ten (10) working days after the California Coastal Commission receives notice of final action from the Planning Department pursuant to the provisions of Section 330.9. Appeals to the California Coastal Commission are subject to the aggrieved party provisions in Section 330.2(a). An applicant is required to exhaust local appeals before appealing to the California Coastal Commission. For further information about appeals to the California Coastal Commission, including current fees, contact the North Central Coast District Office at (415) 904 - 5260.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 27, 2023.

*Laura Lynch* Laura C Lynch  
Laura Lynch Lynch  
Acting Commission Secretary

Digitally signed  
by Laura C Lynch  
Date: 2023.08.09  
08:42:20 -07'00'

AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner  
NAYS: None  
ABSENT: Moore  
ADOPTED: July 27, 2023

# EXHIBIT B

## **Authorization**

This authorization is for a coastal zone permit to allow the demolition of an existing two-story, community facility and new construction of a six-story-over-basement, mixed-use building (approximately 129,538 square feet) to be operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses pursuant to Planning Code Sections 249.96, 303, and 330 within the NC-2 District, Wawona Street and 45<sup>th</sup> Avenue Cultural Center Special Use District, and a 100-A Height and Bulk District; in general conformance with plans, dated July 18, 2023, and stamped “EXHIBIT C” included in the docket for Record No. 2022-001407CTZ and subject to conditions of approval reviewed and approved by the Commission on July 27, 2023 under Motion No. 21375. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

## **Recordation of Conditions of Approval**

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 27, 2023 under Motion No. 21375.

## **Printing of Conditions of Approval on Plans**

The conditions of approval under the “Exhibit B” of this Planning Commission Motion No. 21375 shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Coastal Zone Permit and any subsequent amendments or modifications.

## **Severability**

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. “Project Sponsor” shall include any subsequent responsible party.

## **Changes and Modifications**

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Coastal Zone Permit.



# CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

## Performance

- 1. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) become effective. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 2. Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 3. Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) became effective.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 4. Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 5. Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 6. Additional Project Authorization.** The Project must obtain a Conditional Use Authorization, Planning Code Text Amendment Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District at 2700 45th Avenue, Assessor's parcel Block No. 2513, Lot No. 026, and amend Zoning Map No. SU13 to illustrate the Wawona Street And 45th Avenue Cultural Center Special Use District (Board of Supervisor File No. 230505). The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Planning Director, shall apply.

This approval is contingent on and will be of no further force and effect until the date that the San Francisco Board of Supervisors has approved by resolution approving the Planning Code Text Amendment and Map Amendment.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Parking and Traffic

- 7. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Monitoring - After Entitlement

- 8. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

**Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit B of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*



## COASTAL ZONE PERMIT (CTZ)

### INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

**ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.**

Pursuant to Planning Code Section 330, all projects within San Francisco's Coastal Zone Area may be required to apply for a Coastal Zone Permit for projects involving demolition, new construction, reconstruction, alteration, change of use, change of occupancy, condominium conversion, and public improvement.

For questions, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文：如果您希望獲得使用中文填寫這份申請表的幫助，請致電628.652.7550。請注意，規劃部門需要至少一個工作日來回應。

**Filipino:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### WHAT IS A COASTAL ZONE PERMIT?

The California Coastal Commission, in partnership with coastal cities and counties, plans and regulates the use of land and water in the designated coastal zone. Certain development activities, defined by the California Coastal Act of 1976, generally require a Coastal Zone Permit from either the California Coastal Commission or the local government. These include, but are not limited to: new construction, demolition, or alterations of structures, divisions of land, activities that change the intensity of use of land or public access to coastal waters, rip-rap repair, dredging, repair or maintenance to structures located in an environmentally sensitive habitat area, and alterations of land forms including removal or placement of vegetation, on a beach, wetland or sand dune, or within 100 feet of the edge of a coastal bluff, or stream or in areas of natural vegetation. See Planning Code Section 330 for additional information.

Projects that require a Coastal Zone Permit from the Planning Department shall be reviewed for consistency with the City's Western Shoreline Plan, within the San Francisco General Plan. A public hearing is not required unless the proposed project is within the California Coastal Commission appealable subarea or if the Zoning Administrator determines that the project has a significant impact on the Coastal Zone. The applicant shall be notified as to whether the application requires a public hearing. For more information about the Coastal Commission, please visit the following website: <http://www.coastal.ca.gov>.

### WHEN IS A COASTAL ZONE PERMIT NECESSARY?

San Francisco's Coastal Zone Area is shown in Section Maps CZ4, CZ5, and CZ13 of the Zoning Map and in the City Zoning Block Books. Projects within the following City Assessor's blocks may be required to apply for a Coastal Permit Application. Blocks: 1481\*, 1483\*, 1590, 1591, 1592, 1593, 1595, 1596, 1597, 1598, 1689, 1690, 1691, 1692, 1700\*, 1701, 1702, 1703, 1802, 1803, 1804, 1805, 1806, 1893, 1894, 1895, 1896, 2001, 2085, 2086, 2168, 2169, 2301, 2314, 2377, 2513, 2515, 2516, 7281, 7283, 7309\*, 7309A\*, 7333\*, 7334\*, 7337\*, 7380\*, 7384\*.

*\*Only a portion of these blocks are within the Coastal Zone. Consult the City Zoning Block Books to determine whether your property is within the Coastal Zone.*

Applicants of projects over tidelands, Lake Merced, the Olympic Country Club, and the Pacific Ocean shore extending 3 miles out to sea are required to apply to the California Coastal Commission for a Coastal Zone Permit.

## **FEES**

Please refer to the [Planning Department Fee Schedule](#) available at [www.sfplanning.org](http://www.sfplanning.org). For questions related to the Fee Schedule, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder's office and for monitoring compliance with any conditions of approval.



# COASTAL ZONE PERMIT (CTZ)

## SUPPLEMENTAL APPLICATION

### Property Information

---

Project Address:

Block/Lot(s):

## APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- The undersigned is the owner or authorized agent of the owner of this property.
- The information presented is true and correct to the best of my knowledge.
- Other information or applications may be required.
- I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

---

 Signature

---

 Name (Printed)

---

 Date

---

 Relationship to Project

(i.e. Owner, Architect, etc.)

---

 Phone

---

 Email

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_



## PROJECT APPLICATION (PRJ)

A Project Application must be submitted for any Building Permit Application that requires an intake for Planning Department review, including for environmental evaluation or neighborhood notification, or for any project that seeks an entitlement from the Planning Department, such as a Conditional Use Authorization or Variance. For more, see the [Project Application Informational Packet](#).

**Cost for Time and Materials:** Any time and materials exceeding initial fees charged for services provided are subject to billing.

For questions, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

**中文:** 如果您希望獲得使用中文填寫這份申請表的幫助，請致電628.652.7550。請注意，規劃部門需要至少一個工作日來回應。

**Filipino:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

## BUILDING PERMIT APPLICATIONS

### HOW TO SUBMIT:

For projects that do not require an entitlement action by the Planning Department, but require Planning Department review of a Building Permit Application, please present a complete signed Project Application along with the Building Permit Application for intake at <https://sfdbi.org/inhousereview>.

### WHAT TO SUBMIT:

- One (1) complete and signed application.
- Two (2) hard copy sets of plans that meet the Department of Building Inspection's submittal standards. Please see the Planning [Department's Plan Submittal Guidelines](#) for more information.
- A Letter of Authorization from the owner(s) designating an Authorized Agent to communicate with the Planning Department on their behalf.
- Pre-Application Meeting materials, if required. See the [Pre-Application Meeting Informational Packet](#) for more information.

Note: The applicable fee amount for Building Permit Applications will be assessed and collected at intake by the Department of Building Inspection at the Permit Center at 49 South Van Ness Ave, 2nd Floor.

(See [Fee Schedule and/or Calculator](#)).

## ENTITLEMENTS

### HOW TO SUBMIT:

For projects that require an entitlement from the Planning Department (e.g., Conditional Use, Variance), submit a Project Application with any required supplemental applications online at [sfplanning.org/resource/prj-application](https://sfplanning.org/resource/prj-application).

### WHAT TO SUBMIT:

- One (1) complete and signed PRJ application, or complete online submittal, including the following:
- An electronic copy of plans in pdf format, formatted to print at 11" x 17". Please see the [Department's Plan Submittal Guidelines](#) for more information about the required contents of plan submittals.
- A Letter of Authorization from the owner(s) designating an Authorized Agent to communicate with the Planning Department on their behalf.
- Pre-Application Meeting materials, if required. See the [Pre-Application Meeting Informational Packet](#) for more information.
- Current or historic photograph(s) of the property.
- All supplemental entitlement applications (e.g., Conditional Use, Variance) and information for environmental review, as indicated in this Project Application or in the Preliminary Project Assessment (PPA) letter.
- Payment for the required intake fee amount (See [Fee Schedule and/or Calculator](#)). Electronic payment is preferred. Non-electronic forms of payment are also accepted. For questions related to the Fee Schedule or fee payment, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org).



# PROJECT APPLICATION (PRJ)

## GENERAL INFORMATION

### Property Information

Project Address: \_\_\_\_\_

Block/Lot(s): \_\_\_\_\_

### Property Owner's Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

### Applicant Information

Same as above

Name: \_\_\_\_\_

Company/Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Please Select Billing Contact:                      Owner              Applicant              Other (see below for details)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Please Select Primary Project Contact:              Owner              Applicant              Billing

## RELATED APPLICATIONS

### Related Building Permit Applications (any active building permits associated with the project)

N/A

Building Permit Application No(s): \_\_\_\_\_

### Related Preliminary Project Assessments (PPA)

N/A

PPA Application No: \_\_\_\_\_

PPA Letter Date: \_\_\_\_\_

## PROJECT INFORMATION

### PROJECT DESCRIPTION:

Please provide a narrative project description that summarizes the project and its purpose. Please list any required approvals (e.g. Variance) or changes to the Planning Code or Zoning Maps if applicable.

### PROJECT DETAILS:

Change of Use      New Construction      Demolition      Facade Alterations      ROW Improvements  
Additions      Legislative/Zoning Changes      Lot Line Adjustment-Subdivision      Other: \_\_\_\_\_

**Residential:**      Senior Housing      100% Affordable      Student Housing      Dwelling Unit Legalization  
Inclusionary Housing Required      State Density Bonus      Accessory Dwelling Unit

Indicate whether the project proposes rental or ownership units:      Rental Units      Ownership Units      Don't Know

Indicate whether a Preliminary Housing Development Application (SB-330) is or has been submitted:      Yes      No

**Non-Residential:**      Formula Retail      Medical Cannabis Dispensary      Tobacco Paraphernalia Establishment  
Financial Service      Massage Establishment      Other: \_\_\_\_\_

**Estimated Construction Cost:** \_\_\_\_\_




## ENVIRONMENTAL EVALUATION SCREENING FORM




This form will determine if further environmental review is required.


If you are submitting a Building Permit Application only, please respond to the below questions to the best of your knowledge. You do not need to submit any additional materials at this time, and an environmental planner will contact you with further instructions.

If you are submitting an application for entitlement, please submit the required supplemental applications, technical studies, or other information indicated below along with this Project Application.

Environmental Topic	Information	Applicable to Proposed Project?		Notes/Requirements
<b>1a. General</b>	Estimated construction duration (months):	N/A		
<b>1b. General</b>	Does the project involve replacement or repair of a building foundation? If yes, please provide the foundation design type (e.g., mat foundation, spread footings, drilled piers, etc.)	Yes	No	
<b>1c. General</b>	Does the project involve a change of use of 10,000 square feet or greater?	Yes	No	
<b>1d. General</b>	Does Chapter 29 of the San Francisco Administrative Code apply to the proposed project?	Yes	No	If yes, please attach feasibility study to application. If applicant is unclear about Chapter 29 applicability, please contact your City Attorney.  Planning will not accept the application without applicant verification that Chapter 29 does not apply, or a completed feasibility study.
<b>2a. Transportation</b>	Does the project involve a child care facility or school with 30 or more students, or a location 1,500 square feet or greater?	Yes	No	If yes, submit an Environmental Supplemental- <a href="#">School and Child Care Drop-Off &amp; Pick-Up Management Plan</a> .
<b>2b. Transportation</b>	Would the project involve the intensification of or a substantial increase in vehicle trips at the project site or elsewhere in the region due to autonomous vehicle or for-hire vehicle fleet maintenance, operations, or charging?	Yes	No	
<b>3. Shadow</b> 	Would the project result in any construction over 40 feet in height?	Yes	No	If yes, an initial review by a shadow expert, including a recommendation as to whether a shadow analysis is needed, may be required, as determined by Planning staff. (If the project already underwent Preliminary Project Assessment, refer to the shadow discussion in the PPA letter.)  An additional fee for a shadow review may be required.
<b>4a. Historic Preservation</b>	Would the project involve changes to the front façade or an addition visible from the public right-of-way of a structure built 45 or more years ago or located in a historic district?	Yes	No	If yes, submit a complete <a href="#">Historic Resource Determination Supplemental Application</a> . Include all materials required in the application, including a complete record (with copies) of all building permits.
<b>4b. Historic Preservation</b>	Would the project involve demolition of a structure constructed 45 or more years ago, or a structure located within a historic district?	Yes	No	If yes, a historic resource evaluation (HRE) report will be required. The scope of the HRE will be determined in consultation with <a href="mailto:CPC-HRE@sfgov.org">CPC-HRE@sfgov.org</a> .

 Please see the [Property Information Map](#) or speak with staff at the Planning Counter to determine if this applies.

Environmental Topic	Information	Applicable to Proposed Project?		Notes/Requirements
<b>5. Archeology</b>	Would the project result in soil disturbance/ modification greater than two (2) feet below grade in an archeologically sensitive area or eight (8) feet below grade in a non-archeologically sensitive area?	Yes	No	If Yes, provide depth of excavation/ disturbance below grade (in feet*):  <u>*Note this includes foundation work</u>
<b>6a. Geology and Soils</b> 	Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 25% or greater? ----- Area of excavation/disturbance (in square feet): _____ Amount of excavation (in cubic yards): _____	Yes	No	A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project:  The project involves: <ul style="list-style-type: none"> <li>• new building construction, except one-story storage or utility occupancy;</li> <li>• horizontal additions, if the footprint area increases more than 50%;</li> <li>• horizontal and vertical additions increase more than 500 square feet of new projected roof area; or</li> <li>• grading performed at a site in the landslide hazard zone.</li> </ul> A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.
<b>6b. Geology and Soils</b> 	Does the project involve a lot split located on a slope equal to or greater than 20 percent?	Yes	No	A categorical exemption cannot be issued. Please contact <a href="mailto:CPC.EPintake@sfgov.org">CPC.EPintake@sfgov.org</a> , once a Project Application has been submitted.
<b>7. Air Quality</b> 	Would the project add new sensitive receptors (residences, schools, child care facilities, hospitals or senior-care facilities) within an Air Pollutant Exposure Zone?	Yes	No	If yes, submit an <a href="#">Article 38 Compliance application</a> with the Department of Public Health.
<b>8a. Hazardous Materials</b>	Is the project site located within the Maher area or on a site containing potential subsurface soil or groundwater contamination and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use?	Yes	No	If yes, submit a <a href="#">Maher Application Form</a> to the Department of Public Health and submit documentation of Maher enrollment with this Project Application.  Certain projects may be eligible for a waiver from the Maher program. For more information, refer to the Department of Public Health's <a href="#">Environmental Health Division</a> .  <u>Maher enrollment may also be required for other circumstances as determined by Environmental Planning staff.</u>
<b>8b. Hazardous Materials</b>	Is the project site located on a Cortese site or would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with current or former underground storage tanks?	Yes	No	If yes, submit documentation of enrollment in the Maher Program (per above), or a Phase I Environmental Site Assessment prepared by a qualified consultant.
<b>9. FEMA Floodplan</b>	Is the project site located within a FEMA Special Flood Hazard Area (AE, AO, and/or VE Zone)?	Yes	No	If yes, please submit a Flood Hazard Zone Protection Checklist with the Department of Building Inspection.

 Please see the [Property Information Map](#) or speak with staff at the Planning Counter to determine if this applies.

# PROJECT AND LAND USE TABLES

All fields relevant to the project **must be completed** in order for this application to be accepted.

	Existing	Proposed
General Land Use	Parking GSF	
	Residential GSF	
	Retail/Commercial GSF	
	Office GSF	
	Industrial-PDR	
	Medical GSF	
	Visitor GSF	
	CIE (Cultural, Institutional, Educational)	

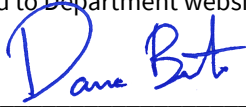
Project Features	Dwelling Units - Affordable	
	Dwelling Units - Market Rate	
	Dwelling Units - Total	
	Hotel Rooms	
	Number of Building(s)	
	Number of Stories	
	Parking Spaces	
	Loading Spaces	
	Bicycle Spaces	
	Car Share Spaces	
	Useable Open Space GSF	
	Public Open Space GSF	
	Roof Area GSF - Total	
	Living Roof GSF	
	Solar Ready Zone GSF	
Other: _____		

Land Use - Residential	Studio Units	
	One Bedroom Units	
	Two Bedroom Units	
	Three Bedroom (or +) Units	
	Group Housing - Rooms	
	Group Housing - Beds	
	SRO Units	
	Micro Units	
	Accessory Dwelling Units For ADUs, list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.	

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Relationship to Project  
(i.e. Owner, Architect, etc.)

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_



# CONDITIONAL USE AUTHORIZATION

## INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

**ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.**

Pursuant to Planning Code Section 303, the Planning Commission shall hear and make determinations regarding Conditional Use Authorization applications.

For questions, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文: 如果您希望獲得使用中文填寫這份申請表的幫助, 請致電628.652.7550。請注意, 規劃部門需要至少一個工作日來回應。

**Filipino:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### WHAT IS A CONDITIONAL USE AUTHORIZATION?

A Conditional Use refers to a use that is not principally permitted in a particular Zoning District. Conditional Uses require a Planning Commission hearing in order to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan. During this public hearing the Planning Commission will “condition” the use by applying operational conditions that may minimize neighborhood concerns as well as other conditions that may be required by the Department and the Planning Code. Conditional Use Authorizations are entitlements that run with the property, not the operator.

### WHEN IS A CONDITIONAL USE AUTHORIZATION NECESSARY?

For each Zoning District, the Planning Code contains use charts that list types of uses and whether each is permitted as of right (P), conditionally permitted (C), or not permitted (NP or blank). In addition to those particular uses, the Conditional Use Authorization process is utilized for various other applications included but not limited to dwelling unit removal, Planned Unit Developments (PUD’s), and for off-street parking in certain Zoning Districts. Please consult a planner at the Planning counter at the Permit Center for additional information regarding these applications.

### FEES

Please refer to the [Planning Department Fee Schedule](#) available at [www.sfplanning.org](http://www.sfplanning.org). For questions related to the Fee Schedule, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder’s office and for monitoring compliance with any conditions of approval.



# CONDITIONAL USE AUTHORIZATION

## SUPPLEMENTAL APPLICATION

### Property Information

---

 Project Address:

 Block/Lot(s):
 

---

### Action(s) Requested

Action(s) Requested (Including Planning Code Section(s) which authorizes action)

### Conditional Use Findings

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding. For some Conditional Use Authorizations, additional findings that are unique to the specific Conditional Use request must also be made by the Planning Commission. If such findings are required, as outlined in [Planning Code Sections 303\(g\)-\(z\)](#), please provide those separately and append to this application.

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community. If the proposed use exceeds the non-residential use size limitations for the zoning district, additional findings must be provided per Planning Code Section 303(c)(1)(A-C).



## Priority General Plan Policies Findings - Planning Code Section 101.1

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed alterations and demolitions are consistent with eight priority policies set forth in Section 101.1 of the Planning Code. These eight policies are listed below. Please state how the Project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. If a given policy does not apply to your project, explain why it is not applicable.

(Add additional sheets if necessary)

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;
2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;
3. That the City's supply of affordable housing be preserved and enhanced;
4. That commuter traffic not impede Muni transit service or overburden our 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;
6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;



7. That landmarks and historic buildings be preserved; and

8. That our parks and open space and their access to sunlight and vistas be protected from development.

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Relationship to Project  
(i.e. Owner, Architect, etc.)

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

For Department Use Only

Application received by Planning Department:

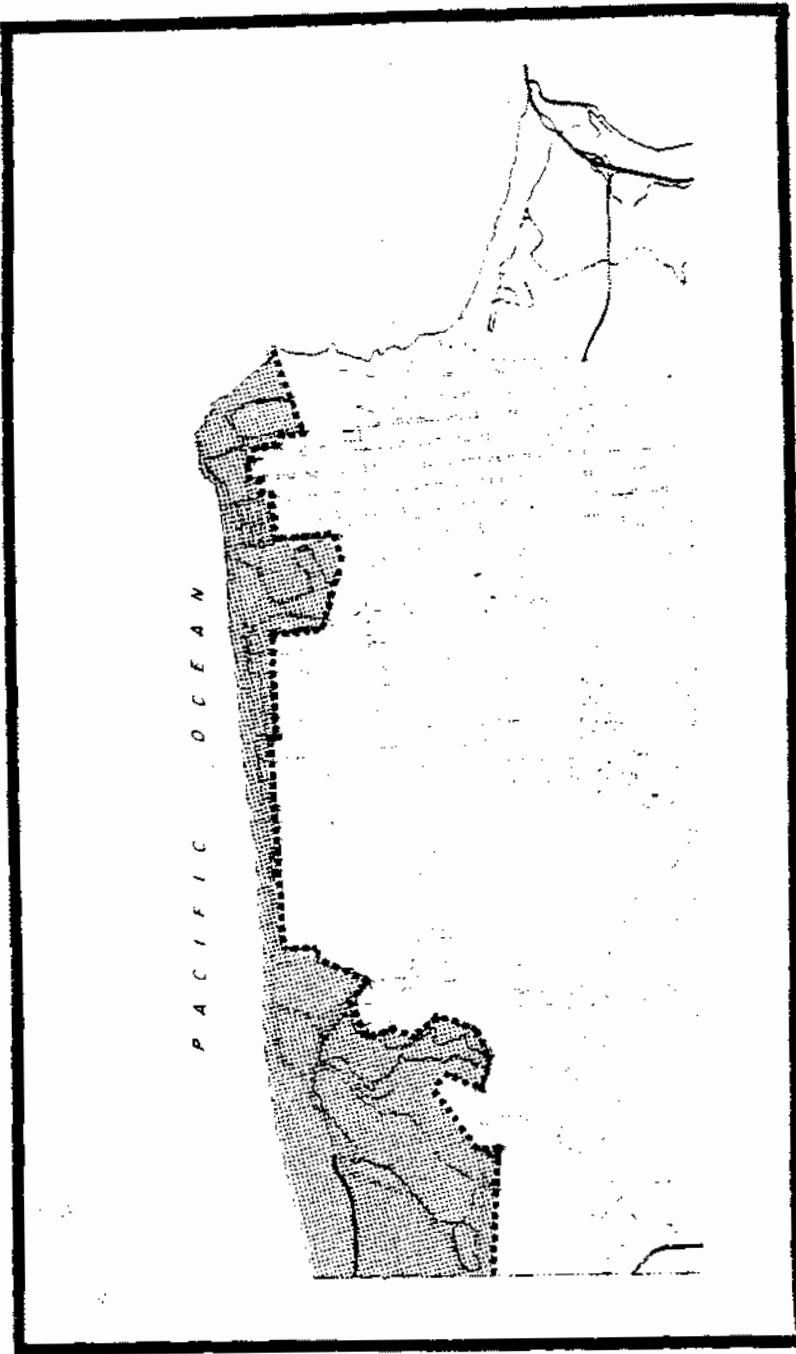
By: \_\_\_\_\_

Date: \_\_\_\_\_

# Exhibit B

# COASTAL ZONE PERMIT REVIEW PROCEDURES

SAN FRANCISCO CITY  
PLANNING CODE



CERTIFIED AS LEGALLY ADEQUATE  
BY THE CALIFORNIA COASTAL  
COMMISSION ON 3/14/86  
(A Portion of the Zoning  
Ordinance)

SAN FRANCISCO DEPARTMENT OF CITY PLANNING

## SAN FRANCISCO CITY PLANNING CODE

### COASTAL ZONE PERMIT PROCEDURES

- Sec. 330. Purpose and Coastal Zone Permit Area.
- Sec. 330.1 Projects Requiring Coastal Zone Permit Review.
- Sec. 330.2 Definitions.
- Sec. 330.3 Projects Exempt from Coastal Zone Permit Review.
- Sec. 330.4 Projects Subject to Coastal Zone Permit Review.
- Sec. 330.4.1 Projects Requiring a Coastal Zone permit from the California Coastal Commission.
- Sec. 330.5 Application for a Coastal Zone Permit.
- Sec. 330.5.1 Permit Application Review for Consistency with the Local Coastal Program.
- Sec. 330.5.2 Findings.
- Sec. 330.5.3 Determination of Permit Jurisdiction.
- Sec. 330.5.4 Planning Commission Review of Coastal Zone Permits.
- Sec. 330.6 Coastal Commission Notification.
- Sec. 330.7 Public Notice.
- Sec. 330.8 Emergency Coastal Zone Permits.
- Sec. 330.9 Appeal Procedures.
- Sec. 330.10 Appealable Projects.
- Sec. 330.11 Who May Appeal a Coastal Zone Permit.
- Sec. 330.12 Permit Approval by Operation of Law.
- Sec. 330.13 Effective Date of Approved Projects.
- Sec. 330.14 Expiration Date and Extensions.
- Sec. 330.15 Coastal Zone Permit Fees.
- Sec. 330.16 Procedural Permit Review Changes.

SEC. 330. PURPOSE AND COASTAL ZONE PERMIT AREA.

- (a) **Purpose.** The purpose of Section 330 through 330.16 is to implement the process of reviewing projects within the Coastal Zone for consistency with the San Francisco Local Coastal Program as required by the California Coastal Act of 1976 as amended.
- (b) **Coastal Zone Permit Area.** The following regulations pertain to the San Francisco Coastal Zone Area designated on Section Maps CZ4, CZ5, and CZ13 of the Zoning Map.  
(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.1. PROJECTS REQUIRING COASTAL ZONE PERMIT REVIEW.

All private projects, except those specifically exempt, shall be required to apply to the San Francisco Department of City Planning for a Coastal Zone Permit for demolition, construction, reconstruction, alterations, change of use, change of occupancy, condominium conversions or any other development on or affecting real property located within the designated boundary of the Coastal Zone.

All public projects, except those specifically exempt, shall be required to apply to the San Francisco Department of City Planning for a Coastal Zone Permit, including any development project or change of use in the coastal zone area of Golden Gate Park, the Zoo, or the Lake Merced area:

A Coastal Zone Permit shall be required in addition to any other permit application which may be required elsewhere by the Planning Code, Building Code, or other Municipal Code.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.2. DEFINITIONS.

For the purposes of this Section 330 through 330.16, the following definitions shall apply:

- (a) An "aggrieved person" for the purpose of appeals to the California Coastal Commission shall be any person who appears at a public hearing in connection with a decision or action appealed to the California Coastal Commission, or who by other appropriate means informed in writing the Zoning Administrator, Planning Commission, or Board of Permit Appeals.
- (b) "Emergency" is defined as a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

- (b) Enlargement or alteration of any structure other than a single-family residence or a public structure or facility, provided that these improvements do not have an adverse environmental effect, adversely affect public access, or involve a change in use contrary to any policy of the Local Coastal Program.
- (c) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of a structure or use, provided that it does not fall within the requirement in Sec. 330.4 (e), (h), and (i).
- (d) The replacement of any structure, other than a public structure or facility, destroyed by natural disaster. Such replacement structure shall (1) conform to applicable Building Code, other standards of this Code and zoning requirements, and other applicable Municipal Code, (2) shall be for the same use as the destroyed structure, (3) shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent, and (4) shall be sited in the same location on the affected property as the destroyed structure.
- (e) The conversion of any existing multiple-unit residential structure to a time-share project, resort club, vacation club, estate, or other short-term use.
- (f) The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this Code.
- (g) Recreation and Park tree trimming, reforestation and support services, landscaping improvements, vegetation removal and seasonal planting, replacement planting, maintenance, and other park landscaping and planting improvements, provided that this activity does not involve a change contrary to any policy of the Coastal Program.
- (h) Recreation and Park Department road maintenance, repairs, facilities and street lighting, and road and circulation improvements as proposed in the Golden Gate Park Transportation Management Plan.
- (i) Recreation and Park Department play structures, maintenance, and any other Park and Recreation activity that requires no building permit or is subject to section 330.4 (a) through (h) of this Code.
- (j) Maintenance dredging of existing navigation channels or moving dredged materials from such channels to a disposal area outside the coastal zone, pursuant to a permit from the United States Army Corps of Engineers.

- (k) Maintenance, improvements, and any other projects within the United States Federal lands in designated Golden Gate National Recreation Areas.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.4. PROJECTS SUBJECT TO COASTAL ZONE PERMIT REVIEW.

A Coastal project as defined in Section 330.2(e).

- (a) Construction of any residential or commercial building, structure, or project as defined in Section 330.2(d).
- (b) Any alteration, enlargement or reconstruction of a structure or building which increases the intensity of use of the structure or building.
- (c) Any alteration, enlargement or reconstruction made pursuant to a conversion of an existing structure from a multiple unit rental use or visitor-serving commercial use to a use involving a fee ownership or long-term leasehold including but not limited to a condominium conversion, stock cooperative conversion, motel/hotel or time-sharing conversion.
- (d) An enlargement or alteration that would result in an increase of 10 percent or more of internal floor area of the existing structure, or increase in height by more than 10 percent of an existing structure on property located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resource areas as designated by the California Coastal Commission.
- (e) Any repair or maintenance to facilities, structures or public works located in an environmentally sensitive habitat area, any sand area within 50 feet of the edge of a coastal waters or streams that include the placement or removal, whether temporary or permanent, of rip-rap rocks, sand or other beach materials or any other forms of solid materials.
- (f) Alteration or reconstruction of any structure on a beach, wetland, stream, or lake seaward of the mean high tide line; where the structure or proposed improvement would encroach within 50 feet of the edge of a coastal bluff.
- (g) Any significant alteration of land forms including removal or placement of vegetation, on a beach, wetland or sand dune, or within 100 feet of the edge of a coastal bluff, or stream or in areas of natural vegetation.



- (h) Any method of routine maintenance dredging that involves:
1. The dredging of 100,000 cubic yards or more within a twelve month period.
  2. The placement of dredged spoils of any quantity within an environmentally sensitive habitat area, or a sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams.
  3. The removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the California Coastal Commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use.
- (i) Any repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:
1. Repair or maintenance involving substantial alteration of the protective work including pilings and other surface or subsurface structures.
  2. The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other form of solid materials, on a beach or in coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective work except for agricultural dikes within enclosed bays or estuaries.
  3. The replacement of 20 percent or more of the structural materials of an existing structure with materials of a different kind.

(Added Ord. 509-85, Approved 11/22/85)

**SEC. 330.4.1. PROJECTS REQUIRING A COASTAL ZONE PERMIT FROM THE CALIFORNIA COASTAL COMMISSION.**

The California Coastal Commission shall retain coastal permit review jurisdiction over all tidelands, submerged lands below the mean high tide, and any other area so designated on Sectional Maps CZ4, CZ5, and CZ13 of the Zoning Map, including the Olympic Country Club, Lake Merced, and the Pacific Ocean shore extending 3 miles out to sea from the mean high tide.

(Added Ord. 509-85, Approved 11/22/85)

**SEC. 330.5. APPLICATION FOR A COASTAL ZONE PERMIT.**

A Coastal Zone Permit shall be applied for at the Department of City Planning concurrent with other necessary project permit(s).

- (a) An application for a Coastal Zone Permit where a conditional use authorization is required shall be reviewed subject to the procedures for reviewing conditional use applications in Section 303 of the City Planning Code.
- (b) An application for a Coastal Zone Permit where a variance application is required shall be reviewed subject to the procedures for variances in Section 305 of the City Planning Code.
- (c) An application for a Coastal Zone Permit where a building permit authorization is required shall be reviewed subject to the procedures set forth in the Planning Code, Building Code and part III of the Municipal Code.
- (d) City Planning Code amendments and changes to the Zoning Map shall be conducted according to Section 302 of the City Planning Code.

1. Amendments to the Local Coastal Program, include, but are not limited to, any action by the Planning Commission, or Board of Supervisors which authorizes a use of a parcel of land other than that designated in the certified Local Coastal Program as a permitted use of such parcel.

2. Any proposed amendments, set-back proceedings, zoning map changes or interim zoning controls which may alter the Local Coastal Program shall be submitted as a request for an amendment of the Local Coastal Program for review by the California Coastal Commission. No more than three submittals may be made per calendar year. Such amendment shall take effect only after it has been certified by the California Coastal Commission.

(Added Ord. 509-85, Approved 11/22/85)

**SEC. 330.5.1. PERMIT APPLICATION REVIEW FOR CONSISTENCY WITH THE LOCAL COASTAL PROGRAM.**

- (a) The City Planning Department shall review all Coastal Zone Permit Applications, Building Permit Applications, Conditional Use Applications, Variances, City Planning Code Amendments, and Zoning Map changes within the Coastal Zone for consistency with the requirements and objectives of the San Francisco Local Coastal Program.

(b) The Board of Permit Appeals shall review all appeals of coastal zone permit applications. Any appeals shall be reviewed by the Board of Permit Appeals for consistency with the requirements and objectives of the San Francisco Local Coastal Program.

(Added Ord. 509-85, Approved 11/22/85)

**SEC. 330.5.2. FINDINGS.**

The Zoning Administrator or the City Planning Commission, or Board of Permit Appeals in reviewing a Coastal Zone Permit Application or an appeal thereof shall adopt factual findings that the project is consistent or not consistent with the Local Coastal Program. A Coastal Zone permit shall be approved only upon findings of fact establishing that the project conforms to the requirements and objectives of the San Francisco Local Coastal Program.

(Added Ord. 509-85, Approved 11/22/85)

**SEC. 330.5.3. DETERMINATION OF PERMIT JURISDICTION.**

The Zoning Administrator shall determine whether or not a project is exempt or subject to a Coastal Permit Application pursuant to Section 330.2 through 330.4 of the City Planning Code. If the project requires a Coastal Zone Permit Application, the Zoning Administrator shall determine whether the project may be appealed to the California Coastal Commission, or whether the project can only be appealed locally to the Board of Permit Appeals.

(Added Ord. 509-85, Approved 11/22/85)

**SEC. 330.5.4. PLANNING COMMISSION REVIEW OF COASTAL ZONE PERMITS.**

The City Planning Commission shall hold a public hearing on any Coastal Zone Permit Application for which the Zoning Administrator has determined from the findings that the project has a significant impact on the Coastal Zone. Any projects which may be appealed to the California Coastal Commission shall be scheduled for review by the Planning Commission. The City Planning Commission may schedule a public hearing on any Coastal Zone Permit Application on its own motion.

(Added Ord. 509-85, Approved 11/22/85)

**SEC. 330.6. COASTAL COMMISSION NOTIFICATION.**

The Department of City Planning shall notify the California Coastal Commission of each Coastal Zone Permit Application received as follows:

- (a) A written notice to the California Coastal Commission shall be mailed within ten (10) calendar days of filing of a Coastal Zone Permit Application with the Department of City Planning. This notice shall include the application number, address or location, the nature of the project, determination of whether the project is exempt, or appealable to the California Coastal Commission, and schedule for permit review.
- (b) A written notice to the California Coastal Commission shall be mailed within seven (7) calendar days after a final decision has been made by the Zoning Administrator or City Planning Commission. Notice of approval shall include the findings, the action taken by the Zoning Administrator or City Planning Commission, conditions of approval if any, and procedures for appeal.
- (c) The Department of City Planning shall notify in writing the California Coastal Commission of any appeal of a Coastal Zone Permit Application to the Board of Permit Appeals. This notification shall take place within ten (10) calendar days of filing the appeal. A notice of final action on the appeal shall be mailed by the Department of City Planning to the California Coastal Commission within seven (7) calendar days of such action.
- (d) A local decision on a Coastal Zone Permit shall not be deemed complete until (1) the local decision on the application has been made and all required findings have been adopted, including specific factual findings supporting the legal conclusions that the proposed development is or is not consistent with the Local Coastal Program and (2) when all local rights of appeal have been exhausted.

(Added Ord. 509-85, Approved 11/22/85)

**SEC. 330.7. PUBLIC NOTICE.**

In addition to the notice standards of Section 306 through 306.5 in this Code, and any other notice requirement by the Building Code or any other notice required by the Municipal Code, the Zoning Administrator shall mail notice of a Coastal Zone Permit Application to residents within 100 feet of the subject property, and mail notice to any person or group who specifically requests notice. The notice shall identify the nature of the project, its location within the coastal zone, the time and date of hearing if any, and appeal procedures.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.8.

EMERGENCY COASTAL ZONE AUTHORIZATION.

In case of an emergency, temporary emergency authorization to proceed may be given by the Director of Planning or his designee until such time as a full Coastal Zone Permit Application shall be filed.

- (a) An applicant may request an Emergency Coastal Zone Authorization by letter to the Director of Planning, in person or by telephone, if time does not allow. The following information shall be included in the request:
  - 1. The nature of the emergency.
  - 2. The cause of the emergency, insofar as this can be established.
  - 3. The location of the emergency.
  - 4. The remedial, protective, or preventive work required to deal with the emergency.
  - 5. The circumstances during the emergency that appeared to justify the cause(s) of action taken, including the probable consequences of failing to take action.
  
- (b) The Director shall verify the facts, including the existence and the nature of the emergency, insofar as time allows. The Director shall provide public notice of the emergency work, with the extent and type of notice determined on the basis of the nature of emergency. If time does not allow for public notice to be given before the emergency work begins, the Director shall provide public notice of the action taken soon thereafter. The Director may grant emergency authorization upon reasonable terms and conditions, including an expiration date and the necessity for a regular permit application later, if the Director finds that:
  - 1. An emergency exists that requires action more quickly than permitted by the procedures for administrative permits or for regular permits and the work can and will be completed within 30 days unless otherwise specified by the terms of the authorization.
  - 2. Public comment on the proposed emergency action has been reviewed, if time allows.
  - 3. The work proposed would be consistent with the requirements of the Local Coastal Program.

- (c) The Director shall not grant an Emergency Coastal Zone Authorization for any work that falls within an area that the Coastal Commission retains direct permit review authority as designated on Section Maps CZ4, CZ5, and CZ13 of the Zoning Map. In such areas, an applicant may request emergency authorization from the California Coastal Commission.
- (d) The Director shall report, in writing, to the Coastal Commission and to the Planning Commission, at its first scheduled meeting after authorizing the emergency work, the nature of the emergency and the work involved. Copies of this report shall be available at the meeting and shall be mailed to all persons who have requested such notification in writing. The report of the Director shall be informational only; the decision to grant an Emergency Coastal Zone Authorization is at the discretion of the Director of City Planning or his designee.

(Added Ord. 509-85, Approved 11/22/85)

#### SEC. 330.9. APPEAL PROCEDURES.

- (a) All Coastal Zone Permits Applications may be appealed to the Board of Permit Appeals as described in Sections 308.2 of this Code. Local appeal of a Coastal Zone Permit is not subject to the aggrieved party provisions in Section 330.2(a) of this Code, but must comply with the appeal review procedures of Section 330.5.1(b) and Section 330.5.2 of this Code.
- (b) Appeal to the California Coastal Commission is available only for approved projects in the appealable area of the Coastal Zone, as designated in Sectional Maps CZ4, CZ5, and CZ13 of the Zoning Map. Disapproved Coastal Zone Permit Applications are not appealable to the California Coastal Commission.
- (c) A Coastal Zone Permit which may be appealed to the California Coastal Commission can be appealed by filing with the California Coastal Commission within 10 working days after the California Coastal Commission receives notice of final action from the Department of City Planning. Appeals to the California Coastal Commission are subject to the aggrieved party provisions in Section 330.2(a).
- (d) An applicant is required to exhaust local appeals before appealing to the California Coastal Commission.
- (e) Major public works and energy facilities within the Coastal Zone may be appealed to the California Coastal Commission whether approved or not by the local government.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.10. APPEALABLE PROJECTS.

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

- (a) Projects approved between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, or as otherwise indicated in Sectional Maps CZ4, CZ5, and CZ13 of the Zoning Map.
- (b) Projects approved and located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff.
- (c) Any project which constitutes a major public works project or a major energy facility, including the following:
  1. All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.
  2. All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities. A railroad whose primary business is the transportation of passengers shall not be considered public works nor a development if at least 90 percent of its routes located within the coastal zone utilize existing rail or highway rights-of-way.
  3. All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.
  4. All community college facilities.
  5. Major public works or energy facility with an estimated cost of \$100,000 or more.
  6. Energy facilities is any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy.

(Added Ord. 509-85, Approved 11/22/85)

**SEC. 330.11. WHO MAY APPEAL A COASTAL ZONE PERMIT TO THE CALIFORNIA COASTAL COMMISSION.**

Appeal of a local decision may be filed by: (1) an applicant; (2) any aggrieved person as defined in Section 330.2(a); or (3) any two members of the California Coastal Commission. In the case of appeal by two Coastal Commission members local appeal need not be exhausted.

(Added Ord. 509-85, Approved 11/22/85)

**SEC. 330.12. PERMIT APPROVAL BY OPERATION OF LAW.**

- (a) If the City Planning Department has failed to act on a Coastal Zone Permit Application within a one year period from the date of which the application has been accepted as complete, the person claiming a right to proceed shall notify in writing the Zoning Administrator of his or her claim that the development has been approved by operation of law. Such notice shall specify the application which is claimed to be approved.
- (b) When an applicant claims that a Coastal Zone Permit Application has been approved by operation of law, a written notice shall be mailed by the Zoning Administrator within seven (7) calendar days of such action to the California Coastal Commission and any person entitled to receive notice that the application has been approved by operation of law. Approval of a Coastal Zone Permit Application by expiration of time limitation may be appealed to the California Coastal Commission.

(Added Ord. 509-85, Approved 11/22/85)

**SEC. 330.13. EFFECTIVE DATE OF APPROVED PROJECTS.**

- (a) A final decision on an application for an appealable project shall become effective after a ten (10) working day appeal period to the California Coastal Commission has expired, unless either of the following occur: (1) a valid appeal is filed in accordance with City and State regulations, or (2) local government requirements are not met per section 330.6(b). When either of the above occur, the California Coastal Commission shall, within five (5) calendar days of receiving notice of that circumstance, notify the local government and the applicant that the local government action has been suspended. The applicant shall cease construction immediately if that occurs.
- (b) Coastal Zone Permits for projects not appealable to the California Coastal Commission shall become effective only after other required planning or building permit applications have been issued.

(Added Ord. 509-85, Approved 11/22/85)



SEC. 330.14. EXPIRATION DATE AND EXTENSIONS.

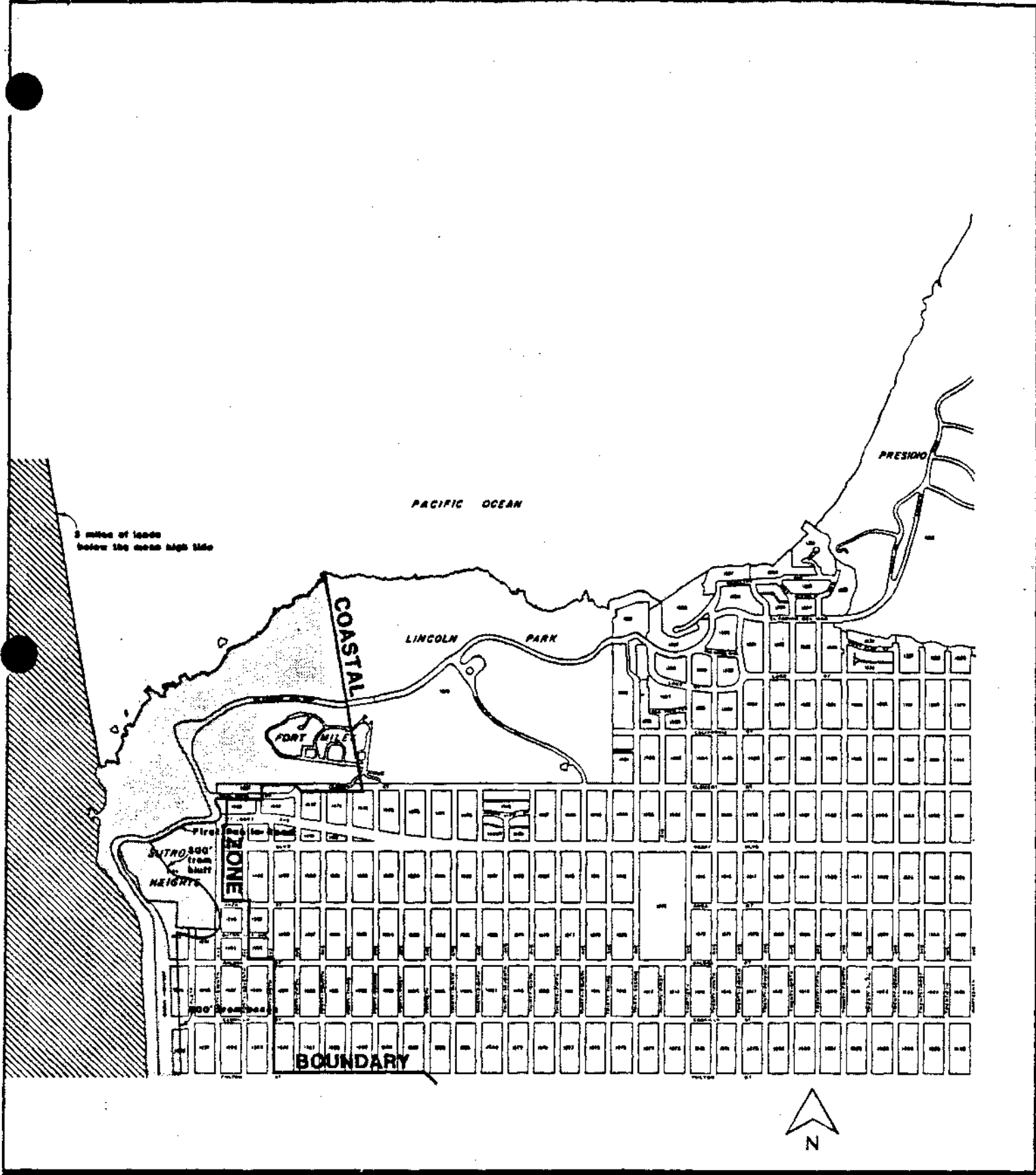
A Coastal Zone Permit shall expire one year from the date of issuance unless otherwise explicitly modified by approval conditions for the project. The Zoning Administrator may extend a Coastal Zone Permit prior to its expiration for up to 12 months from its original date of expiration. Coastal Zone Permit extensions may be granted upon findings that the project continues to be in conformance with the Local Coastal Program.  
(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.15. COASTAL ZONE PERMIT FEES.

Before accepting any Coastal Zone Permit Application for filing, the Department of City Planning shall charge and collect a fee as set forth in Section 351(d) for processing a Coastal Zone Permit Application. No fees shall be established for appealing any Coastal Zone Permit.  
(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.16. PROCEDURAL PERMIT REVIEW CHANGES.




Any proposed changes in the Coastal Zone Permit procedures specified in Sections 330 through 330.16, or any subsequent action by the Board of Supervisors, Planning Commission or Zoning Administrator pertaining to the permit review process of Coastal Zone Permits shall be submitted to the California Coastal Commission for its review prior to final approval. The California Coastal Commission shall take action on any such amendments within a reasonable time period after the submittal of any such proposals.  
(Added Ord. 509-85, Approved 11/22/85)



### COASTAL ZONE AREA

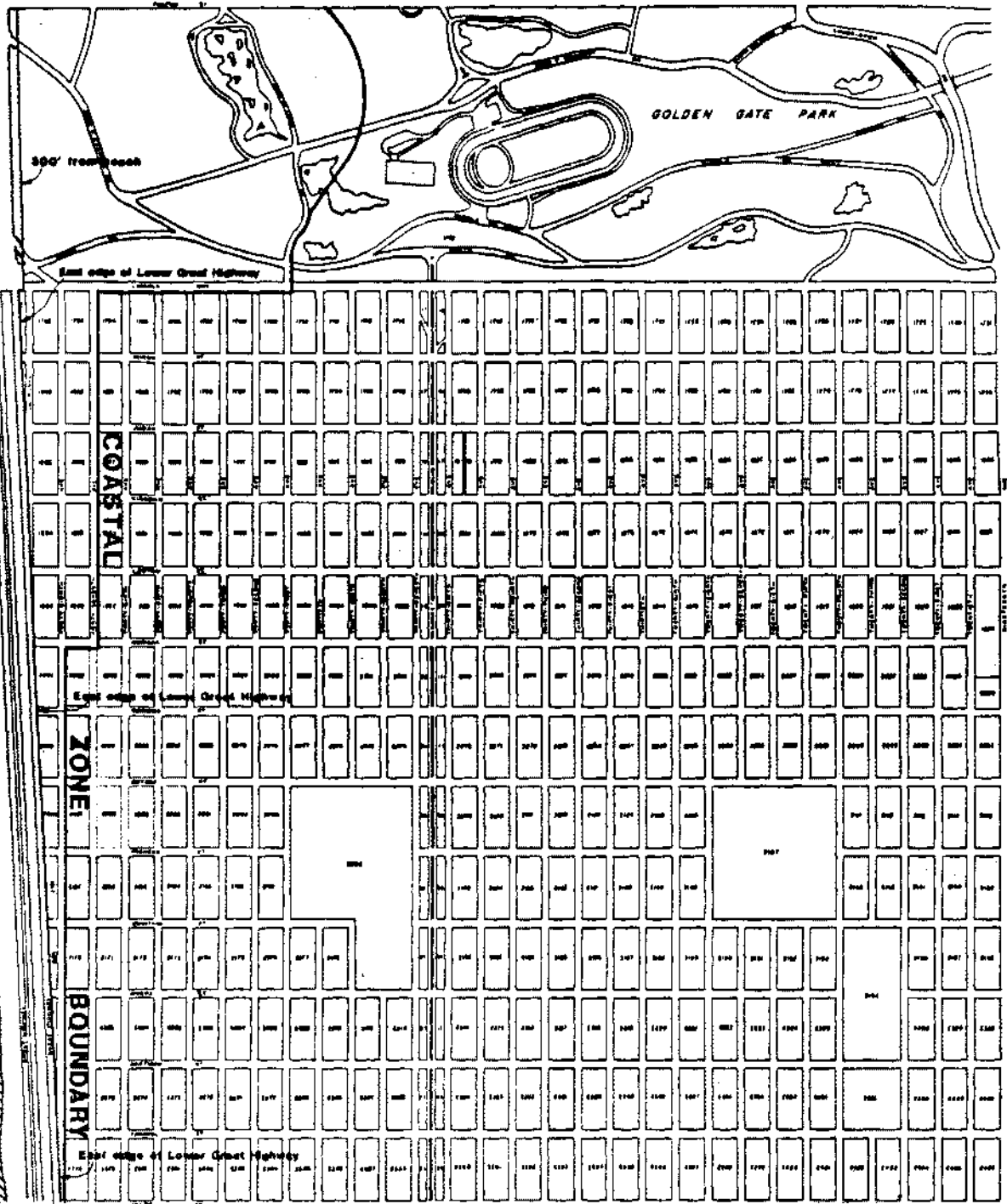
SHEET

# CZ4

-  Local Coastal Zone Permit Area
-  Area appealable to the California Coastal Commission\*
-  Jurisdiction retained by the California Coastal Commission

San Francisco Municipal Code  
 Part II, Chapter II, Section 330  
 through 330.16, 1985

\* If a parcel is bisected by the appeal area boundary, only that portion of the parcel within the appeal area is subject to appeal to the California Coastal Commission



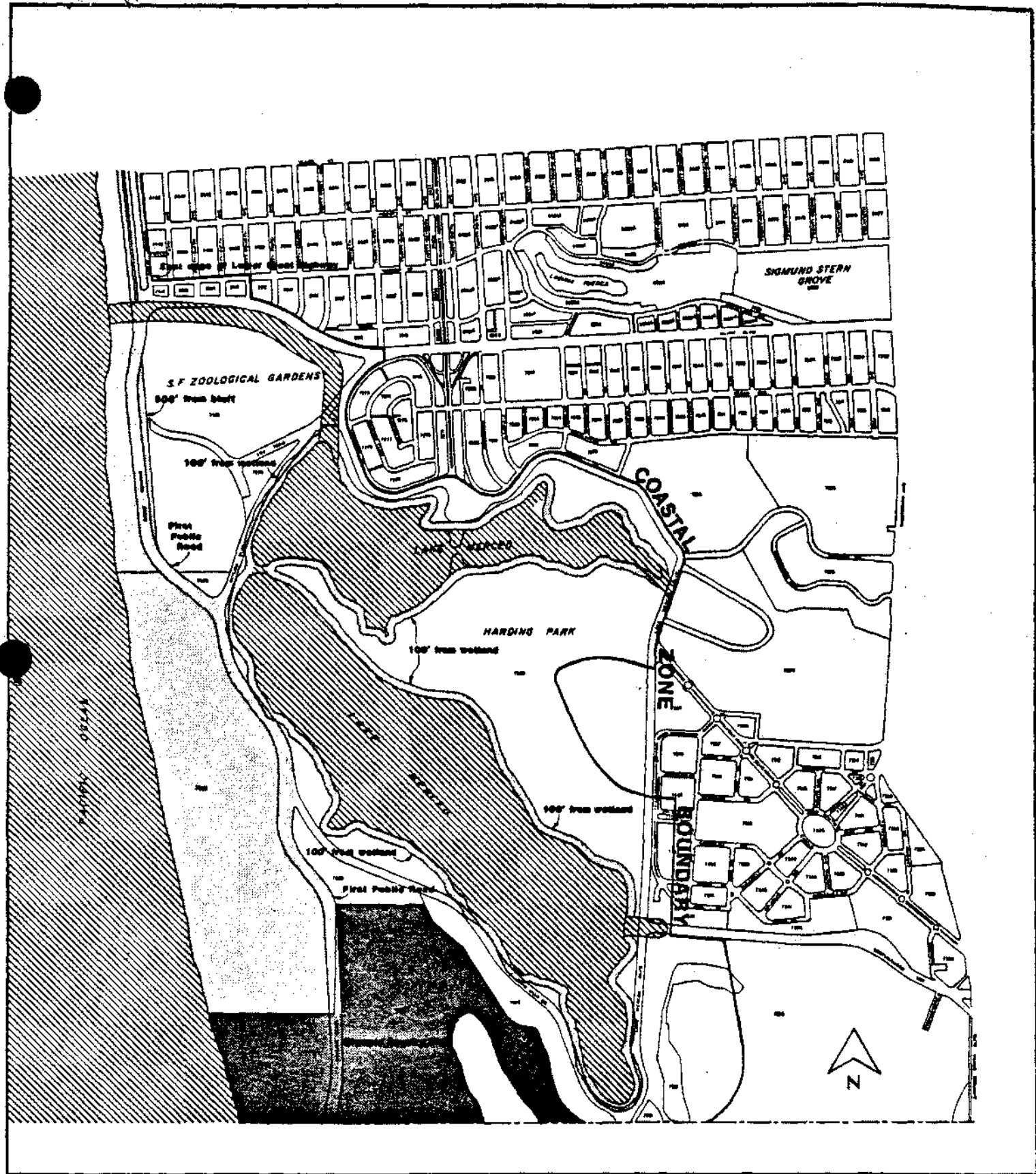
**COASTAL ZONE AREA**

SHEET

**CZ5**

- Local Coastal Zone Permit Area
- ▨ Area appealable to the California Coastal Commission
- ▩ Jurisdiction retained by the California Coastal Commission





San Francisco Municipal Code  
Part II, Chapter II, Section 330  
through 330.16, 1985



**COASTAL ZONE AREA**

SHEET

**CZ13**

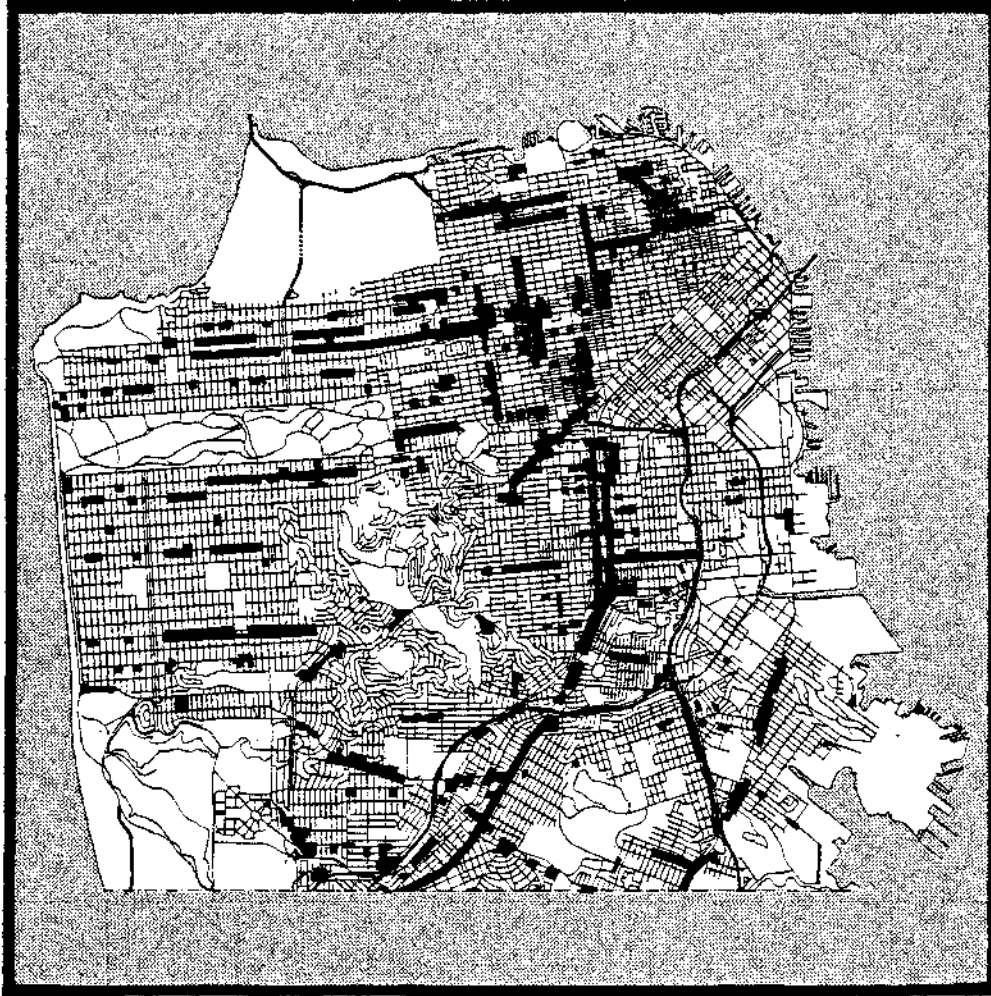
-  Local Coastal Zone Permit Area
-  Area appealable to the California Coastal Commission
-  Jurisdiction retained by the California Coastal Commission
-  Segmentation of Olympic Country Club Area by the California Coastal Commission

San Francisco Municipal Code  
Part II, Chapter II, Section 330  
through 330.16, 1985

# Exhibit C

NEIGHBORHOOD

NEIGHBORHOOD



COMMERCIAL

COMMERCIAL

CERTIFIED AS LEGALLY ADEQUATE  
BY THE CALIFORNIA COASTAL  
COMMISSION ON 3/14/86

(A Portion of the Zoning  
Ordinance)

SAN FRANCISCO DEPARTMENT OF CITY PLANNING  
FEBRUARY 1985



# NEIGHBORHOOD COMMERCIAL REZONING

PROPOSAL FOR ADOPTION

Department of City Planning  
City and County of San Francisco  
February 1985

# CONTENTS

Page

INTRODUCTION . . . . .	1
MASTER PLAN AMENDMENTS . . . . .	3
Commerce and Industry Element . . . . .	4
Transportation and Residence Elements . . . . .	28
PLANNING CODE TEXT AMENDMENTS . . . . .	31
Article 7 - Neighborhood Commercial Districts . . . . .	32
Sec. 701 - Neighborhood Commercial District Provisions . . . . .	33
Sec. 702 - Classes of Neighborhood Commercial Districts. . . . .	33
Sec. 703 - Neighborhood Commercial District Requirements . . . . .	34
Sec. 709 - Guide to Understanding the Neighborhood Commercial Zoning Control Table . . . . .	38
Sec. 710 - NC-1--Neighborhood Commercial Cluster District . . . . .	39
Sec. 711 - NC-2--Small-Scale Neighborhood Commercial District . . . . .	45
Sec. 712 - NC-3--Moderate-Scale Neighborhood Commercial District . . . . .	51
Sec. 713 - NC-S--Neighborhood Commercial Shopping Center District . . . . .	57
Sec. 714 - Broadway Neighborhood Commercial District . . . . .	62
Sec. 715 - Castro Street Neighborhood Commercial District . . . . .	68
Sec. 716 - Inner Clement Street Neighborhood Commercial District . . . . .	74
Sec. 717 - Outer Clement Street Neighborhood Commercial District . . . . .	79
Sec. 718 - Upper Fillmore Street Neighborhood Commercial District . . . . .	84
Sec. 719 - Haight Street Neighborhood Commercial District . . . . .	89
Sec. 720 - Hayes-Gough Neighborhood Commercial District. . . . .	94
Sec. 721 - Upper Market Street Neighborhood Commercial District . . . . .	99
Sec. 722 - North Beach Neighborhood Commercial District . . . . .	105
Sec. 723 - Polk Street Neighborhood Commercial District . . . . .	111
Sec. 724 - Sacramento Street Neighborhood Commercial District . . . . .	116
Sec. 725 - Union Street Neighborhood Commercial District . . . . .	121
Sec. 726 - Valencia Street Neighborhood Commercial District . . . . .	126
Sec. 727 - 24th Street-Mission Neighborhood Commercial District . . . . .	131
Sec. 728 - 24th Street-Noe Valley Neighborhood Commercial District . . . . .	136
Sec. 790 - Definitions for Neighborhood Commercial Districts. . . . .	141
Sec. 799 - References to Other Sections of the City Planning Code. . . . .	150
Article 1 - General Zoning Provisions . . . . .	153
Article 1.2 - Dimensions, Areas, and Open Space . . . . .	154
Article 1.5 - Off-Street Parking and Loading . . . . .	180
Article 1.7 - Compliance . . . . .	182
Article 2 - Use Districts . . . . .	189
Article 2.5 - Height and Bulk Districts . . . . .	237
Article 3 - Zoning Procedures. . . . .	239
Article 3.5 - Fees . . . . .	253
Article 6 - Signs . . . . .	257
PLANNING CODE MAP AMENDMENTS. . . . .	271
General Area Districts. . . . .	272
Individual Area Districts . . . . .	296
INDEX OF RECOMMENDED ZONING MAP CHANGES BY STREET NAME. . . . .	327
DRAFT ORDINANCE FOR PLANNING CODE AMENDMENTS . . . . .	337
PROPOSED AND EXISTING CONTROLS (FOLD OUT CHARTS)	



# MAPS

	<u>Page</u>
1. Residential Service Area of Neighborhood Commercial Districts and Uses . . . . .	15
2. Generalized Neighborhood Commercial Land Use Plan . . . . .	17
3. Residence Element Map B: Residential Density. . . . .	30
4,5. Zoning Map Sheet No. 1. . . . .	272
6,7. Zoning Map Sheet No. 2. . . . .	274
8,9. Zoning Map Sheet No. 3. . . . .	276
10,11. Zoning Map Sheet No. 4. . . . .	278
12,13. Zoning Map Sheet No. 5. . . . .	280
14,15. Zoning Map Sheet No. 6. . . . .	282
16,17. Zoning Map Sheet No. 7. . . . .	284
18,19. Zoning Map Sheet No. 8. . . . .	286
20,21. Zoning Map Sheet No. 10 . . . . .	288
22,23. Zoning Map Sheet No. 11 . . . . .	290
24,25. Zoning Map Sheet No. 12 . . . . .	292
26,27. Zoning Map Sheet No. 13 . . . . .	294
28. Broadway Neighborhood Commercial District . . . . .	296
29. Castro Street Neighborhood Commercial District. . . . .	297
30. Inner Clement Neighborhood Commercial District . . . . .	298
31. Outer Clement Neighborhood Commercial District . . . . .	300
32. Upper Fillmore Neighborhood Commercial District . . . . .	301
33. Haight Street Neighborhood Commercial District. . . . .	303
34. Hayes-Gough Neighborhood Commercial District. . . . .	304
35. Upper Market Street Neighborhood Commercial District . . . . .	306
36. North Beach Neighborhood Commercial District . . . . .	307
37. Polk Street Neighborhood Commercial District. . . . .	308
38. Sacramento Street Neighborhood Commercial District . . . . .	311
39. Union Street Neighborhood Commercial District . . . . .	312
40. Valencia Street Neighborhood Commercial District (14th-20th Sts.) . . . . .	314
41. Valencia Street Neighborhood Commercial District (20th-Army Sts.) . . . . .	316
42. 24th Street-Mission Neighborhood Commercial District . . . . .	318
43. 24th Street-Noe Valley Neighborhood Commercial District . . . . .	320
44. Broadway and North Beach Height and Bulk District . . . . .	321
45. Automotive Special Use District and Special District for Sign Illumination . . . . .	322
46. Washington-Broadway Special Use District No. 1 . . . . .	323
47. Northern Waterfront Special Use District No. 2 . . . . .	324
48. Hayes-Gough Special Use District . . . . .	325
49. Special Districts for Sign Illumination. . . . .	326

# TABLES

	<u>Page</u>
1. NC-1 Controls . . . . .	40
2. NC-2 Controls . . . . .	46
3. NC-3 Controls . . . . .	52
4. NC-S Controls . . . . .	58
5. Broadway Neighborhood Commercial District Controls . . . . .	63
6. Castro Street Neighborhood Commercial District Controls . . . . .	69
7. Inner Clement Street Neighborhood Commercial District Controls . . . . .	75
8. Outer Clement Street Neighborhood Commercial District Controls . . . . .	80
9. Upper Fillmore Street Neighborhood Commercial District Controls . . . . .	85
10. Haight Street Neighborhood Commercial District Controls . . . . .	90
11. Hayes-Gough Neighborhood Commercial District Controls . . . . .	95
12. Upper Market Street Neighborhood Commercial District Controls . . . . .	100
13. North Beach Neighborhood Commercial District Controls . . . . .	106
14. Polk Street Neighborhood Commercial District Controls . . . . .	112
15. Sacramento Street Neighborhood Commercial District Controls . . . . .	117
16. Union Street Neighborhood Commercial District Controls . . . . .	122
17. Valencia Street Neighborhood Commercial District Controls . . . . .	127
18. 24th Street-Mission Neighborhood Commercial District Controls . . . . .	132
19. 24th Street-Noe Valley Neighborhood Commercial District Controls . . . . .	137
Proposed Controls for Neighborhood Commercial Districts . . . . .	(Fold-Out)
Existing Controls for Neighborhood Commercial Districts . . . . .	(Fold-Out)



# INTRODUCTION

This volume contains proposed amendments to the Master Plan and the text and maps of the City Planning Code necessary for the comprehensive revision of zoning controls for San Francisco's neighborhood commercial districts.

## BACKGROUND

Detailed investigation of neighborhood commercial planning issues began in 1978, based on concerns raised during Department studies leading to adoption of new residential zoning controls and the Commerce and Industry Element of the Master Plan. At the request of neighborhood residents and local merchants, the Board of Supervisors passed a resolution calling for a zoning study and establishing a temporary moratorium on approval of permits for bars, restaurants, take-out foods, and branch banks on Union Street. Recommendations for Special Use District zoning controls on Union Street were adopted by the City Planning Commission in 1979. Further work led to adoption of similar controls for eleven other neighborhood commercial special use districts and moratoria on bars, restaurants, financial institutions and/or other uses for six other streets. These Special Use Districts and moratoria were adopted pending completion of a citywide neighborhood commercial rezoning study. This report completes that study and contains its recommendations for changes in the City's Master Plan and Planning Code, which is the City's zoning ordinance.

## SUMMARY OF PROPOSAL

This Proposal for Adoption contains Master Plan amendments, Planning Code text and Zoning Map amendments for approximately 220 neighborhood commercial areas ranging from large active districts, such as North Beach and Polk Street, to small corner clusters of grocery and convenience stores. Existing zoning for most commercial areas currently zoned C-1, C-2, RC-1, RC-2, and RC-3 is proposed to be replaced by the following new districts:

- NC-1 Neighborhood Commercial Cluster (e.g. small corner grocery stores)
- NC-2 Small-Scale Neighborhood Commercial District (e.g. Chestnut Street)
- NC-3 Moderate-Scale Neighborhood Commercial District (e.g. Outer Geary Boulevard, Inner Mission Street)
- NC-S Neighborhood Shopping Center (e.g. Laurel Village, Petrini Plaza)

In addition, separate individual zoning districts are recommended for 15 neighborhood commercial areas which have been the subject of careful evaluation as interim Special Use Districts and moratorium areas. Permanent controls designed to meet unique conditions are proposed for the following districts:

Broadway	Haight Street	Sacramento Street
Castro Street	Hayes-Gough	Union Street
Inner Clement Street	Upper Market Street	Valencia Street
Outer Clement Street	North Beach	24th Street-Mission
Upper Fillmore Street	Polk Street	24th Street-Noe Valley

Some main provisions contained in the proposed program are:

- New controls for eating and drinking establishments in all neighborhood commercial districts including:
  - Prohibition of new eating and drinking establishments in seven districts,
  - Conditional use review of eating and drinking establishments in three districts,
  - Conditional use review of fast-food restaurants and take-out food uses in the remaining districts;
- Review of development on lots which exceed certain size thresholds and review of uses which exceed certain size thresholds;
- Regulation of residential conversions and demolitions by story;
- Controls of entertainment uses;
- Guidelines for location and design of financial services;
- Separate controls of upper-story medical, personal and business services;
- Rear yard requirements by story;
- Exclusion of residential space from the floor area ratio calculation;
- Controls on outdoor activities, drive-up facilities, walk-up facilities, and general treatment of street frontage in new buildings and alterations to existing buildings;
- Limits on hours of operation of commercial uses in most districts;
- Requirements for street trees for new development in all districts;
- Higher maximum residential densities in about 40 district locations;
- Controls on awnings, marquees and canopies, and limits on the size and location of signs.

## REPORT CONTENTS

Master Plan amendments necessary to implement the Neighborhood Commercial rezoning proposal include thorough revisions of policies of Objective 8 of the Commerce and Industry Element (with detailed guidelines for land use, conversion and demolition of residential units, and urban design) and minor additions to Objective 2, Policy 4 of the Residence Element.

The main feature of the rezoning proposal is Article 7, a new part of the Planning Code, which establishes a comprehensive, flexible system of neighborhood commercial zoning controls. It contains four general area districts and fifteen individual area districts with controls which embrace the full range of land use issues in each district. A description and purpose statement for each district is accompanied by a chart which displays all applicable zoning controls, either directly or by reference to other sections of the Code. Article 7 also includes sections describing standards, permitted uses, definitions, and references to other Code sections. Two fold-out charts at the end of the report summarize the existing and proposed controls for neighborhood commercial districts.

All other sections of the Code which are to be modified to implement the neighborhood commercial zoning proposal are also presented in the report. These include amendments to Articles 1, 1.2, 1.5, 1.7, 2, 2.5, 3, and 6. This volume also contains maps showing existing and proposed zoning boundaries for neighborhood commercial districts and a complete index of recommended zoning map changes by street name.



# MASTER PLAN AMENDMENTS

## INTRODUCTION

This chapter presents revisions to the Master Plan necessary to implement the Neighborhood Commercial rezoning proposal. In conjunction with the development of new zoning controls, each element of the Master Plan was thoroughly reviewed for consistency with the new zoning and, if appropriate, updated, revised or expanded. Only those elements which directly address neighborhood commercial districts or require changes are addressed in this report.

The Commerce and Industry Element, dating from 1975, has been updated to reflect current land use patterns and planning goals. Objective 8 is thoroughly revised and now contains seven policies, including guidelines for land use, conversion and demolition of residential units, and urban design for use by the Planning Commission in its review of permit applications.

Other Master Plan elements address various other aspects relating to neighborhood commercial districts, either in general policies applicable citywide or in specific policies pertinent to neighborhood commercial districts. Specific policies in the Transportation and Residence Elements are listed for reference. One policy in the Residence Element is expanded to include reference to the proposed new neighborhood commercial zoning districts.

## COMMERCE AND INDUSTRY ELEMENT

### OBJECTIVE 8

#### **MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.**

San Francisco is well known as a city with many distinct neighborhoods whose diverse characteristics are expressed on their commercial streets. Many of these neighborhood shopping areas reflect the surrounding neighborhood's ethnic and lifestyle characteristics, building scale and architectural style, topography, and historical development.

Neighborhood commercial districts also constitute an important part of the city's economic base, contributing to the city's fiscal stability through business taxes, and providing employment opportunities for local residents. They create a public domain where individuals can choose from a wide array of activities as well as have opportunities for leisure, cultural activities and entertainment. Many districts maintain an active street life and pedestrian character which enhances the city's stature as a walking city.

The continuing viability of a neighborhood commercial district is dependent primarily on its ability to provide required services and maintain customer patronage. The successful district provides a variety of goods and services in an atmosphere of safety, convenience, and attractiveness.

### POLICY 1

**Ensure and encourage the provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.**

One of the unique charms and features of San Francisco is the diversity of its neighborhoods and their shopping areas. Neighborhood commercial areas vary widely in function, trade area, form, design and character; but they all serve a common purpose in providing goods and services to meet the needs of City residents. In particular, convenience goods and services, such as groceries, personal toiletries, shoe repair, hair cutting, film processing, laundry and dry cleaning, should be readily available to residents in nearby shopping areas. Residents require easy access to such goods and services in order to satisfy their basic personal and household needs.

While all neighborhood commercial districts provide for the convenience needs of residents in adjacent neighborhoods, many also provide specialty and comparison goods and services to a larger, often citywide trade area. A district may specialize in uses which cater to its surrounding neighborhood's lifestyle. However, as a district becomes more specialized, it may need to draw from a broader geographical market area in order to sustain itself with sufficient customer patronage. The function of a district is also influenced by its proximity to other commercial areas. Some relatively isolated districts may serve nearly all the retail and service needs for a residential neighborhood. Other districts may serve a community in conjunction with other nearby commercial districts, each with varying degrees of specialization.

Neighborhood shopping areas also differ in the size, scale, and configuration of their lots and buildings. They range from a small cluster of lots to linear shopping districts, extending two or more blocks along arterials or thoroughfares. Neighborhood shopping centers and supermarkets with extensive on-site parking are also scattered throughout the city. The differing sizes of lots and blocks, which are determined in part by the neighborhood's topography, influence the configuration of the commercial district and its surrounding lots. The variation in topography, lot size and juxtaposition with surrounding uses, in addition to the district's historic development, all contribute to the variety in size, shape, and architectural style of a district's buildings.

The scale and extent of commercial activity, relative to other uses, also varies among districts. Commercial uses may occupy from one to four stories, in a continuous series or interspersed among residential buildings. In many linear shopping districts, the commercial activity is often concentrated on a primary street or streets, with side streets or alleys containing a mix of commercial and residential uses.

The variation in function and character of commercial districts should be maintained through controls on building form, scale, ground story and upper story commercial and residential uses, and operation which reflect the differences between districts and reinforce the variations in individual land use patterns.

The essential character of neighborhood commercial districts should be maintained by encouraging uses which are compatible in scale or type with the district in which they are to be located. However, districts also should be allowed to evolve over time in response to changes in the neighborhoods they serve and changes in consumer tastes and preferences.

The determination of the appropriateness of various land uses in neighborhood commercial districts should consider the following basic aspects:

- Individual district character;
- Customer orientation of the district;
- Residential community living within and adjacent to the district;
- Necessity and desirability of the use to the community; and
- Environmental impacts of the use.

The following guidelines, in addition to others in this objective for neighborhood commercial districts, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications which require case by case review and City Planning Commission approval. In general, commercial uses should be encouraged which meet the guidelines; conversely, commercial uses should be discouraged which do not.

## Guidelines for All Uses

- The use should be consistent with the purpose of the district in which it is located as stated in the Planning Code.
- The use primarily should serve the local community and not attract a major part of its clientele from outside the district in which it is located. (This guideline should not apply to districts specifically intended to serve a citywide or regional clientele.)
- The use should contribute to the variety of commercial goods and services offered in the district and avoid an undesirable concentration of one type of use in a certain location. In low-intensity districts, a balanced mix of various neighborhood-serving uses, with no concentration of a particular use, is desirable. In higher-intensity districts with a special orientation to one type of use (such as antique stores), clustering of such specialty uses may be appropriate. However, one type of use should not occupy an entire block frontage.
- The size of the use should not be larger than necessary to serve the district's trade area. Individual use sizes may vary depending on the type of merchandise offered. For example, a supermarket may require a larger floor area than a shoe repair shop in order to serve the same trade area.
- The use should not detract from the livability of the district or adjacent residential areas by causing offensive noise, odors, or light, particularly in the late night or very early morning hours. Establishments operating in the late night or early morning hours should be of a type which provide goods and services which it is necessary and desirable to make available to the community at those hours. For example, longer hours of operation may be appropriate for neighborhood-serving convenience stores such as groceries or pharmacies.
- If locating at the ground story, the use should contribute to an active retail frontage. In districts with continuous active retail frontage, individual uses which do not serve the general public during regular business hours, such as churches, are encouraged to share ground story space with more active uses. This guideline may not apply in those districts or parts of a district where retail uses are interspersed with fully residential buildings and institutional facilities. However, in most areas, provisions should be made to allow future conversion of non-commercial ground story space in order to accommodate future commercial growth in the district.
- The use should fully utilize available floor area. Uses which occupy a limited amount of ground story frontage, such as limited financial services and hotel lobbies, should provide access to remaining space for use by other establishments.
- The use should not significantly increase traffic congestion or parking demand (See Auto-Oriented or Drive-Up Facilities section for more specific guidelines on parking).



## Guidelines for Specific Uses

In some districts, the balanced mix of commercial activities has been upset by the proliferation of certain uses such as financial services, restaurants and bars, take-out food and quick-stop establishments and entertainment uses.. The concerns are not limited to the number and concentration of these uses but also include the related nuisances they create and their impacts on the neighborhood. Other uses, such as automotive repair and principal non-accessory parking, also can create noise and traffic problems. Special controls should be adopted for these uses in districts where they are a particular problem. These uses should adhere to the following guidelines, in addition to those general guidelines noted above.

### Financial Services

- Financial offices should not be located near other financial uses. It is preferable that they be at least 300 feet apart. In districts where the number of financial services has seriously upset the balance of commercial uses, the distance may be increased for additional financial services. Also, the distribution pattern of existing financial services and the form of the district may be considered in increasing the distance factor. For example, to provide for the same number of additional financial establishments, a non-linear district with a concentration of financial services might warrant greater distances between existing and proposed uses than a linear district with an even distribution of financial services.
- Financial services should provide retail banking services to serve the business community as well as the residential community.
- The location of new or expanding financial services should, if feasible, avoid the demolition of sound buildings which are compatible in scale and character with other buildings in the district.
- If new construction is necessary, inclusion of other commercial uses and/or residential units is desirable. New structures should have continuous retail frontage along the shopping street or mall except where access to upper-level uses, accessory parking, loading or public open space is necessary. New development should be compatible in scale, design and use with the rest of the district.
- In neighborhood commercial districts where drive-up facilities are not permitted, financial offices should be pedestrian-oriented. In cases where drive-up facilities are permitted or parking is required, interruptions of the continuous retail frontage should be kept to a minimum.

### Eating and Drinking Establishments

Eating and drinking establishments include bars, restaurants, fast food restaurants, and take-out food. Guidelines for eating and drinking establishments are needed to achieve the following purposes:

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.

The regulation of eating and drinking establishments should consider the following:

- Balance of retail sales and services;
- Current inventory and composition of eating and drinking establishments;
- Total occupied commercial linear frontage, relative to the total district frontage;
- Uses on surrounding properties;
- Available parking facilities, both existing and proposed;
- Existing traffic and parking congestion; and
- Potential impacts on the surrounding community.

In districts where the proliferation of eating and drinking establishments could generate problems, the following guidelines should be employed in the consideration of new establishments:

- The balance of commercial uses may be threatened when eating and drinking establishments occupy more than 20% of the total occupied commercial frontage. Proposals for eating and drinking establishments which would increase the proportion of total occupied commercial frontage above 20% should be reviewed to ensure that they would not reduce the variety of neighborhood-serving uses; nor create substantial noise, traffic, parking problems, or other nuisances in the district or surrounding neighborhood. Those establishments that would do the above should not be permitted. Except in districts primarily designed to accommodate a strong eating and drinking trade, such as North Beach, such establishments should not occupy more than 25% of the total commercially-occupied frontage in a district.
- It is preferable that the proposed new use be at least 100 feet from the nearest eating and drinking establishment. Two or more uses within that distance may be troublesome.
- In most cases, accessory parking should not be provided unless the Planning Code requires parking for the use. Where the district's parking supply cannot adequately accommodate the demand generated by the use and traffic and parking congestion is expected to increase significantly, then the establishment should not be permitted (See Auto-Oriented or Drive-Up Facilities section for more specific guidelines on parking).

### **Fast Food Restaurants, Take-Out Food, Convenience Stores, and Similar Quick-Stop Establishments**

Quick-stop establishments include fast food restaurants and take-out food, convenience stores and other quick-stop establishments which may or may not involve food service. These latter uses may include small or medium-sized grocery stores, film processing stores, video rental outlets, dry cleaners, and other establishments which primarily provide convenience goods and services and generate a high volume of customer trips.

- These uses should be interspersed with other retail businesses and avoid undue concentration of one type of product.
- Fast food restaurants usually include large kitchens, service counter(s), customer queuing areas and other features which are intended to serve more customers than the use can physically accommodate for eating on-site. New or expanding fast food restaurants should be evaluated for their anticipated customer volumes. If high customer volumes are anticipated, the use should be designed to avoid concomitant traffic and other nuisance problems for the surrounding neighborhood.
- The site should provide adequate waiting space for either walk-in or drive-in patrons.
- The site should be equipped with sufficient outdoor trash receptacles to avoid litter problems in the surrounding neighborhood.

### **Entertainment and Adult Entertainment Uses**

Adult entertainment uses are generally inappropriate in most neighborhood commercial districts because:

- Neighborhood commercial districts are located near family-oriented residential areas; since adult entertainment uses may attract criminal activity, their proximity to residential areas, parks, schools, and churches may introduce criminal activity in such neighborhoods, or may tend to reduce property values;
- They appeal to a more specialized clientele, drawing customers from outside the neighborhood who may drive and create or add to parking congestion, and occupy space that could be devoted to uses which serve a broader segment of the immediate neighborhood.
- There is adequate provision of space for these uses in other areas of the city.

Adult entertainment and entertainment uses in other districts may be appropriate in certain districts or parts of districts. The following guidelines should be used in their review:

- Except in the Broadway district, entertainment uses should not be open after 2:00 a.m. in order to minimize disruption to residences in and around a district. For uses involving liquor service, potentially loud music, dancing or large patron volumes, earlier closing hours may be necessary.

- Entertainment uses should be sufficiently insulated for noise and operated so as to reasonably protect surrounding residences. Fixed source equipment noise should not exceed the decibel levels specified in the San Francisco Noise Control Ordinance. Ventilation systems should be adequate to permit doors to stay closed during performances.
- Except for movie theaters, entertainment uses should not involve electronic amplification after midnight, in order to minimize disruption to surrounding residences.
- New adult entertainment uses should be at least 1000 feet from the nearest existing adult entertainment use.

#### Auto Repair Services

- When converting a gas station with minor repair facilities to an auto repair service, adequate building space should be provided for carrying out all repair services inside the building.
- Auto repair facilities should be large enough to accommodate all cars on site and avoid on-street parking of cars before or after repair work is done. If temporary on-site storage of cars must be outside the building, suitable landscaping or screening should be provided.

#### Auto-Oriented or Drive-Up Facilities

The following guidelines apply to auto-oriented facilities which include those designed primarily for drive-to or drive-through trade, providing service to patrons in automobiles and providing off-street parking, such as gas and service stations, car washes, auto-repair facilities, supermarkets, and principal parking facilities:

- Non-thoroughfare transit-preferential streets, collector, local and recreational streets which are located in residential areas, as designated in the Transportation Element of the Master Plan, are not considered appropriate for auto-oriented facilities. Certain other major and secondary thoroughfares are appropriate for auto-oriented or drive-up facilities.
- Auto-oriented or drive-up facilities should not be located in areas of heavy pedestrian concentration. To avoid potential pedestrian-vehicle conflicts where large numbers of children are present, the site should not be within 500-foot walking distance of an elementary or secondary school.
- Potential traffic demand generated by the use should be evaluated. Sufficient parking to provide for the parking demand should be located on-site or within easy walking distance of the site and should be designed to prevent traffic congestion. Parking should not be provided unless the Planning Code requires parking for the use, or it can be shown that such parking is necessary and will be sufficient to meet all demand generated on site without disrupting retail and pedestrian continuity, or causing circulation congestion, or violating other guidelines in this objective. If parking is required, the number of spaces provided generally should be limited to the amount defined in the Planning Code for accessory parking. If such off-street parking is expected to be insufficient to provide for the anticipated parking demand and could thereby lead to increases in traffic and parking congestion, more parking

may be necessary. As an alternative to, or in addition to, providing parking on or near the site, other measures such as carpooling for employees or shuttle bus service for patrons to existing or new parking facilities elsewhere in the district may be necessary and appropriate to reduce or provide for the expected parking demand. If no parking is provided or other measures are not taken to address parking or traffic congestion, the location of the use on the subject site should not be permitted.

- To avoid cumulative impacts of auto-oriented facilities and drive-up facilities on the traffic flow, sites should not be within 500-foot walking distance of another auto-oriented establishment, unless specific traffic volumes and patterns could accommodate such facilities.
- Preferable sites are those which are vacant or already devoted to an open use such as a service station or parking lot.
- To avoid underutilization of land, accessory parking should be made available for general public use when not being utilized by the facility.
- The site plan and operating policy of the drive-in use should allow vehicles to enter promptly without having to wait in line on the street or across the sidewalk.
- Ingress or egress for parking should not occur on streets or alleys having predominantly residential use.
- Parking areas, if provided, should not be placed at the commercial street frontage if such placement would disrupt a continuous streetwall with an active retail frontage. Parking areas should be well screened or landscaped, and easily monitored so as not to encourage loitering or vandalism.

## **POLICY 2**

**Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.**

Most neighborhood commercial districts contain dwelling units in addition to commercial uses. Flats, apartments, and residential hotels are frequently located above ground-story commercial uses; fully residential buildings are common in some districts. The retention of this mix is desirable. Among other things, it ensures the presence of people on the streets at different times which increases safety and business vitality on evenings and weekends. Residents in commercial areas help to create an active street life, which promotes interaction between people in the neighborhood.

The mixed residential-commercial character of neighborhood commercial districts should be promoted by encouraging new construction of upper-story residential units above commercial development in mixed-use buildings. In order to make feasible such mixed-use projects, higher residential density and/or reductions in required parking may be warranted in districts with a reduced need for auto ownership or where anticipated parking demand can be accommodated off-site.

Existing residential units in neighborhood commercial districts comprise a valuable affordable housing resource which provides for the needs of San Francisco's diverse population. Most of these units are in sound or rehabilitable wood-frame structures and they are among the least expensive rental units in the city.

On the other hand, conversion of this housing is an important means of providing competitive and affordable commercial space. Conversions of ground-story residential units should be permitted in all neighborhood commercial districts without special review. In many neighborhood commercial districts, the physical location and structural aspects of the upper-story housing units make it attractive and feasible to convert them to commercial use. Due to the limited supply of vacant land, some commercial expansion into the residential space may be the only feasible way to adequately meet the commercial needs of the trade area served by the district.

The amount of commercial space necessary and desirable to serve the retail and service function of a district varies depending on the size of the trade area, proximity to other commercial districts, and competition from other land uses.

In neighborhood commercial districts consisting of a small cluster of lots, commercial uses at the ground story only can provide for the convenience needs (such as groceries and laundry) of nearby residents. In these districts no new commercial use should be permitted above the ground story, nor should conversions of existing residential units above the ground story be permitted.

In small-scale neighborhood commercial districts most of the anticipated demand for commercial growth can be accommodated through new construction at the first two stories on vacant or underused parcels without the necessity to convert upper story residential units. However in some of these districts where demand for commercial space is particularly strong, allowing commercial uses above the second story in new construction and allowing some conversion of existing residential units above the ground story may be appropriate as long as the general equilibrium between retail, office, and residential uses is maintained.

In larger, moderate-scale neighborhood commercial districts which are intended to provide a wider range of goods and services to a larger trade area, growth opportunities through new construction at the first two stories on vacant or underused parcels may be insufficient to meet the demand for commercial space. While the retention of mixed use buildings and the construction of new mixed use buildings is desirable in these districts, construction of new, fully commercial structures, and some conversion of existing upper story residential units may be appropriate to meet demand if the increased commercial activity would not adversely affect existing traffic or parking congestion.

Because the appropriateness of residential conversions depends on many factors which vary from district to district, land use controls should be adjusted to reflect the different needs of each district. In most districts certain conversions, such as those at the ground story or third story, can be regulated by permitting or prohibiting them without special review, while those at the second story may need case-by-case review by the City Planning Commission. In other districts, however, proposed conversions at all stories may need case-by-case review. A balance must be struck between the need to retain the housing and the need to provide for commercial expansion. Some upper-story conversions may be appropriate, if based on a review of an individual case, it is found that the need for commercial expansion clearly outweighs the need to preserve affordable housing. In that case-by-case review the following guidelines should be employed:

## Guidelines for Residential Conversions

- The need for the proposed commercial use in the district should be clearly established. The need to preserve affordable housing may be presumed in light of the citywide shortage of such housing and established policy in the Residence Element.
- The conversion should be disallowed if commercial space suitable for occupancy by the proposed commercial use is available elsewhere in the district.
- Many small businesses providing personal, medical, professional and business services to neighborhood residents and the general public seek affordable space in the upper stories; they should be accommodated as long as the conversions are not so numerous as to upset the general equilibrium between commercial and residential uses or to constitute a substantial loss of housing. Commercial and institutional uses which do not primarily serve the general public usually are not appropriate in neighborhood commercial areas unless they are minor uses ancillary to those which do serve the general public, such as a small dental laboratory or small business accountant.
- Conversions are more appropriate if the units are located in an active commercial district and are isolated from other residential units.
- Along secondary side streets and alleys of linear or areawide districts, conversions are inappropriate. The more residential character of the secondary streets should be protected to provide a transition between the commercial and surrounding residential districts.
- Conversion may be appropriate if the unit(s) is unsuitable for residential occupancy because offensive noise, especially from traffic or late night activity, is generated on the same site or near the unit; or a building adjacent to or near the unit(s) blocks the residents' access to light and air.
- Conversion may be appropriate if the housing unit is declared by the Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention to be unsafe and/or incapable of being made habitable for residential occupancy. However, if the property owner has shown possible willful neglect or a pattern of negligence in performing ordinary maintenance, thereby resulting in uninhabitable or unsafe units, the conversion should not be permitted, or the property owner should add other replacement rental units to the city's housing supply.
- Conversions should not adversely impact the livability of any remaining units in the building. In buildings where re-conversion back to dwelling units may be desirable, the kitchens should be retained.
- In evaluating proposed conversions, consideration should be given to economic hardships which might result from the denial of the conversion application.
- Tenants should be notified prior to filing the application to convert the unit(s) and for any conversion that is permitted relocation assistance should be made available to displaced tenants, i.e. efforts to identify housing comparable in size, price, and location; and the provision of a relocation allowance, particularly in the case of units occupied by low or moderate income residents.

The same considerations that apply to conversions apply to demolition of housing units. Therefore, demolitions should be reviewed on a case-by-case basis using the same guidelines that are to be used in reviewing conversions. Demolition permits should be reviewed in conjunction with the permits for the replacement structures whenever possible. When this is not possible, conditions applying to future buildings permits may be attached to the demolition permit or the new building permit may require further review. The replacement structure should include housing units, for which there is an exhibited demand, or replacement rental units should be added to the city's housing supply. In order to encourage prompt replacement of demolished structures, permits should not be approved for temporary uses, such as general advertising signs or parking, unless such uses are appropriate permanent uses.

### **POLICY 3**

**Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.**

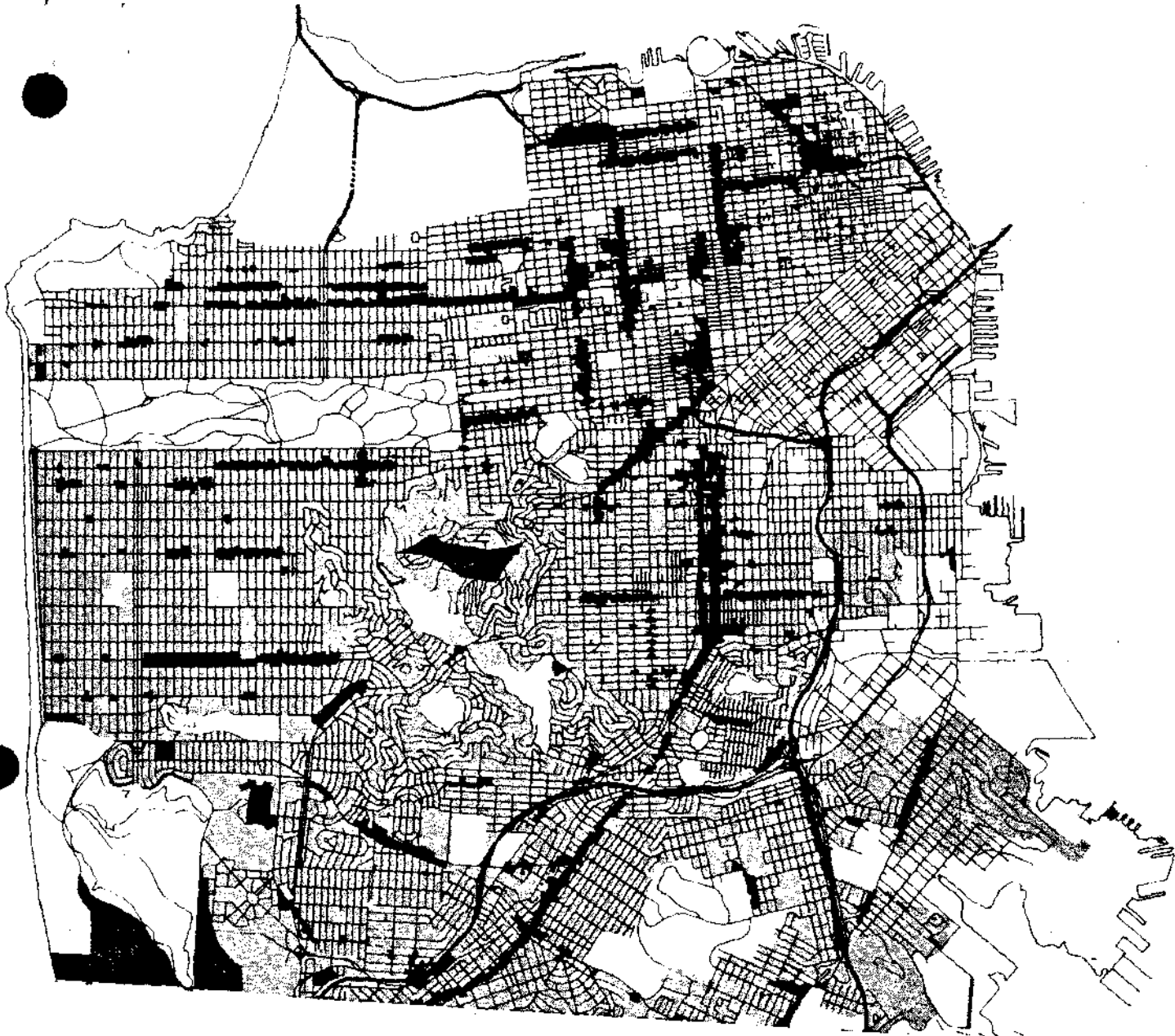
Neighborhood shopping districts should be distributed throughout the city so that all residential areas are within a service radius of one-quarter to one-half mile, depending upon the population density and topography of the area served. Most residential areas meet this service area standard, as can be seen on Map 1. Some remaining residential areas which are not served by commercial districts within these distances are served by individual commercial uses located within a quarter of a mile. These individual uses are typically corner grocery stores which are open long hours, providing a range of food and household convenience goods. The few remaining residential areas, which are neither served by neighborhood commercial districts nor by individual commercial uses, are typically of such low density that they cannot economically support nearby commercial activity. It would be appropriate to revise the zoning to allow a smaller convenience commercial use in those areas if a market demand develops, as long as the location meets the criteria of Objective 6, Policy 2 of the Residence Element.

### **POLICY 4**




**Discourage the creation of major new commercial areas except in conjunction with new supportive residential development and transportation capacity.**

Economic growth exhibited in any given commercial area, when viewed from a citywide or regional perspective may not represent "real" or absolute growth, but rather a relocation of economic activity from another commercial area, contributing to its decline. "Real" growth of retail activity requires an actual increase in expenditures which is directly linked to increases in disposable personal income. Because there are opportunities for business expansion within existing commercial areas, the creation of major new commercial areas should be discouraged unless a significant new market is being created to support the proposed development.





**RESIDENTIAL SERVICE AREAS OF NEIGHBORHOOD  
COMMERCIAL DISTRICTS AND USES**

- 
**NEIGHBORHOOD OR GENERAL COMMERCIAL DISTRICT**  
 Service Radius : 1/2 Mile
- 
**COMMERCIAL SERVICE AREAS**
- 
**RESIDENTIAL AREAS OUTSIDE SERVICE BOUNDARIES**

Map 1



## **POLICY 5**

**Adopt specific zoning districts which conform to a generalized neighborhood commercial land use plan.**

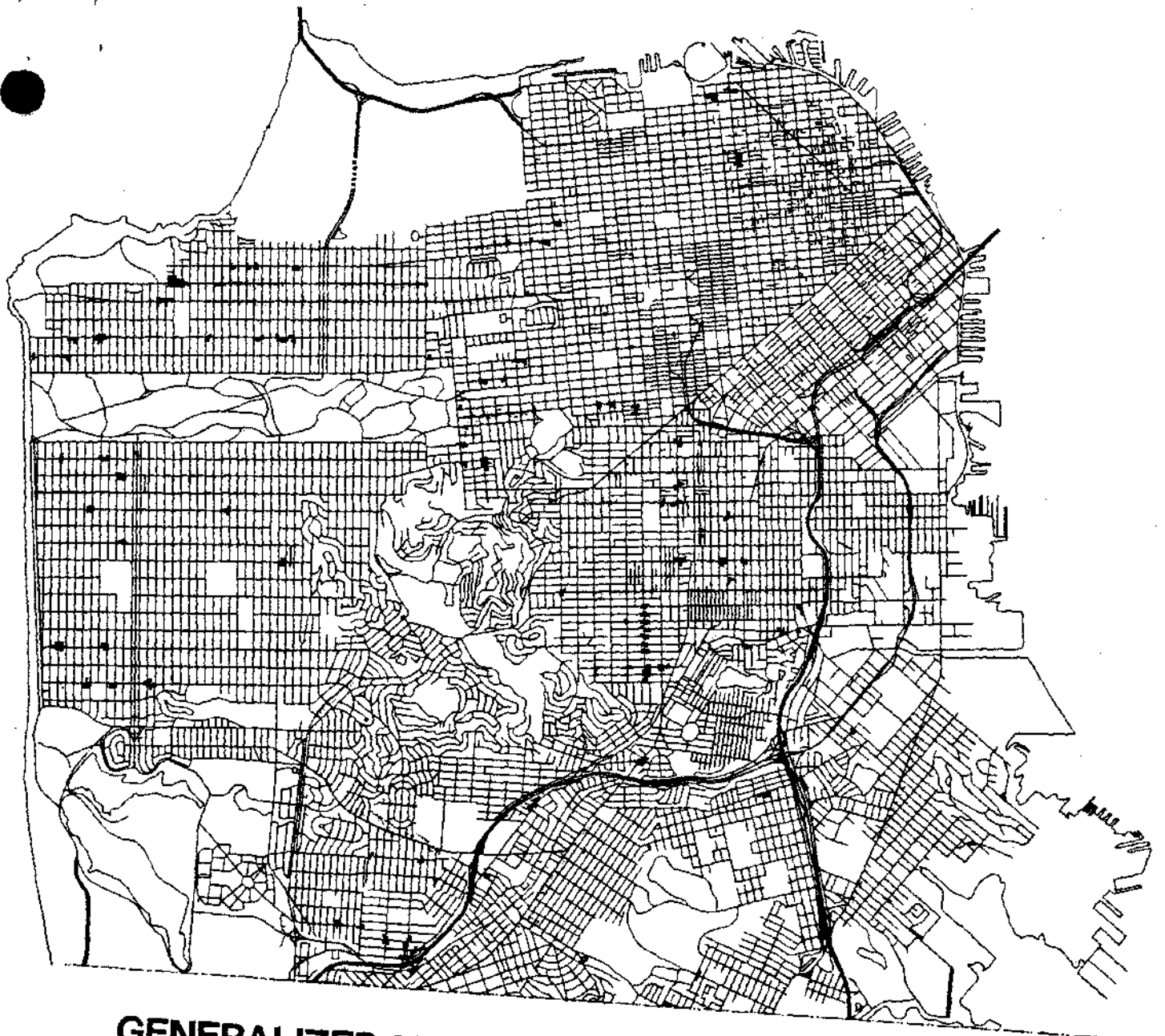
The application of other policies under this "neighborhood commercial" objective results in land use distribution patterns shown on the Generalized Neighborhood Commercial Land Use Plan Maps. Neighborhood Commercial zoning districts should conform to the map, although minor variations consistent with the policies may be appropriate. The Generalized Neighborhood Commercial Land Use Plan provides for the following categories of neighborhood commercial districts:

**Neighborhood Commercial Clusters.** These districts provide a limited range of convenience retail goods and services to residents in the immediate neighborhood typically during daytime hours. In general, these districts should be limited to no more than one or two blocks and commercial uses should be limited to the ground floor. The upper stories should be generally residential. These districts are intended to be located in neighborhoods which do not have the need for or capacity to handle larger-scale commercial activities.

**Small-Scale Neighborhood Commercial Districts.** These districts provide convenience goods and services to the local neighborhood as well as limited comparison shopping to a wider market area. The size of these districts may vary from one to three blocks to several blocks in length. Commercial building intensity should be limited to the first two stories with residential development occasionally interspersed. Upper stories should be reserved for residential use. These districts are typically linear and should be located along collector and arterial streets which have transit routes.

**Moderate-Scale Neighborhood Commercial Districts.** These districts provide a wide range of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to local residents. These districts can be quite large in size and scale and may include up to four stories of commercial development, although most districts have less. They may include residential units on the upper stories. Due to the moderately-large scale and levels of activity, these districts should be located along heavily-trafficked thoroughfares which also serve as major transit routes.






**Neighborhood Shopping Centers.** These districts provide retail goods and services for car-oriented shoppers. Goods and services can range from groceries for local residents to a full range of merchandise for a citywide clientele. Commercial building intensity can approach up to four times the lot area, but is much lower in most cases because a substantial amount of each lot is devoted to automobile parking and building heights generally are limited to prevailing heights in surrounding areas. Residential uses are permitted but are uncommon. Because these districts provide an alternative building format with more parking opportunities than the traditional linear shopping districts, they should be located where their design is compatible with existing neighborhood scale and where they compatibly supplement other traditional commercial districts in serving new or low-density residential areas.



# GENERALIZED NEIGHBORHOOD COMMERCIAL LAND USE PLAN

Map 2



-  NEIGHBORHOOD CLUSTER
-  SMALL SCALE NEIGHBORHOOD DISTRICT
-  MODERATE SCALE NEIGHBORHOOD DISTRICT
-  NEIGHBORHOOD SHOPPING CENTER
-  INDIVIDUAL NEIGHBORHOOD DISTRICT

## COMMERCIAL INTENSITY (Stories)

- 1
- 1 - 2
- 1 - 4
- 1 - 4
- 1 - 4

**Individual Neighborhood Commercial Districts.** These districts are generally small or moderate scale commercial districts generally located in neighborhoods undergoing rapid economic change. Separate zoning controls specific to each district's particular needs and characteristics are needed to deal with the economic growth and land use changes which each area is experiencing. In some districts, eating and drinking uses have proliferated, displacing other types of retail goods and services needed by the neighborhood. Financial institutions, such as banks and savings and loan associations, have multiplied in certain districts, displacing other types of businesses, tending to concentrate and create nodes of congestion, and sometimes detracting from the visual and design character of the district. In many individual districts, special controls are necessary to protect existing housing from conversion to commercial use and encourage the development of new housing.

## **POLICY 6**

**Promote high quality urban design on commercial streets.**

Most of San Francisco's neighborhood commercial districts were developed concurrently with residential development and have physical forms which relate to the needs and tastes prevalent during the first half of this century. During this period, commercial units were built along streetcar lines and at major street intersections, often with residential flats on the upper floors, thus creating the familiar "linear" or "strip" commercial districts.

The small lot pattern prevalent at that time also encouraged the development of small buildings and businesses. The resulting scale has come to characterize San Francisco's attractive and active neighborhood commercial districts. The small-scale character should be maintained through the regulation of the size of new buildings and commercial uses.

Continuous commercial frontage at the street level is especially important. It prevents the fragmentation and isolation of fringe areas, improves pedestrian accessibility, and enhances the physical and aesthetic cohesiveness of the district. The design of new buildings should harmonize with the scale and orientation of existing buildings. Additionally, a correspondence of building setbacks, proportions, and texture helps establish visual coherence between new development and existing structures on a commercial street.

The appeal and vitality of a neighborhood commercial district depends largely on the character, amenities, and visual quality of its streets. The main function of neighborhood commercial streets is to provide retail goods and services in a safe, comfortable, and attractive pedestrian environment.

### **Urban Design Guidelines**

The following guidelines for urban design are intended to preserve and promote positive physical attributes of neighborhood commercial districts and facilitate harmony between business and residential functions. The pleasant appearance of an individual building is critical to maintaining the appeal and economic vitality of the businesses located in it, as

well as of the whole neighborhood commercial district. An individual project's building design and site layout should be compatible with the character of surrounding buildings and the existing pattern of development in neighborhood commercial districts.

The physical characteristics of the property and district which should be considered in the design of new development include:

- Overall district scale;
- Individual street character and form;
- Lot development patterns;
- Adjacent property usage;
- Proposed site development and building design;
- Potential environmental impacts; and
- Feasible mitigation measures.

#### **Site Layout**

- The site plan of a new building should reflect the arrangement of most other buildings on its block, whether set back from, or built out to its front property lines.
- In cluster and linear districts with continuous street building walls, front set-backs are discouraged, in order to maintain a continuous block facade line. However, outdoor activities such as sidewalk cafes and walk-up windows may be accommodated by recessing the ground story. Front set-back areas of existing buildings may be used for outdoor activities.
- New development should respect open space corridors in the interior of blocks and not significantly impede access of light and air nor block views of adjacent buildings.
- On irregularly shaped lots, through-lots or those adjacent to fully-built lots, open space located elsewhere than at the rear of a property may improve the access of light and air to residential units.
- Outdoor activities associated with an eating and drinking or entertainment establishment which abut residentially-occupied property should be discouraged.

#### **Scale, Height and Bulk**

- In most cases, small lots with narrow building fronts should be maintained in districts with this traditional pattern.
- When new buildings are constructed on large lots, the facades should be designed in units which are compatible with the existing scale of the district.

- The height of a proposed development should relate to the individual neighborhood character and the height and scale of adjacent buildings to avoid an overwhelming or dominating appearance of new structures. On a street of varied building heights, transitions between high and low buildings should be provided. While three- and four-story buildings are appropriate in most locations, two-story facades with upper stories set back from the street wall may be preferable in some areas with lower-scale development.
- The height and bulk of new development should be designed to maximize sun access to nearby parks, plazas, and major pedestrian corridors.

### Frontage

- Facades of new development should be consistent with design features of adjacent facades that contribute to the visual qualities of the neighborhood commercial district.
- To encourage continuity of "live" retail sales and services, at least one-half of the total width of any new or reconstructed building, parallel to and facing the commercial street, should be devoted to entrances, show windows, or other displays. Where a substantial length of windowless wall is found to be unavoidable, eye-level display, a contrast in wall treatment, offset wall line, outdoor seating and/or landscaping should be used to enhance visual interest and pedestrian vitality.
- Clear, untinted glass should be used at and near the street level to allow maximum visual interaction between sidewalk areas and the interior of buildings. Mirrored, highly reflective glass or densely-tinted glass should not be used except as an architectural or decorative accent.
- Where unsightly walls of adjacent buildings become exposed by new development, they should be cleaned, painted or screened by appropriate landscaping.
- Walk-up facilities should be recessed and provide adequate queuing space to avoid interruption of the pedestrian flow.

### Architectural Design

- The essential character of neighborhood commercial districts should be preserved by discouraging alterations and new development which would be incompatible with buildings which are architecturally significant or which contribute to the scale and character of the district as a whole. Specifically, the facades and building lines of existing buildings should be continued, and the details, material, texture or color of existing architecturally significant or distinctive buildings should be complemented by new development.
- Existing structures in sound or rehabilitable condition and of worthwhile architectural character should be reused where feasible to retain the unique character of a given neighborhood commercial district.

- The design of new buildings, building additions and alterations, and facade renovations should reflect the positive aspects of the existing scale and design features of the area. Building forms should complement and improve the overall neighborhood environment.

### Materials

- The materials, textures and colors of new or remodeled structures should be visually compatible with the predominant materials of nearby structures. In most neighborhood commercial districts, painted wood or masonry are the most appropriate and traditional exterior facade materials.

### Details

- Individual buildings in the city's neighborhood commercial districts are rich in architectural detailing, yet vary considerably from building to building, depending upon the age and style of their construction. Despite their stylistic differences, Victorian, Classical and Art Deco buildings share some design motifs. Vertical lines of columns or piers, and horizontal lines of spandrels or cornices are common to many styles as are mouldings around windows and doors. These elements add richness to a flat facade wall, emphasizing the contrast of shapes and surfaces.
- A new building should relate to the surrounding area by displaying scale and textures derived from existing buildings. Nearby buildings of architectural distinction can serve as primary references. Existing street rhythms should also be continued on the facade of a new building, linking it to the rest of the district. This can be accomplished in part by incorporating prevailing cornice and belt course lines.

### Rooftop Mechanical Equipment

- Rooftop mechanical equipment which may create disturbing noises or odors should be located away from areas of residential use and screened and integrated with the design of the building.

### Signs

- The character of signs and other features attached to or projecting from buildings is an important part of the visual appeal of a street and the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to street design and building design. Neighborhood commercial districts are typically mixed-use areas with commercial units on the ground or lower floors and residential uses on upper floors. As much as signs and other advertising devices are essential to a vital commercial district, they should not be allowed to interfere with or diminish the livability of residences within the neighborhood commercial district or in adjacent residential districts. Sign sizes and design should relate and be compatible with the character and scale of the neighborhood commercial district. Unless otherwise allowed in the Planning Code, facades of residentially-occupied stories should not be used for attaching signs nor should the illumination of signs be directed into windows of residential units.

## Landscaping and Street Design

- Street trees should be provided in each new development. If a district tree planting program or streetscape plan exists, new development should be landscaped in conformity with such plans. In places where tree planting is not appropriate due to inadequate sidewalk width, interference with utilities, undesirable shading, or other reasons, other means such as window boxes, planter boxes or trellises may be chosen.
- A permanent underground sprinkler system should be installed in landscaped areas which will provide sufficient water for plant material used. Automatic timing devices may be required. Container plants which cannot adequately be watered by an underground sprinkler system should have adequate hose bibs installed to permit watering.
- Open uses such as parking lots should be visually screened along the street frontage by low walls, earth berms and/or landscaping. However, the safety of the lots should not be reduced through these measures.
- A landscaped buffer of trees and shrubs should be used along those edges of a parking lot bordering residential properties.
- In addition to landscaping at the periphery of the parking lot, planting islands between parked vehicles should be located within the lot, whenever feasible. Trees and other plantings provide shade and variety to the visual monotony of parked automobiles, especially when the lot is viewed from adjacent residences.

## POLICY 7

**Promote neighborhood commercial revitalization, including community-based and other economic development efforts where feasible.**

While most commercial districts have healthy economies, some districts have declined. The latter areas are underused, and are often characterized by vacant lots and boarded up or deteriorating storefronts. As a consequence, there is inadequate provision of convenience goods and services to nearby residents. The City should participate in a variety of efforts to revitalize these districts.

However, the ultimate success of a neighborhood commercial district depends upon factors which are beyond the scope of the public sector. Almost all successful neighborhood commercial revitalization efforts are initiated by local businessmen with a strong desire and commitment to upgrade their businesses, property, and neighborhoods. Because revitalization of an entire commercial district requires diligence and cooperation of all merchants and property owners sustained over a long period of time, a strong merchants' association is essential. The City should provide businessmen who have exhibited a strong commitment to upgrade their areas with assistance in organizing or strengthening their merchants' association and preparing and carrying out their improvements.



For its part the City should provide the physical improvements and public services necessary to ensure confidence in local investors. These include police and fire protection, adequate maintenance of streets, sidewalks and sanitation services, as well as proper enforcement of zoning, health, and building codes to ensure the health and safety of merchants, residents, and shoppers. Capital improvements should be made as required, including lighting, street furnishings, public spaces, and mini-parks. Traffic circulation, transit, and parking availability should be managed to allow maximum accessibility to the retail corridor with a minimum of congestion and disruption to the neighborhood.

Community development corporations can also assist in revitalization efforts by providing employment and community services to local residents through community-owned local business enterprises. Encouragement and assistance should be given to organizations having the potential of successfully carrying out local economic development projects.

Efforts to upgrade neighborhood commercial districts should occur in conjunction with efforts to improve the quality of the surrounding community, with respect to physical condition of the housing stock, recreation and open space, and delivery of services.

## TRANSPORTATION ELEMENT

Objectives and policies of the Transportation Element (as amended by Resolution No. 9434, June 24, 1982, reprinted January 1983) which specifically refer to neighborhood commercial districts are listed below. No amendments are proposed.

	<u>Page</u>
● General Objectives and Policies	
Criteria for Priority for Walking, Bicycling, or Short Distance Transit Vehicles, Number 3	13
● Pedestrian Circulation Plan, Policy 4	32
● Bicycle Plan, Objective 2, Policy 1	36
● Citywide Parking Plan	
Objective 1, Policy 1, Criterion 14	49
Objective 4, Policy 1	52

## RESIDENCE ELEMENT

Objectives and policies of the Residence Element (as amended by Resolution 10045, June 28, 1984) which specifically refer to neighborhood commercial districts are listed below. No amendments to these policies are proposed.

	<u>Page</u>
● Objective 1, Policy 4, 3rd bullet	2.2
● Objective 2, Policy 2, 2nd paragraph	2.4
● Objective 3, Policies 1 and 2	2.8
● Objective 6, Policy 2	2.16
● Objective 8, Policy 1	2.25

In addition, the residential density table and Map B in Objective 2, Policy 4 should be amended as shown below.

- Policy 4

Adopt Specific Zoning Districts Which Conform to a Generalized Residential Land Use Plan.

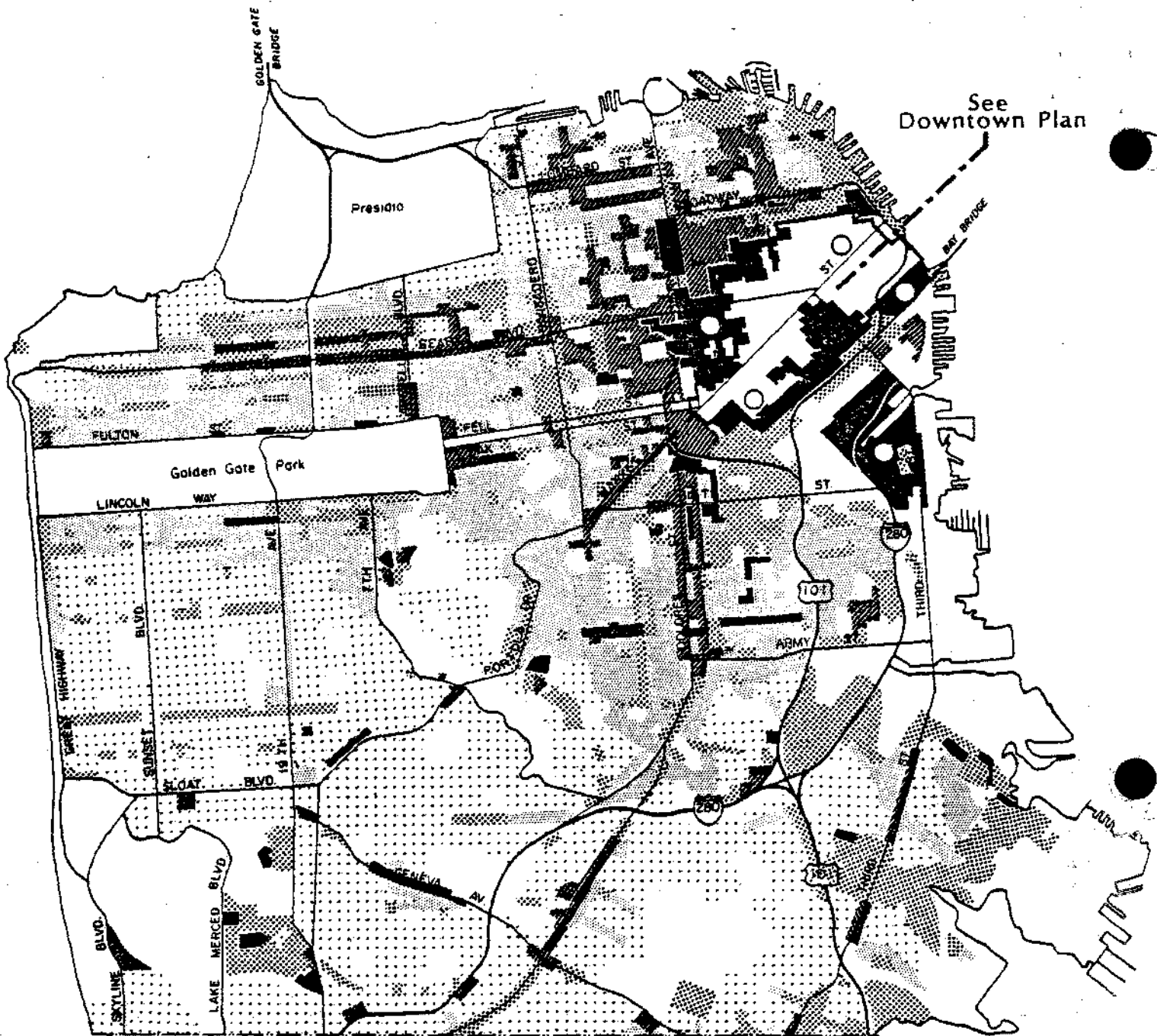
Applying policies under this Objective 2 results in density patterns shown on the accompanying Generalized Residential Land Use Plan Map. Specific zoning districts should conform generally to this map, although minor variations consistent with the general density policies may be appropriate.

The Generalized Residential Land Use Plan provides for five density categories:

**Potential Residential and Population Density  
By Zoning Districts**

Classification	Zoning Districts	Average Units Per Acre	Average Persons Per Acre*	General Location
Low Density	RH-1	14	24-31	Appropriate in areas for single families, located predominantly in the southern and western parts of the city.
Moderately-Low Density	RH-2 RH-3	36	64-94	Appropriate in the central hills areas, along Diamond Heights, Twin Peaks, and Potrero Hill, around Golden Gate Park in the Richmond, and northern part of the Sunset districts and in the Marina district.
Medium Density	RM-1, RC-1 C-1, C-2 M-1, M-2, <u>NC-1, NC-2,</u> <u>Sacramento,</u> <u>Street</u>	54	118	Appropriate for <u>some low-intensity neighborhood commercial districts and mixed-use ((non-))residential-commercial and industrial districts,</u> and certain areas adjacent to the commercial zones.
Moderately-High Density	RM-2, RM-3, RC-2, RC-3, NC-3, NC-S, <u>Broadway,</u> <u>Castro Street,</u> <u>Inner Clement Street,</u> <u>Outer Clement Street,</u> <u>Upper Fillmore Street,</u> <u>Haight Street,</u> <u>Hayes-Gough,</u> <u>Upper Market Street,</u> <u>North Beach NCD,</u> <u>Polk Street NCD,</u> <u>Union Street NCD,</u> <u>Valencia Street,</u> <u>24th Street-Mission,</u> <u>24th Street-Noe Valley</u>	91	160-240	Appropriate for the more intensely developed north-eastern part of the city, <u>certain neighborhood commercial districts with moderately high existing residential development and good transit accessibility,</u> for major transit corridors such as Van Ness Avenue, in major redevelopment areas such as the Western Addition and the Golden Gateway areas, and in Nob Hill, Chinatown and North Beach.
High Density	RM-4, RC-4 C-3, C-M	283	475-760	Appropriate for certain areas in the northeastern part of the city, including downtown districts as well as heavy-commercial districts.

\* Based on city-wide average household size of 2.19. See map on following page for average household size by Census Tract.



## RESIDENCE ELEMENT MAP B : RESIDENTIAL DENSITY

↑  
**NCRS  
Map 3**

<p>●●●●●● <b>LOW DENSITY</b> Average 12 units per acre</p> <p>●●●●●● <b>MODERATELY LOW DENSITY</b> Average 36 units per acre</p> <p>●●●●●● <b>MEDIUM DENSITY</b> Average 54 units per acre</p>	<p>▨▨▨▨▨ <b>MODERATELY HIGH DENSITY</b> Average 91 units per acre</p> <p>■ ■ ■ ■ <b>HIGH DENSITY</b> Average 283 units per acre</p> <p>□ <b>PUBLIC AND HEAVY INDUSTRIAL AREAS</b></p>
--	---

○ **AREAS PROPOSED FOR REZONING**  
See Map A ( Appropriate densities will be determined  
in the rezoning studies )



# PLANNING CODE TEXT AMENDMENTS

## INTRODUCTION

This chapter presents language to establish Article 7, a new part of the City Planning Code, which establishes a comprehensive, flexible system of neighborhood commercial zoning controls. It contains four general area districts and fifteen individual area districts with controls which embrace the full range of land use issues in each district. A description and purpose statement for each district is accompanied by a chart which displays all applicable zoning controls, either directly or by reference to other sections of the Code. Article 7 also includes sections describing standards, permitted uses, definitions, and references to other Code sections.

All other sections of the Code to be modified are also presented in this chapter. These include all amendments to Articles 1, 1.2, 1.5, 1.7, 2, 2.5, 3, and 6, including minor references to neighborhood commercial (NC) districts and amendments which restructure or repeat provisions which already apply to the affected lots. These sections are presented in ordinance form appropriate for legislative action by the Board of Supervisors; code sections are included in their entirety, regardless of the extent of amendment to the section. Additions are indicated by underlined text. Deletions are indicated by ((double parentheses)) and in the case of large portions of text, by lines crossed through the deleted portions. Amendments which are in effect on an interim basis for the Downtown (C-3) districts are also indicated for the sections presented.

ARTICLE 7

NEIGHBORHOOD COMMERCIAL DISTRICTS

SEC. 701	NEIGHBORHOOD COMMERCIAL DISTRICT PROVISIONS
SEC. 702	CLASSES OF NEIGHBORHOOD COMMERCIAL DISTRICTS
SEC. 703	NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS
SEC. 709	GUIDE TO UNDERSTANDING THE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROLS
SEC. 710	NC-1—NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT
SEC. 711	NC-2—SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 712	NC-3—MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 713	NC-S—NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT
SEC. 714	BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 715	CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 716	INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 717	OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 718	UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 719	HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 720	HAYES-GOUGH NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 721	UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 722	NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 723	POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 724	SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 725	UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 726	VALENCIA STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 727	24TH STREET-MISSION NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 728	24TH STREET-NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 790	DEFINITIONS FOR NEIGHBORHOOD COMMERCIAL DISTRICTS
SEC. 799	REFERENCES TO OTHER SECTIONS OF THE CITY PLANNING CODE

## ARTICLE 7

### NEIGHBORHOOD COMMERCIAL DISTRICTS

#### SEC. 701 NEIGHBORHOOD COMMERCIAL DISTRICT PROVISIONS.

This Article is adopted specifically for Neighborhood Commercial districts, as shown on the Zoning Map of the City and County of San Francisco. The provisions set forth or referenced in Article 7 shall apply to any use, property, structure, or development which is located in a Neighborhood Commercial district, unless otherwise provided for within this Code. In the event of conflict between provisions of Article 7 and other provisions of this Code, the provisions of Article 7 shall prevail.

#### SEC. 701.1 Purpose of Article 7. This Article is intended to provide a comprehensive and flexible zoning system for Neighborhood Commercial districts which is consistent with the objectives and policies set forth in the San Francisco Master Plan. More specifically, the purposes of this Article are:

- (a) To provide in one article a complete listing of or cross-reference to all of the zoning categories, definitions, control provisions, and review procedures which are applicable to properties or uses in Neighborhood Commercial districts.
- (b) To establish a zoning system which will accommodate all classes of Neighborhood Commercial districts including general districts for citywide area groupings and individual districts which are tailored to the unique characteristics of specific areas.
- (c) To provide zoning control categories which embrace the full range of land use issues in all Neighborhood Commercial districts, in order that controls can be applied individually to each district class to address particular land use concerns in that district.

#### SEC. 702 CLASSES OF NEIGHBORHOOD COMMERCIAL DISTRICTS.

#### SEC. 702.1 Neighborhood Commercial Use Districts. The following districts are established for the purpose of implementing the Commerce and Industry element and other elements of the Master Plan, according to the objective and policies stated therein. Description and Purpose Statements outline the main functions of each Neighborhood Commercial (NC) district in the Zoning Plan for San Francisco, supplementing the statements of purpose contained in Section 101 of this Code.

The description and purpose statements and land use controls applicable to each of the general and individual area districts are set forth in Sections 710 through 728 for each district class. The boundaries of the various Neighborhood Commercial districts are shown on the Zoning Map referred to in Section 105, subject to the provisions of Section 105.

<b>General Area Districts</b>	<b><u>Section Number</u></b>
NC-1—Neighborhood Commercial Cluster District	§ 710
NC-2—Small-Scale Neighborhood Commercial District	§ 711
NC-3—Moderate-Scale Neighborhood Commercial District	§ 712
NC-S—Neighborhood Commercial Shopping Center District	§ 713

<b>Individual Area Districts</b>	<b><u>Section Number</u></b>
Broadway Neighborhood Commercial District	§ 714
Castro Street Neighborhood Commercial District	§ 715
Inner Clement Street Neighborhood Commercial District	§ 716
Outer Clement Street Neighborhood Commercial District	§ 717
Upper Fillmore Street Neighborhood Commercial District	§ 718
Haight Street Neighborhood Commercial District	§ 719
Hayes-Gough Neighborhood Commercial District	§ 720
Upper Market Street Neighborhood Commercial District	§ 721
North Beach Neighborhood Commercial District	§ 722
Polk Street Neighborhood Commercial District	§ 723
Sacramento Street Neighborhood Commercial District	§ 724
Union Street Neighborhood Commercial District	§ 725
Valencia Street Neighborhood Commercial District	§ 726
24th Street-Mission Neighborhood Commercial District	§ 727
24th Street-Noe Valley Neighborhood Commercial District	§ 728

**SEC. 702.2**

**Special Use Districts.** In addition to the Neighborhood Commercial use districts established by Section 702.1 of this Code, certain special use districts established in Sections 236 through 245 are located within certain Neighborhood Commercial district boundaries. The designations, locations, and boundaries of the special use districts are as provided below.

	<b><u>Section Number</u></b>
Garment Shop Special Use District	§ 236
Northern Waterfront Special Use District	§ 240
Ocean Avenue Affordable Housing Special Use District	§ 243
Monterey Boulevard Affordable Housing Special Use District	§ 244

**SEC. 703**

**NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS.**

The Neighborhood Commercial district zoning control categories consist of building standards listed in Section 703.1 and permitted uses listed in Section 703.2. The controls are either stated, or summarized and cross-referenced to the Sections in other Articles of this Code containing the requirements, in Sections 710 through 728, for each of the district classes listed in Section 702.1.

**SEC. 703.1**

**Building Standards.** Building standards are controls which regulate the general size, shape, character, and design of development in Neighborhood Commercial districts. They are set forth or summarized and cross-referenced in the zoning control categories as listed in paragraph (a) below in Sections 710 through 728 for each district class.



- (a) **Building Standard Categories.** The building categories which govern Neighborhood Commercial districts are listed below by zoning control category and number and cross-referenced to the Code Section containing the standard and the definition.

<u>No.</u>	<u>Zoning Control Categories for Building Standards</u>	<u>Section Number of Standard</u>	<u>Section Number of Definition</u>
.10	Height and Bulk	Zoning Map	§ 102.11
.11	Lot Size [Per Development]	§ 121.5	§ 790.56
.12	Rear Yard	§ 134(a)(e)	§ 134
.13	Street Frontage	§ 145.1	
.14	Awning	§ 136.1(a)	§ 790.20
.15	Canopy	§ 136.1(b)	§ 790.26
.16	Marquee	§ 136.1(c)	§ 790.58
.17	Street Trees	§ 143	
.20	Floor Area Ratio	§§ 123-124	§ 102.8-.10
.21	Use Size [Non-Residential]	§ 121.7	§ 790.130
.22	Off-Street Parking, Commercial and Institutional	§ 151	§ 150
.23	Off-Street Freight Loading	§ 152	§ 150
.30	General Advertising Sign	§ 607.1(c)	§ 602.7
.31	Business Sign	§ 607.1(d)	§ 602.3
.91	Residential Density, Dwelling Units	§ 207.2	§ 207
.92	Residential Density, Other	§ 208	§ 208
.93	Usable Open Space	§ 135(d)	§ 135
.94	Off-Street Parking, Residential	§ 151	§ 150

**SEC. 703.2**

**Uses Permitted in Neighborhood Commercial Districts.** A use is the specific purpose for which a property or building is used, occupied, maintained, or leased. Whether or not a use is permitted in a specific district is set forth or summarized and cross-referenced in the zoning control categories as listed in paragraph (a) below in Sections 710 through 728 for each district class.

- (a) **Use Categories.** The uses, functions, or activities, which are permitted in each Neighborhood Commercial district class are listed below by zoning control category and number and cross-referenced to the Code Section containing the definition.

<u>No.</u>	<u>Zoning Control Categories for Uses</u>	<u>Section Number of Use Definition</u>
.24	Outdoor Activity Area	§ 790.70
.25	Drive-Up Facility	§ 790.30
.26	Walk-Up Facility	§ 790.140
.27	Hours of Operation	§ 790.48
.38	Residential Conversion	§ 790.84
.39	Residential Demolition	§ 790.86
.40	Other Retail Sales and Services	§ 790.102
.41	Bar	§ 790.22

.42	Full-Service Restaurant	\$ 790.92
.43	Fast Food Restaurant	\$ 790.90
.44	Take-Out Food	\$ 790.122
.45	Movie Theater	\$ 790.64
.46	Adult Entertainment	\$ 790.36
.47	Other Entertainment	\$ 790.38
.48	Amusement Game Arcade	\$ 790.4
.49	Financial Service	\$ 790.110
.50	Limited Financial Service	\$ 790.112
.51	Medical Service	\$ 790.114
.52	Personal Service	\$ 790.116
.53	Business or Professional Service	\$ 790.108
.54	Massage Establishment	\$ 790.60
.55	Tourist Hotel	\$ 790.46
.56	Automobile Parking	\$ 790.8
.57	Automotive Gas Station	\$ 790.14
.58	Automotive Service Station	\$ 790.17
.59	Automotive Repair	\$ 790.15
.60	Automotive Wash	\$ 790.18
.61	Automobile Sale or Rental	\$ 790.12
.62	Animal Hospital	\$ 790.6
.63	Ambulance Service	\$ 790.2
.64	Mortuary	\$ 790.62
.65	Trade Shop	\$ 790.124
.70	Administrative Service	\$ 790.106
.71	Light Manufacturing or Wholesale Sales	\$ 790.54
.80	Hospital or Medical Center	\$ 790.44
.81	Other Institutions	\$ 790.50
.82	Public Use	\$ 790.80
.90	Residential Use	\$ 790.88
.95	Community Residential Parking	\$ 790.10

(b) **Use Limitations.** The uses set forth in Paragraph (a) above, are permitted in Neighborhood Commercial districts as either principal, conditional, accessory, or temporary uses as stated in this Section, and as set forth or summarized and cross-referenced in the zoning control categories as listed in Paragraph (a) below in Sections 710 through 728 for each district class.

1. **Permitted Uses.** All permitted uses shall be conducted within an enclosed building in Neighborhood Commercial districts, unless otherwise specifically allowed in this Code.

If there are two or more uses in a structure and none is classified below under Section 703.2(b)1.(C) as accessory, then each of these uses will be considered separately as independent principal or conditional uses.

(A) **Principal Uses.** Principal uses are permitted as of right in a Neighborhood Commercial district, when so indicated in Sections 710 through 728 for each district class.

(B) **Conditional Uses.** Conditional uses are permitted in a Neighborhood Commercial district when authorized by the City Planning Commission; whether a use is

conditional in a given district is indicated in Sections 710 through 728. Conditional uses are subject to the provisions set forth in Section 315.

- (C) **Accessory Uses.** Subject to the limitations set forth below and in Sections 204.1 (Accessory Uses for Residential Uses) and 204.5 (Parking and Loading as Accessory), a related minor use which is either necessary to the operation or enjoyment of a lawful principal use or conditional use, or is appropriate, incidental and subordinate to any such use, shall be permitted as an accessory use when located on the same lot.

No use will be considered accessory to a permitted principal or conditional use which involves or requires any of the following:

- (i) Any restaurant, take-out food, other entertainment, or other retail establishment which establishment serves liquor for consumption on-site, as defined in Section 790.22.
- (ii) Any deli counter operating as a fast food restaurant or take-out food service within a retail grocery or specialty food store when such store occupies less than 3500 square feet of gross floor area.
- (iii) The wholesaling, manufacturing or processing of foods, goods, or commodities on the premises of an establishment which does not also operate as a retail storefront that is open during normal business hours to the general public.

- (D) **Temporary Uses.** Temporary uses are permitted uses, subject to the provisions set forth in Section 205 of this Code.

## 2. Not Permitted Uses.

- (A) Uses which are not specifically listed in this Article are not permitted unless determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code.
- (B) No use, even though listed as a permitted use, shall be permitted in a Neighborhood Commercial District which, by reason of its nature or manner of operation, creates conditions that are hazardous, noxious, or offensive through the emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.

**GUIDE TO UNDERSTANDING THE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROLS.**

Neighborhood Commercial district controls are set forth in the Zoning Control Tables in Sections 710 through 728 of this Code.

- (a) The first column in the Zoning Control Table, titled "No." provides a category number for each zoning control category.
- (b) The second column in the table, titled "Zoning Control Category," lists each zoning control category which is regulated in Article 7.
- (c) The third column, titled "§ References," contains numbers of other sections in the Planning Code and other City codes, in which additional control provisions, including definitions, are contained.
- (d) In the fourth column, the controls applicable to the various Neighborhood Commercial districts are indicated either directly or by reference to other Code sections which contain the controls.

The following symbols are used in this table:

- P — Permitted as a principal use.
- C — Permitted as a conditional use, subject to the provisions set forth in Section 315.
- A blank space on the table indicates that the use or feature is not permitted. Unless a use or feature is specifically listed as permitted or required, such use or feature is prohibited.
- # — See specific provisions listed by Section and Zoning Category number at the end of the table.
- 1st — 1st story and below
- 2nd — 2nd story
- 3rd — 3rd story and above

**SEC. 710.1**

**NC-1—Neighborhood Commercial Cluster District.**

NC-1 districts are intended to serve as local neighborhood shopping clusters, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours.

These NC-1 districts are characterized by their location in residential neighborhoods, often in outlying areas of the city. These districts have the lowest intensity commercial development in the city, generally consisting of less than one or two blocks and in most cases having less than 600 feet of commercial frontage. The NC-1 districts include small clusters with three or more commercial establishments, commonly grouped around a corner; and in some cases short linear commercial strips with low-scale, interspersed mixed-use (residential-commercial) development.

Building controls for the NC-1 district promote low intensity development which is compatible with the existing scale and character of these neighborhood areas within the predominant 40-foot height district. Commercial development is limited to one story. Rear yard requirements at all levels preserve existing backyard space.

NC-1 commercial use provisions encourage the full range of neighborhood commercial convenience retail sales and services at the first story provided that the use size is limited to 2,500 square feet. However, commercial uses and features which could impact residential livability are prohibited, such as auto uses, financial services, general advertising signs, drive-up facilities, hotels, and late night activity; eating and drinking establishments are restricted, depending upon the intensity of such uses in nearby commercial districts.

Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by prohibitions of conversions above the ground story and limitations on demolitions.

**SEC. 710  
NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT  
NC-1 ZONING CONTROL TABLE**

			SEC. 710
			NC-1
No.	Zoning Category	§ References	Controls

**BUILDING STANDARDS**

.10	Height and Bulk	§§ 102.11, 105, 106, 250-252, 260 270, 271	40-X See Zoning Map
.11	Lot Size [Per Development]	§§ 790.56, 121	P up to 5000 sq.ft., C 5001 sq.ft. & above § 121.5
.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a)(e)
.13	Street Frontage		Required § 145.1
.14	Awning	§ 790.20	P § 136.1(a)
.15	Canopy	§ 790.26	
.16	Marquee	§ 790.58	
.17	Street Trees		Required § 143

**COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES**

.20	Floor Area Ratio	§§ 102.8, 102.10, 123	1.8 to 1 § 124(a)(b)
.21	Use Size [Non-Residential]	§ 790.130	P up to 2500 sq.ft., C 2501 sq.ft. & above § 121.7
.22	Off-Street Parking, Commercial and Institutional	§§ 150, 153-157, 159-160, 204.5	Generally, none required if occupied floor area is less than 5000 sq.ft. §§ 151, 161(g)

			SEC. 710
			NC-1
No.	Zoning Category	§ References	Controls
.23	Off-Street Freight Loading	§§ 150,153-155 204.5	Generally, none required if gross floor area is less than 10,000 sq.ft. §§ 152,161(b)
.24	Outdoor Activity Area	§ 790.70	P in front; C elsewhere
.25	Drive-Up Facility	§ 790.30	
.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft. C otherwise
.27	Hours of Operation	§ 790.48	P: 6 a.m. - 11 p.m. C: 11 p.m. - 2 a.m.
.30	General Advertising Sign	§§ 602-604,608.1 608.2,608.5-.8	
.31	Business Sign	§§ 602-604,608.1 608.2,608.5-.8	P § 607.1(d)

			Controls by Story		
			1st	2nd	3rd +
		§ 790.118			
.38	Residential Conversion	§ 790.84	P		
.39	Residential Demolition	§ 790.86	C	C	C

**Retail Sales and Services**

.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P		
.41	Bar	§ 790.22	P#		
.42	Full-Service Restaurant	§ 790.92	P#		
.43	Fast Food Restaurant	§ 790.90	C#		
.44	Take-Out Food	§ 790.122	C#		

SEC. 710

NC-1

Controls by Story

No.	Zoning Category	§ References	1st	2nd	3rd +
.45	Movie Theater	§ 790.64			
.46	Adult Entertainment	§ 790.36			
.47	Other Entertainment	§ 790.38	C		
.48	Amusement Game Arcade	§ 790.4 § 1036 Police Code			
.49	Financial Service	§ 790.110			
.50	Limited Financial Service	§ 790.112	P		
.51	Medical Service	§ 790.114	P		
.52	Personal Service	§ 790.116	P		
.53	Business or Professional Service	§ 790.108	P		
.54	Massage Establishment	§ 790.60 § 2700 Police Code			
.55	Tourist Hotel	§ 790.46			
.56	Automobile Parking	§§ 790.8, 156, 160	C		
.57	Automotive Gas Station	§ 790.14			
.58	Automotive Service Station	§ 790.17			
.59	Automotive Repair	§ 790.15			
.60	Automotive Wash	§ 790.18			
.61	Automobile Sale or Rental	§ 790.12			
.62	Animal Hospital	§ 790.6			
.63	Ambulance Service	§ 790.2			
.64	Mortuary	§ 790.62			



			SEC. 710		
			NC-1		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd +
.65	Trade Shop	§ 790.124	P		

**Non-Retail Sales and Services**

.70	Administrative Service	§ 790.106			
.71	Light Manufacturing or Wholesale Sales	§ 790.54			

**Institutions**

.80	Hospital or Medical Center	§ 790.44			
.81	Other Institutions	§ 790.50	C	C	
.82	Public Use	§ 790.80	C	C	C

**RESIDENTIAL STANDARDS AND USES**

.90	Residential Use	§ 790.88	P	P	P
.91	Residential Density, Dwelling Units	§§ 207,207.1, 790.88(a)	Generally, 1 unit per 800 sq.ft. lot area § 207.2		
.92	Residential Density, Group Housing	§§ 207.1,208, 790.88(b)	Generally, 1 bedroom per 275 sq.ft. lot area § 208		
.93	Usable Open Space [Per Residential Unit]	§§ 135,136	Generally, either 100 sq.ft. if private, or 133 sq.ft. if common § 135(d)		
.94	Off-Street Parking, Residential	§§ 150,153-157, 159-160,204.5	Generally, 1 space per unit §§ 151,161(a)(g)		
.95	Community Residential Parking	§ 790.10	C	C	C

## SPECIFIC PROVISIONS FOR NC-1 DISTRICTS

<u>Section</u>	<u>Zoning Controls</u>
710.41 710.42	P if located more than one-quarter mile from any district with more restrictive controls; otherwise, same as more restrictive control
710.43 710.44	C if located more than one-quarter mile from any district with more restrictive controls; otherwise, same as more restrictive control

**SEC. 711.1**

**NC-2—Small-Scale Neighborhood Commercial District.**

The NC-2 district is intended to serve as the city's small-scale neighborhood commercial district. These districts are linear shopping streets which provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. NC-2 districts are commonly located along both collector and arterial streets which have transit routes.

These districts range in size from two or three blocks to many blocks, although the commercial development in longer districts may be interspersed with housing or other land uses. Buildings typically range in height from two to four stories with occasional one-story commercial buildings.

The small-scale district controls provide for mixed-use buildings which approximate or slightly exceed the standard development pattern. Rear yard requirements above the ground story and at residential levels preserve open space corridors of interior blocks.

Most new commercial development is permitted at the ground and second stories. Eating and drinking, entertainment, and financial service uses, however, are confined to the ground story. The second story may be used by some retail stores, personal services, and medical, business and professional offices. Parking and hotels are monitored at the first and second stories. Limits on late-night activity, drive-up facilities, and other automobile uses protect the livability within and around the district, and promote continuous retail frontage.

Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by limitations on demolition and upper-story conversions.

**SEC. 711  
SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT  
NC-2 ZONING CONTROL TABLE**

			SEC. 711
			NC-2
No.	Zoning Category	§ References	Controls

**BUILDING STANDARDS**

.10	Height and Bulk	§§ 102.11, 105, 106, 250-252, 260, 270, 271	Generally, 40-X See Zoning Map
.11	Lot Size [Per Development]	§§ 790.56, 121	P up to 10,000 sq.ft., C 10,001 sq.ft. & above § 121.5
.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a)(e)
.13	Street Frontage		Required § 145.1
.14	Awning	§ 790.20	P § 136.1(a)
.15	Canopy	§ 790.26	P § 136.1(b)
.16	Marquee	§ 790.58	P § 136.1(c)
.17	Street Trees		Required § 143

**COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES**

.20	Floor Area Ratio	§§ 102.8, 102.10, 123	3.6 to 1 § 124(a)(b)
.21	Use Size [Non-Residential]	§ 790.130	P up to 3500 sq.ft., C 3501 sq.ft. & above § 121.7
.22	Off-Street Parking, Commercial and Institutional	§§ 150, 153-157, 159-160, 204.5	Generally, none required if occupied floor area is less than 5000 sq.ft. §§ 151, 161(g)

			SEC. 711
			NC-2
No.	Zoning Category	§ References	Controls
.23	Off-Street Freight Loading	§§ 150,153-155 204.5	Generally, none required if gross floor area is less than 10,000 sq.ft. §§ 152,161(b)
.24	Outdoor Activity Area	§ 790.70	P in front; C elsewhere
.25	Drive-Up Facility	§ 790.30	
.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft. C otherwise
.27	Hours of Operation	§ 790.48	P: 6 a.m. - 2 a.m. C: 2 a.m. - 6 a.m.
.30	General Advertising Sign	§§ 602-604,608.1 608.2,608.5-.7	P § 607.1(c)
.31	Business Sign	§§ 602-604,608.1 608.2,608.5-.7	P § 607.1(d)

			Controls by Story		
			1st	2nd	3rd +
		§ 790.118			
.38	Residential Conversion	§ 790.84	P	C	
.39	Residential Demolition	§ 790.86	C	C	C

#### Retail Sales and Services

.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	P	
.41	Bar	§ 790.22	P		
.42	Full-Service Restaurant	§ 790.92	P		
.43	Fast Food Restaurant	§ 790.90	C		
.44	Take-Out Food	§ 790.122	C		

SEC. 711

NC-2

Controls by Story

No.	Zoning Category	§ References	1st	2nd	3rd +
.45	Movie Theater	§ 790.64	P		
.46	Adult Entertainment	§ 790.36			
.47	Other Entertainment	§ 790.38	P		
.48	Amusement Game Arcade	§ 790.4 § 1036 Police Code			
.49	Financial Service	§ 790.110	P		
.50	Limited Financial Service	§ 790.112	P		
.51	Medical Service	§ 790.114	P	P	
.52	Personal Service	§ 790.116	P	P	
.53	Business or Professional Service	§ 790.108	P	P	
.54	Massage Establishment	§ 790.60 § 2700 Police Code	P	P	
.55	Tourist Hotel	§ 790.46	C	C	
.56	Automobile Parking	§§ 790.8, 156, 160	C	C	
.57	Automotive Gas Station	§ 790.14			
.58	Automotive Service Station	§ 790.17			
.59	Automotive Repair	§ 790.15			
.60	Automotive Wash	§ 790.18			
.61	Automobile Sale or Rental	§ 790.12			
.62	Animal Hospital	§ 790.6	C		
.63	Ambulance Service	§ 790.2			
.64	Mortuary	§ 790.62			

SEC. 711
NC-2
Controls by Story

No.	Zoning Category	§ References	1st	2nd	3rd +
.65	Trade Shop	§ 790.124	P	C	

**Non-Retail Sales and Services**

.70	Administrative Service	§ 790.106	C	C	
.71	Light Manufacturing or Wholesale Sales	§ 790.54	C#	#	

**Institutions**

.80	Hospital or Medical Center	§ 790.44			
.81	Other Institutions	§ 790.50	C	C	
.82	Public Use	§ 790.80	C	C	C

**RESIDENTIAL STANDARDS AND USES**

.90	Residential Use	§ 790.88	P	P	P
.91	Residential Density, Dwelling Units	§§ 207,207.1, 790.88(a)	Generally, 1 unit per 800 sq.ft. lot area # § 207.2		
.92	Residential Density, Group Housing	§§ 207.1,208, 790.88(b)	Generally, 1 bedroom per 275 sq.ft. lot area § 208		
.93	Usable Open Space [Per Residential Unit]	§§ 135,136	Generally, either 100 sq.ft. if private, or 133 sq.ft. if common § 135(d)		
.94	Off-Street Parking, Residential	§§ 150,153-157, 159-160,204.5	Generally, 1 space per unit §§ 151,161(a)(g)		
.95	Community Residential Parking	§ 790.10	C	C	C

## SPECIFIC PROVISIONS FOR NC-2 DISTRICTS

<u>Section</u>	<u>Zoning Controls</u>
§ 711.71	§ 236 - Garment Shop Special Use District Applicable only for portions of the Pacific Avenue NC-2 District as mapped on Sectional Map No. 1 SUa P for garment shops on the 1st and 2nd story
§ 711.91	§ 244 - Monterey Boulevard Affordable Housing Special Use District Applicable only for portions of the Monterey Boulevard NC-2 District as mapped on Sectional Map 12 SU 1 unit per 600 sq.ft. lot area by Conditional Use



**SEC. 790**            **DEFINITIONS FOR NEIGHBORHOOD COMMERCIAL DISTRICTS.**

This Section provides the definitions for Neighborhood Commercial districts. In case of conflict between the following definitions and those set forth in Section 102, the following definitions shall prevail for Neighborhood Commercial districts.

**SEC. 790.2**        **Ambulance Service.** A retail use which provides medically-related transportation services.

**SEC. 790.4**        **Amusement Game Arcade. (Mechanical Amusement Devices)** A retail use which provides amusement games such as video games, pinball machines, pool tables, or other such similar mechanical and electronic amusement devices, as regulated in Section 1036 of the Police Code.

**SEC. 790.6**        **Animal Hospital.** A retail use which provides medical care and accessory boarding services for animals, not including a commercial kennel as specified in Section 224(c) of this Code.

**SEC. 790.8**        **Automobile Parking.** A use which provides temporary parking accommodations for private vehicles whether conducted within a garage or on an open lot, excluding community residential parking, as defined in Section 790.10. Provisions regulating automobile parking are set forth in Sections 155, 156, 157 and other provisions of Article 1.5 of this Code.

**SEC. 790.10**      **Automobile Parking, Community Residential.** A use which provides parking accommodations, including a garage or lot for the overnight storage of private passenger automobiles for residents of the vicinity or meeting the requirements of Section 159 and other sections in Article 1.5 of this Code.

**SEC. 790.12**      **Automobile Sale or Rental.** A retail use which provides vehicle sales or rentals whether conducted within a building or on an open lot.

**SEC. 790.14**      **Automotive Gas Station.** A retail automotive service use which provides motor fuels, lubricating oils, air, and water directly into motor vehicles and without providing automotive repair services, including self-service operations which sell motor fuel only.

**SEC. 790.15**      **Automotive Repair.** A retail automotive service use which provides any of the following automotive repair services when conducted within an enclosed building having no openings, other than fixed windows or exits required by law, located within 50 feet of any R district: minor auto repair, engine repair, rebuilding, or installation of power train components, reconditioning of badly worn or damaged motor vehicles, collision service, or full body paint spraying.

- SEC. 790.16** **Automotive Service.** A retail use which provides services for motor vehicles including automotive gas station, automotive service station, automotive repair, and automotive wash.
- SEC. 790.17** **Automotive Service Station.** A retail automotive service use which provides motor fuels and lubricating oils directly into motor vehicles and minor auto repairs (excluding engine repair, rebuilding, or installation of power train components, reconditioning of badly worn or damaged motor vehicles, collision service, or full body paint spraying) which remain accessory to the principal sale of motor fuel. Repairs shall be conducted within no more than three enclosed service bays in buildings having no openings, other than fixed windows or exits required by law, located within 50 feet of any R district .
- SEC. 790.18** **Automotive Wash.** A retail automotive service use which provides cleaning and polishing of motor vehicles, including self-service operations, when such cleaning and polishing are conducted within an enclosed building having no openings, other than fixed windows or exits required by law, and which has an off-street waiting and storage area outside the building which accommodates at least one-fourth the hourly capacity in vehicles of the enclosed operations.
- SEC. 790.20** **Awning.** A light roof-like structure, supported entirely by the exterior wall of a building; consisting of a fixed or moveable frame covered with cloth, plastic or metal; extending over doors, windows, and show windows; with the purpose of providing protection from sun and rain and/or embellishment of the facade; as further regulated in Sections 4506 and 5211 of the Building Code.
- SEC. 790.22** **Bar.** A retail use which provides on-site alcoholic beverage sales for drinking on the premises, serving beer, wine and/or liquor to the customer, including bars where no person under 21 years is admitted (with Alcoholic Beverage Control [ABC] licenses 42, 48, or 61) and drinking establishments (with ABC licenses 47 or 60) in conjunction with other uses which admit minors, such as restaurants, movie theaters, and other entertainment.
- SEC. 790.26** **Canopy.** A light roof-like structure, supported by the exterior wall of a building and on columns or wholly on columns, consisting of a fixed or moveable frame covered with approved cloth, plastic or metal, extending over entrance doorways only, with the purpose of providing protection from sun and rain and embellishment of the facade, as further regulated in Sections 4505, 4506, 4508, and 5213 of the Building Code.
- SEC. 790.30** **Drive-Up Facility.** A structure designed primarily for drive-to or drive-through trade which provides service to patrons while in private motor vehicles; excluding gas stations, service stations, and auto repair garages, as defined in Sections 790.14, 790.15, and 790.17.

- SEC. 790.34**     **Eating and Drinking Use.** A retail use which provides food and spirits for either on- or off-site food consumption including bars, full-service restaurants, fast food restaurants, and take out food.
- SEC. 790.36**     **Entertainment, Adult.** A retail use which includes the following: adult bookstore, as defined by Section 791 of the Police Code; adult theater, as defined by Section 791 of the Police Code; and encounter studio, as defined by Section 1072.1 of the Police Code. Such use shall be located no less than 1,000 feet from another adult entertainment use.
- SEC. 790.38**     **Entertainment, Other.** A retail use which provides live entertainment, including dramatic and musical performances, and dance halls which provide amplified taped music for dancing on the premises, including but not limited to those defined in Section 1060 of the Police Code.
- SEC. 790.44**     **Hospital or Medical Center.** A public or private institutional use which provides medical facilities for in-patient care, including medical offices, clinics, and laboratories. It shall also include employee or student dormitories adjacent to medical facilities when the dormitories are operated by and affiliated with a medical institution.
- SEC. 790.46**     **Hotel, Tourist.** A retail use which provides tourist services including guest rooms or suites. A tourist guest room is intended or designed to be used, rented, or hired out to guests (transient visitors) intending to occupy the room for less than 32 consecutive days. A hotel does not include a tourist motel, which provides tourist services, including guest rooms or suites which are independently accessible from the outside, with garage or parking space located on the lot, and designed for, or occupied by, automobile-traveling transient visitors. Hotels are further regulated by the Residential Hotel Conversion and Demolition Ordinance, Chapter 41 of the San Francisco Administrative Code.
- SEC. 790.48**     **Hours of Operation.** The permitted hours during which any commercial establishment, not including automated teller machines, may be open for business. Other restrictions on the hours of operation of movie theaters, adult entertainment, and other entertainment uses, as defined in Sections 790.64, 790.36., and 790.38, respectively, shall apply pursuant to provisions in Section 303(c)4, when such uses are permitted as conditional uses.
- SEC. 790.50**     **Institutions, Other.** A public or private, commercial or non-commercial use which provides services to the community excluding hospitals and medical centers and including but not limited to the following:
- (a) Assembly and Social Service.** A use which provides social, fraternal, counseling or recreational gathering services to the community. It includes a private non-commercial club house, lodge, meeting hall,

recreation building, or community facility not publicly owned. It also includes an unenclosed recreation area or non-commercial horticulture area not publicly owned.

- (b) **Child Care.** A use which provides less than 24-hour care for children by licensed personnel and which meets the requirements of the State of California and other authorities.
- (c) **Educational Service.** A use certified by the State Educational Agency which provides educational services. It may include, on the same premises, employee or student dormitories and other housing operated by and affiliated with the institution.
- (d) **Religious Facility.** A use which provides religious services to the community. It may include on the same lot, the housing of persons who engage in supportive activity for the institution.
- (e) **Residential Care.** A medical use which provides lodging, board, and care 24 hours or more to persons in need of specialized aid by personnel licensed by the State of California and which provides no outpatient services; including but not limited to, a board and care home, rest home, or home for the treatment of the addictive, contagious, or other diseases or physiological disorders.

**SEC. 790.54**

**Light Manufacturing, Wholesale Sales.** Non-retail sales and services use, including light manufacturing or wholesale sales, as defined in subsections (a) and (b) below.

- (a) **Light Manufacturing.** A non-retail use which provides for the fabrication or production of goods, by hand or machinery, primarily involving the assembly, packaging, repairing, or processing of previously prepared materials, when conducted in an enclosed building having no openings other than fixed windows or exits required by law located within 50 feet of any R district. Light manufacturing uses include production and custom activities where items are made to order, usually involving individual or special design, or handiwork, such as the following fabrication or production activities defined by the Standard Industrial Classification Code Manual as light manufacturing uses:

1. Food processing
2. Apparel and other garment products
3. Furniture and fixtures
4. Printing
5. Leather products
6. Pottery
7. Glass blowing
8. Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks.

(b) **Wholesale Sales.** A non-retail use which provides merchant middleman services, providing goods or commodities for resale or business use, not including a non-accessory storage warehouse.

**SEC. 790.56** **Lot Size [Per development].** The permitted gross lot area for new construction or expansion of existing development. Lot is defined in Section 102.12.

**SEC. 790.58** **Marquee.** A permanent roofed structure attached to and supported entirely by a building; including any object or decoration attached to or part of said marquee; no part of which shall be used for occupancy or storage; with the purpose of providing protection from sun and rain or embellishment of the facade; as further regulated in Sections 414 and 4506 of the Building Code.

**SEC. 790.60** **Massage Establishment.** A retail use as defined in Section 2700 of the Police Code provided that the use is located no less than 1000 feet from the premises of any other massage establishment; except that this requirement shall not apply where massage services are incidental to the institutional uses permitted in Sections 217(a)-(c) or to the use by an individual member of the facilities of a health club, gymnasium, or other facility with a regular membership which health club, gymnasium or other facility is used primarily for instruction and training in body building, exercising, reducing, sports, dancing, or other similar physical activities.

**SEC. 790.62** **Mortuary.** A retail use which provides funeral services, funeral preparation, or burial arrangements.

**SEC. 790.64** **Movie Theater.** A retail use which displays motion pictures, slides, or closed circuit television pictures.

**SEC. 790.70** **Outdoor Activity Area.** An area, not including primary circulation space or any public street, located outside of a building or in a courtyard which is provided for the use or convenience of patrons of a commercial establishment including, but not limited to, sitting, eating, drinking, dancing, and food service activities.

**SEC. 790.80** **Public Use.** A publicly- or privately-owned use which provides public services to the community and which has operating requirements which necessitate location within the district, including civic structures, public libraries, police stations, transportation facilities, utility installations (excluding service yards, machine shops, garages, and incinerators), and wireless transmission facilities.

**SEC. 790.84** **Residential Conversion.** The change in occupancy (as defined and regulated by the Building Code) of any residential use to a non-residential use.

**SEC. 790.86 Residential Demolition.** The demolition (as defined by the Building Code) of any building or structure or portion thereof containing a residential use.

**SEC. 790.88 Residential Use.** A use which provides housing for San Francisco residents, rather than visitors, including a dwelling unit, group housing, or residential hotel as defined in Subsections (a) and (b) below.

- (a) **Dwelling Unit.** A residential use which consists of a suite of two or more rooms and includes sleeping, bathing, cooking, and eating facilities, but has only one kitchen.
- (b) **Group Housing.** A residential use which provides lodging or both meals and lodging without individual cooking facilities for a week or more at a time in a space not defined as a dwelling unit. Group housing includes, but is not limited to, a rooming house, boarding house, guest house, lodging house, residence club, commune, fraternity and sorority house, monastery, nunnery, convent, and ashram. It also includes group housing operated by a medical or educational institution when not located on the same lot as such institution.

**SEC. 790.90 Restaurant, Fast Food.** A retail eating or eating and drinking use with tables and chairs which provides ready-to-eat cooked foods generally served in disposable wrappers or containers, for consumption on or off the premises.

This use provides a public service area, including counter and queuing areas designed specifically for the sale and distribution of foods and beverages.

This definition is applicable to most franchise fast food restaurants and to independent businesses such as delis, taquerias, and bagelries.

This use may provide on-site beer and/or wine sales for drinking on the premises (with ABC licenses 40, 41 or 60). If the use serves liquor for drinking on the premises (with ABC licenses 42, 47, 48, or 61), or does not admit minors, then the use shall also be considered a bar, as defined in Section 790.20.

**SEC. 790.92 Restaurant, Full Service.** A retail eating or eating and drinking use with tables and chairs which provides customers with table service for the consumption of prepared, ready-to-eat cooked foods on the premises.

This use provides suitable kitchen facilities necessary for the preparing, cooking and serving of meals to restaurant guests.

This use may provide on-site beer and/or wine sales for drinking on the premises (with ABC licenses 40, 41 or 60). If the use serves liquor for

drinking on the premises (with ABC licenses 42, 47, 48, or 61), or does not admit minors, then the use shall also be considered a bar, as defined in Section 790.20.

- SEC. 790.100** **Sales and Services, Non-Retail.** A commercial use which provides sales or services to the business community rather than to the general public, including light manufacturing, wholesale sales, and administrative services, as defined in Sections 790.54 and 790.106, respectively.
- SEC. 790.102** **Sales and Services, Other Retail.** A retail use which provides goods and services but is not listed as a separate zoning category in subsections .41 through .63 of Sections 710 through 728, including but not limited to sale or provision of the following goods and services:
- General groceries;
  - Specialty groceries such as cheese, coffee, meat, produce;
  - Pharmaceutical drugs and personal toiletries;
  - Personal items such as tobacco and magazines;
  - Self-service laundromats and dry cleaning;
  - Household goods and services (including hardware); and
  - Variety merchandise.
- SEC. 790.104** **Sales and Services, Retail.** A commercial use which sells goods or provides services directly to the consumer and is accessible to the general public during business hours.
- SEC. 790.106** **Service, Administrative.** A non-retail use, as defined in Section 790.100, which provides organizational services to the business community and is not available to the general public.
- SEC. 790.108** **Service, Business or Professional.** A retail use which provides general business or professional services including, but not limited to, architects, accountants, attorneys, consultants, realtors, and travel agents.
- SEC. 790.110** **Service, Financial.** A retail use which provides banking services and products to the public, such as banks, savings and loans, and credit unions, when occupying less than 15 feet of linear frontage or 200 square feet of gross floor area.
- SEC. 790.112** **Service, Limited Financial.** A retail use which provides banking services, when not occupying more than 15 feet of linear frontage or 200 square feet of floor area. Automated teller machines, if installed within such a facility or on an exterior wall as a walk-up facility, are included in this category; however, these machines are not subject to the hours of operation, as defined in Section 790.48 and set forth in zoning category number .27 of Sections 710 through 728 for each district.

**SEC. 790.114 Service, Medical.** A retail use which provides health services to the individual by physicians, surgeons, dentists, podiatrists, psychologists, psychiatrists, acupuncturists, chiropractors, or any other health-care professionals when licensed by a State-sanctioned Board overseeing the provision of medically-oriented services.

**SEC. 790.116 Service, Personal.** A retail use which provides grooming services to the individual, including salons, cosmetic services, tattoo parlors, and health spas, or instructional services not certified by the State Educational Agency, such as art, dance, exercise, martial arts, and music classes.

**SEC. 790.118 Story.** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

For purposes of this definition, grade is the point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building. Provisions in Section 102.11 of this Code shall apply in defining the point of measurement at grade.

(a) **Story, First.** For structures existing at the effective date of Ordinance No. (this ordinance), the lowest story of a building which qualifies as a story, as defined herein, except that a story in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet below grade for more than 50 percent of the total perimeter, or more than 8 feet below grade at any point. If the finished floor level directly above a basement or unused under-floor space is more than 6 feet above grade for more than 50 percent of the total perimeter or is more than 12 feet above grade at any point, such basement or unused under-floor space shall be considered as a story.

For new structures or alterations which involve changing the elevation of any story, the floor level of the first story shall be within 1 foot of grade at the primary retail frontage.

(b) **Story, Second.** The story above the first story.

(c) **Story, Third and Above.** The story or stories of a building above the second story and below the ceiling of the topmost story of a building.

**SEC. 790.122 Take-Out Food.** A retail use which without tables and chairs primarily sells prepared, ready-to-eat foods in disposable wrappers for immediate consumption on or off the premises.

This use may provide off-site beer, wine, and/or liquor sales for consumption off the premises (with ABC licenses 20, 21, or 40).



This definition is applicable to bakeries, cookie and candy stores, as well as carry out sandwich and deli counters without seating on the premises. This definition is not applicable to general grocery stores or specialty grocery stores, subject to accessory use provisions in Section 703.2(b)1.(C)ii.

- SEC. 790.124 Trade Shop.** A retail use which provides custom crafted goods and services for sale directly to the consumer, reserving some storefront space for display and retail service; if conducted within an enclosed building having no openings other than fixed windows or exits required by law located within 50 feet of any R district. A trade shop includes, but is not limited to, repair and upholstery services, carpentry, printing, blueprinting, tailoring and other artisan craft uses.
- SEC. 790.130 Use Size [Non-Residential].** The permitted gross floor area allowed each individual non-residential use. Gross floor area is defined in Section 102.8 of this Code.
- SEC. 790.140 Walk-Up Facility.** A structure designed for provision of pedestrian-oriented services when located on an exterior building wall, including window service, self-service operations, and automated bank teller machines (ATMs).

**OTHER APPLICABLE SECTIONS OF THE CITY PLANNING CODE.**

Reference should be made to other sections which also apply to neighborhood commercial districts. These sections and their titles are listed below.

**General Provisions**

- Section 101 Purposes
- Section 109 Severability

**Definitions**

- Section 102 Definitions

**Zoning Map**

- Section 104 Zoning Map
- Section 106 Zoning Map Incorporated Herein

**Building Standards**

- Section 122 Height and Bulk
- Section 250 Height and Bulk Districts Established
- Section 251 Height and Bulk Districts - Purpose
- Section 252 Classes of Height and Bulk Districts
- Section 260 Height Limits - Method of Measurement
- Section 262 Additional Height Limits - Applicable to Signs
- Section 270 Bulk limits - Measurement
- Section 271 Bulk Limits - Special Exceptions
- Section 121 Minimum Lot Width
- Section 130 Yard and Setback Requirements
- Section 131 Legislated Setback Line
- Section 136 Obstructions over Street and Alleys
- Section 140 All Dwelling Units to Face and Open Area
- Section 141 Screening of Rooftop Features
- Section 142 Screening of Parking Areas

**Parking**

- Section 153 Rules for Calculation of Required Spaces
- Section 154 Minimum Dimensions for Required Off-Street Parking & Loading Spaces
- Section 155 General Standards as to Location & Arrangement of Off-Street Parking and Loading Spaces
- Section 156 Parking Lots
- Section 157 Conditional Use Applications for Parking Exceeding Accessory Amounts

**Signs**

- Section 602 Definitions
- Section 603 Exemption
- Section 604 Permits and Conformity
- Section 607 Commercial and Industrial Districts
- Section 608 Special Sign Districts
- Section 609 Amortization Period

## Uses

Section 203	Effect on Certain Public Services
Section 204	Accessory Uses General
Section 204.4	Dwelling Units Accessory to Other Uses
Section 204.5	Parking and Loading as Accessory Uses
Section 205	Temporary Uses
Section 236	Garment Shop Special Use District
Section 240	Northern Waterfront Special Use Districts
Section 243	Ocean Avenue Affordable Housing Special Use District
Section 244	Monterey Boulevard Affordable Housing Special Use District

## Landmarks

Article 10	Preservation of Historical, Architectural and Aesthetic Landmarks (Inclusive)
------------	---

## Procedures

Section 301	General Description
Section 302	Amendments
Section 303	Conditional Uses
Section 304.5	Institutional Master Plans
Section 305	Variances

## Compliance

Section 170	Applicability of Requirements
Section 171	Compliance of Uses Required
Section 172	Compliance of Structures, Open Spaces, and Off-Street Parking and Loading
Section 173	Compliance of Lots Required
Section 174	Compliance of Conditions
Section 175	Approval of Permits
Section 176	Enforcement Against Violations
Section 179	Automatic Conditional Uses
Section 180	Nonconforming Uses, Noncomplying Structures, and Substandard Lots
Section 181	Nonconforming Uses: Enlargements, Alterations, or Reconstruction
Section 182	Nonconforming Uses: Changes of Use
Section 183	Nonconforming Uses: Discontinuance and Abandonment
Section 184	Short-Term Continuance of Certain Nonconforming Uses
Section 186	Exemption of Limited Commercial Nonconforming Uses
Section 187	Garment Shops and Garment Factories as Nonconforming Uses
Section 188	Noncomplying Structures: Enlargements, Alterations and Reconstruction

## ARTICLE 1

### GENERAL ZONING PROVISIONS

[Section 101 is unchanged.]

#### SEC. 102 DEFINITIONS.

For the purposes of this Code, certain words and terms used herein are defined as set forth in this and the following sections. Additional definitions applicable only to Article 7, Neighborhood Commercial Districts, are set forth in Section 790. All words used in the present tense shall include the future. All words in the plural number shall include the singular number and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. Whenever any of the following terms is used it shall mean the corresponding officer, department, board or commission of the City and County of San Francisco, State of California herein referred to as the City: Assessor, Board of Supervisors, Department of City Planning, Department of Public Works, Director of Planning, City Planning Commission, Zoning Administrator. In each case the term shall be deemed to include an employee of any such officer or department of the City who is lawfully authorized to perform any duty or exercise any power as a representative or agent of that officer or department.

[Sections 102.1 through 102.3 are unchanged.]

SEC. 102.4 **District.** A portion of the territory of the city, as shown on the Zoning Map, within which certain regulations and requirements or various combinations thereof apply under the provisions of this Code. The term "district" shall include any use, special use, height and bulk, or special sign district. The term "R district" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2, RM-3, RM-4, RC-1, RC-2, RC-3, or RC-4 district. The term "C district" shall mean any C-1, C-2, C-3, or C-M district. The term "M district" shall mean any M-1 or M-2 district. The term "RH district" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, or RH-3 district. The term "RM district" shall mean any RM-1, RM-2, RM-3, or RM-4 district. The term "RC district" shall mean any RC-1, RC-2, RC-3, or RC-4 district. The term "C-3 district" shall mean any C-3-O, C-3-R, C-3-G, or C-3-S district. The term "NC district" shall mean any NC-1, NC-2, NC-3, NC-S, and any neighborhood commercial district identified by street name in Section 702.1.

[Sections 102.5 through 109 are unchanged.]

ARTICLE 1.2

DIMENSIONS, AREAS AND OPEN SPACES

[Section 121 is unchanged.]

SEC. 121.5 Development on Large Lots, Neighborhood Commercial Districts.

In order to promote, protect, and maintain a scale of development which is appropriate to each district and compatible with adjacent buildings, new construction or enlargement of existing buildings on lots larger than the square footage stated in the table below shall be permitted as conditional uses subject to the provisions set forth in Section 315.

<u>District</u>	<u>Lot Size Limits</u>
<u>NC-1, Broadway, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, North Beach, Sacramento Street, Union Street, 24th Street-Mission, 24th Street-Noe Valley</u>	<u>5000 sq.ft.</u>
<u>NC-2, NC-3, Hayes-Gough, Upper Market Street, Polk Street, Valencia Street</u>	<u>10,000 sq.ft.</u>
<u>NC-S</u>	<u>Not Applicable</u>

In addition to the criteria of Section 303(c) the City Planning Commission shall find that the following criteria are met:

1. The mass and facade of the proposed structure are compatible with the existing scale of the district.
2. The facade of the proposed structure is consistent with design features of adjacent facades that contribute to the positive visual quality of the district.
3. The site plan of the proposed structure reflects the arrangement of most other buildings on its block. In cluster and linear districts with continuous street building walls, the proposed structure maintains a continuous block facade line.

SEC. 121.7

Use Size Limits (Non-Residential), Neighborhood Commercial Districts.

In order to protect and maintain a scale of development appropriate to each district, non-residential uses which exceed the square footage stated in the table below may be permitted only as conditional uses subject to the provisions set forth in Section 315. The use area shall be measured as the gross floor area for each individual non-residential use.

<u>District</u>	<u>Use Size Limits</u>
<u>NC-1, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, North Beach, Sacramento Street, Union Street, 24th Street-Mission, 24th Street-Noe Valley</u>	<u>2500 sq.ft.</u>
<u>Broadway, Hayes-Gough, Upper Market Street, Polk Street, Valencia Street</u>	<u>3000 sq.ft.</u>
<u>NC-2</u>	<u>3500 sq.ft.</u>
<u>NC-3, NC-5</u>	<u>5000 sq.ft.</u>

In addition to the criteria of Section 303(c), the Commission shall find that the following criteria are met:

1. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.
2. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.
3. The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

[Sections 122 and 123 are unchanged.]

BASIC FLOOR AREA RATIO.

- (a) Except as provided in Subsections (b), (c), (d), and (e) of this section, the basic floor area ratio limits specified in the following table shall apply to each building or development in the districts indicated.

TABLE I

Basic Floor Area Ratio Limits

District	Basic Floor Area Ratio Limits
RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2,	1.8 to 1
RM-3	3.6 to 1
RM-4	4.8 to 1
RC-1, RC-2	1.8 to 1
RC-3	3.6 to 1
RC-4	4.8 to 1
<u>NC-1</u>	<u>1.8 to 1</u>
<u>NC-2, NC-3, NC-S, Broadway, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Hayes-Gough, Upper Market Street, North Beach, Polk Street, Sacramento Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley</u>	<u>3.6 to 1</u>
C-1, C-2	3.6 to 1

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

C-3-O	10.0 to 1
C-3-R, C-3-G, C-3-O (SD)	6.0 to 1
C-3-S	5.0 to 1

C-M	9.0 to 1
M-1, M-2	5.0 to 1

- (b) In R and NC districts, the above floor area ratio limits shall not apply to dwellings.
- (c) In a C-2 district, the basic floor area ratio limit shall be 4.8 to 1 for a lot which is nearer to an RM-4 or RC-4 district than to any other R district, and 10.0 to 1 for a lot which is nearer to a C-3 district than to any R district. The distance to the nearest R district or C-3 district shall be measured from the midpoint of the front line, or from a point directly across the street therefrom, whichever gives the greatest ratio.
- (d) In the Automotive Special Use District, as described in Section 237 of this Code, the basic floor area ratio limit shall be 10.0 to 1.
- (e) In the Northern Waterfront Special Use Districts, as described in Sections 240 through 240.3 of this Code, the basic floor area ratio limit in any C district shall be 5.0 to 1.

**NOTE:** To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (f) In C-3-G and C-3-S districts, additional square footage above that permitted by the base floor area ratio limits set forth above may be approved for dwellings, in accordance with the conditional use procedures and criteria as provided in Section 303 of this Code.
- (g) In the mid-South of Market Special Use District, as described in Section 249.1 of this Code, the basic floor area ratio limit for office uses shall be 2.0 to 1.
- (h) The allowable gross floor area on a lot which is the site of an unlawfully demolished building that is governed by the provisions of Article 11 shall be the gross floor area of the demolished building for the period of time set forth in, and in accordance with the provisions of, Section 1114 of this Code, but not to exceed the basic floor area permitted by this Section.

**NOTE:** To implement the Downtown Plan, the following amendment is proposed. It is currently not effective as an interim control.

- (i) In calculating the permitted floor area of a new structure in a C-3 district, the lot on which an existing structure is located may not be included unless the existing structure and the new structure are made part of a single development complex, the existing structure is or is made architecturally compatible with the new structure, and, if the existing structure is in a Conservation District, the existing structure meets or is made to meet the standards of Section 1109(c), and the existing structure is reinforced to meet the standards for seismic loads and forces of the 1975 Building Code. Determinations under this paragraph shall be made in accordance with the provisions of Section 309.



- (j) In calculating allowable gross floor area on a preservation lot from which any TDRs have been transferred pursuant to Section 128, the amount allowed herein shall be decreased by the amount of gross floor area transferred.

**SEC. 125**

**FLOOR AREA PREMIUMS, DISTRICTS OTHER THAN C-3 AND NC.**

In any district other than a C-3 or NC district in which a floor area ratio limit applies, the following premiums, where applicable, may be added to the basic floor area ratio limit to determine the maximum floor area ratio for a building or development.

- (a) **Corner Lot.** For a lot or portion thereof which is defined by this Code as a corner lot, a floor area premium may be added by increasing the area of the lot or portion, for purposes of floor area computation, by 25 percent.
- (b) **Interior Lot.** For a lot or portion thereof which is defined by this Code as an interior lot, and which abuts along its rear lot line upon a street or alley, a floor area premium may be added by increasing the depth of the lot or portion along such street or alley, for purposes of floor area ratio computation, by one-half the width of such street or alley or 10 feet, whichever is the lesser.

[Sections 126 through 133 are unchanged.]

**SEC. 134**

**REAR YARDS, R, NC, C AND M DISTRICTS.**

The following requirements for rear yards shall apply to every building in an R, NC-1, or NC-2 district and to every dwelling in a(n) NC-2, NC-3, Individual Neighborhood Commercial District where noted in Subsection (a), C or M district. Rear yards shall not be required in NC-S districts. These requirements are intended to assure the protection and continuation of established mid-block, landscape open spaces, and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings.

- (a) **Basic requirements.** The basic rear yard requirements shall be as follows for the districts indicated. ((Such rear yards shall be provided at grade level and at each succeeding level or story of the building; except that in RC-2, RC-3, RC-4, C and M districts such rear yards shall be provided at the lowest story occupied as a dwelling at the rear of the building, and at each succeeding story of the building.))

1. RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, RC-2, RC-3, RC-4, NC, C and M districts. The minimum rear yard depth shall be equal to 25 per cent of the total depth of the lot on which the building is situated, but in no case less than 15 feet.

- (A) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, NC-1, Outer Clement Street, Haight Street, Sacramento Street, 24th Street-Noe Valley districts. Rear yards shall be provided at grade level and at each succeeding level or story of the building.
- (B) NC-2, Castro Street, Inner Clement Street, Upper Fillmore Street, North Beach, Union Street, Valencia Street, 24th Street-Mission districts. Rear yards shall be provided at the second story, and at each succeeding story of the building, and at the first story if it contains a dwelling unit.
- (C) RC-2, RC-3, RC-4, NC-3, Broadway, Hayes-Gough, Upper Market Street, Polk Street, C and M districts. Rear yards shall be provided at the lowest story containing a dwelling unit, and at each succeeding story of the building.

2. **RH-2, RH-2, RM-1 and RM-2 districts.** The minimum rear yard depth shall be equal to 45 per cent of the total depth of the lot on which the building is situated, except to the extent that a reduction in this requirement is permitted by Subsection (c) below. Rear yards shall be provided at grade level and at each succeeding level or story of the building.

(b) **Permitted obstructions.** Only those obstructions specified in Section 136 of this Code shall be permitted in a required rear yard, and no other obstruction shall be constructed, placed or maintained within any such yard. No motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such yard, except as specified in Section 136.

(c) **Reduction of requirements in RH-2, RH-3, RM-1 and RM-2 districts.** The rear yard requirement in RH-2, RH-3, RM-1 and RM-2 districts, as stated in Paragraph (a)2 above, shall be reduced in specific situations as described in this Subsection (c), based upon conditions on adjacent lots. Under no circumstances, however, shall the minimum rear yard be thus reduced to less than a depth equal to 25 per cent of the total depth of the lot on which the building is situated, or to less than 15 feet, whichever is greater.

1. **General rule.** In such districts, the forward edge of the required rear yard shall be reduced to a line on the subject lot, parallel to the rear lot line of such lot, which is an average between the depths of the rear building walls of the two adjacent buildings. Provided, that in any case in which a rear yard requirement is thus reduced, the last 10 feet of building depth thus permitted on the subject lot shall be limited to a height of 30 feet, measured as prescribed by Section 260 of this Code, or to such lesser height as may be established by Section 261 of this Code.

2. **Alternative method of averaging.** If, under the rule stated in Paragraph (c)1 above, a reduction in the required rear yard is permitted, the reduction may alternatively be averaged in an irregular manner; provided that the area of the resulting reduction shall be no more than the product of the width of the subject lot along the line established by Paragraph (c)1 above times the reduction in depth of rear yard permitted by Paragraph (c)1; and provided further that all portions of the open area on the part of the lot to which the rear yard reduction applies shall be directly exposed laterally to the open area behind the adjacent building having the lesser depth of its rear building wall.
3. **Method of measurement.** For purposes of this Subsection (c), an adjacent building shall mean a building on a lot adjoining the subject lot along a side lot line. In all cases the location of the rear building wall of an adjacent building shall be taken as the line of greatest depth of any portion of the adjacent building which occupies at least 1/2 the width between the side lot lines of the lot on which such adjacent building is located, and which has a height of at least 20 feet above grade, or two stories, whichever is less; excluding all permitted obstructions listed for rear yards in Section 136 of this Code. Where a lot adjoining the subject lot is vacant, or contains no dwelling or group housing structure, or is located in an RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC, NC, C, M or P district, such adjoining lot shall, for purposes of the calculations in this Subsection (c), be considered to have an adjacent building upon it whose rear building wall is at a depth equal to 75 percent of the total depth of the subject lot.
4. **Applicability to special lot situations.** In the following special lot situations, the general rule stated in Paragraph (c)1 above shall be applied as provided in this Paragraph (c)4, and the required rear yard shall be reduced if conditions on the adjacent lot or lots so indicate and if all other requirements of this Section 134 are met.
  - (A) **Corner lots and lots at alley intersections.** On a corner lot as defined by this Code, or a lot at the intersection of a street and an alley or two alleys, the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building.
  - (B) **Lots abutting properties with buildings that front on another street or alley.** In the case of any lot that abuts along one of its side lot lines upon a lot with a building that fronts on another street or alley, the lot on which it so abuts shall be disregarded, and the forward edge of the required rear yard shall be reduced to a line

on the subject lot which is at the depth of the rear building wall of the one adjacent building fronting on the same street or alley. In the case of any lot that abuts along both its side lot lines upon lots with buildings that front on another street or alley, both lots on which it so abuts shall be disregarded, and the minimum rear yard depth for the subject lot shall be equal to 25 percent of the total depth of the subject lot, or 15 feet, whichever is greater.

- (C) **Through lots abutting properties that contain two buildings.** Where a lot is a through lot having both its front and its rear lot line along streets, alleys, or a street and an alley, and both adjoining lots are also through lots, each containing two dwellings or group housing structures that front at opposite ends of the lot, the subject through lot may also have two buildings according to such established pattern, each fronting at one end of the lot, provided all the other requirements of this Code are met. In such cases the rear yard required by this Section 134 for the subject lot shall be located in the central portion of the lot, between the two buildings on such lot, and the depth of the rear wall of each building from the street or alley on which it fronts shall be established by the average of the depths of the rear building walls of the adjacent buildings fronting on that street or alley. In no case, however, shall the total minimum rear yard for the subject lot be thus reduced to less than a depth equal to 25 percent of the total depth of the subject lot, or to less than 15 feet, whichever is greater. Furthermore, in all cases in which this Subparagraph (c)4(C) is applied, the requirements of Section 132 of this Code for front set-back areas shall be applicable along both street or alley frontages of the subject through lot.

**NOTE:** To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (d) **Reduction of requirements in C-3 districts.** In C-3 districts, an exception to the rear yard requirements of this section may be allowed, in accordance with the provisions of Section 309, provided that the building location and configuration assure adequate light and air to windows within the residential units and to the usable open space provided.

- (e) **Reduction of Requirements in NC districts.** The rear yard requirement may be modified or waived by the Zoning Administrator if all of the following criteria are met:

1. Dwelling units are included in the new or expanding development and a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents; and
2. The proposed new or expanding structure will not significantly impede the access of light and air to and views from abutting properties; and
3. The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of abutting properties.

This provision shall be administered pursuant to the procedures which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2.

## SEC. 135

### USABLE OPEN SPACE, R, NC, C AND M DISTRICTS.

Except as provided in Section 172 and 188 of this Code, usable open space shall be provided for each dwelling and each group housing structure in R, NC, C and M districts according to the standards set forth in this section.

- (a) **Character of space provided.** Usable open space shall be composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on the ground and on decks, balconies, porches and roofs, which are safe and suitably surfaced and screened, and which conform to the other requirements of this section. Such area or areas shall be on the same lot as the dwelling units (or bedrooms in group housing) they serve, and shall be designed and oriented in a manner that will make the best practical use of available sun and other climatic advantages. "Private usable open space" shall mean an area or areas private to and designed for use by only one dwelling unit (or bedroom in group housing). "Common usable open space" shall mean an area or areas designed for use jointly by two or more dwelling units (or bedrooms in group housing).
- (b) **Access.** Usable open space shall be as close as is practical to the dwelling unit (or bedroom in group housing) for which it is required, and shall be accessible from such dwelling unit or bedroom as follows:
  1. Private usable open space shall be directly and immediately accessible from such dwelling unit or bedroom; and shall be either on the same floor level as such dwelling unit or bedroom, with no more than one story above or below such floor level with convenient private access.
  2. Common usable open space shall be easily and independently accessible from such dwelling unit or bedroom, or from another common area of the building or lot.

- (c) **Permitted obstructions.** In the calculation of either private or common usable open space, those obstructions listed in Section 136 of this Code for usable open space shall be permitted.
- (d) **Amount required.** Usable open space shall be provided for each building in the amounts specified herein and in the following table for the district in which the building is located.
1. For dwellings, except as provided in Paragraph (d)3 below, the minimum amount of usable open space to be provided for use by each dwelling unit shall be as specified in the second column of the table if such usable open space is all private. Where common usable open space is used to satisfy all or part of the requirement for a dwelling unit, such common usable open space shall be provided in an amount equal to 1.33 square feet for each one square foot of private usable open space specified in the second column of the table. In such cases, the balance of the required usable open space may be provided as private usable open space, with full credit for each square foot of private usable open space so provided.
  2. For group housing structures, the minimum amount of usable open space provided for use by each bedroom shall be 1/3 the amount required for a dwelling unit as specified in Paragraph (d)1 above. For purposes of these calculations, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.
  3. For dwellings specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code, the minimum amount of usable open space to be provided for use by each dwelling unit shall be 1/2 the amount required for each dwelling unit as specified in Paragraph (d)1 above.
- (e) **Slope.** The slope of any area credited as either private or common usable open space shall not exceed five percent.
- (f) **Private usable open space: additional standards.**
1. **Minimum dimensions and minimum area.** Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 square feet if located on open ground, a terrace or the surface of an inner or outer court.
  2. **Exposure.** In order to be credited as private usable open space, an area must be kept open in the following manner:

**Table 3  
Minimum Usable Open Space**

District	Square Feet Of Usable Open Space Required For Each Dwelling Unit If All Private	Ratio of Common Usable Open Space That May Be Substituted for Private
RH-1(D), RH-1	300	1.33
RH-1(S)	300 for first unit; 100 for minor second unit	1.33
RH-2	125	1.33
RH-3	100	1.33
RM-1, RC-1	100	1.33
RM-2, RC-2	80	1.33
RM-3, RC-3	60	1.33
RM-4, RC-4	36	1.33
<u>Sacramento</u>	<u>100</u>	<u>1.33</u>
<u>Castro Street,</u> <u>Inner Clement Street,</u> <u>Outer Clement Street,</u> <u>Upper Fillmore Street,</u> <u>Haight Street,</u> <u>Union Street,</u> <u>Valencia Street,</u> <u>24th Street-Mission,</u> <u>24th Street-Noe Valley,</u>	<u>80</u>	<u>1.33</u>
<u>Broadway, Hayes-Gough,</u> <u>Upper Market Street,</u> <u>North Beach,</u> <u>Polk Street</u>	<u>60</u>	<u>1.33</u>
C-3, C-M, M-1, M-2	36	1.33
<u>NC-1, NC-2, NC-3,</u> <u>NC-S, C-1, C-2</u>	Same as for the R district establishing the dwelling unit density ratio for the <u>NC-1, NC-2, NC-3,</u> <u>NC-S, C-1 or C-2</u> district property	

- (A) For decks, balconies, porches and roofs, at least 30 percent of the perimeter must be unobstructed except for necessary railings.
  - (B) In addition, the area credited on a deck, balcony, porch or roof must either face a street, face or be within a rear yard, or face or be within some other space which at the level of the private usable open space meets the minimum dimension and area requirements for common usable open space as specified in Paragraph 135(g)1 below.
  - (C) Areas within inner and outer courts, as defined by this Code, must either conform to the standards of Subparagraph (f)2(B) above or be so arranged that the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court, regardless of the permitted obstruction referred to in Subsection 135(c) above.
3. **Fire escapes as usable open space.** Normal fire escape grating shall not be considered suitable surfacing for usable open space. The steps of a fire escape stairway or ladder, and any space less than six feet deep between such steps and a wall of the building, shall not be credited as usable open space. But the mere potential use of a balcony area for an emergency fire exit by occupants of other dwelling units (or bedrooms in group housing) shall not prevent it from being credited as usable open space on grounds of lack of privacy or usability.

**NOTE:** To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

In C-3 districts, the area of a totally or partially enclosed solarium shall be credited as private usable open space if (i) such area is open to the outdoors through openings or clear glazing on not less than 50 percent of its perimeter; and (ii) not less than 30 percent of its overhead area and 25 percent of its perimeter are open or can be opened to the air.

(g) **Common usable open space: additional standards.**

- 1. **Minimum dimensions and minimum area.** Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.



2. **Use of inner courts.** The area of an inner court, as defined by this Code, may be credited as common usable open space, if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area; and if (regardless of the permitted obstructions referred to in Subsection 135(c) above) the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.
3. **Use of solariums.** The area of a totally or partially enclosed solarium may be credited as common usable open space if the space is not less than 15 feet in every horizontal dimension and 300 square feet in area; and if such area is exposed to the sun through openings or clear glazing on not less than 30 percent of its perimeter and 30 percent of its overhead area.

## SEC. 136

### OBSTRUCTIONS OVER STREETS AND ALLEYS AND IN REQUIRED SETBACKS, YARDS AND USABLE OPEN SPACE.

- (a) The following obstructions shall be permitted, in the manner specified, as indicated by the symbol "X" in the columns at the left, within the required open areas listed herein:
  1. Projections from a building or structure extending over a street or alley as defined by this Code. Every portion of such projections over a street or alley shall provide a minimum of 7-1/2 feet of vertical clearance from the sidewalk or other surface above which it is situated, or such greater vertical clearance as may be required by the San Francisco Building Code, unless the contrary is stated below. The permit under which any such projection over a street or alley is erected over public property shall not be construed to create any perpetual right but is a revocable license.
  2. Obstructions within legislated set-back lines and front set-back areas, as required by Sections 131 and 132 of this Code.
  3. Obstructions within side yards and rear yards, as required by Sections 133 and 134 of this Code.
  4. Obstructions within usable open space, as required by Section 135 of this Code.
- (b) No obstruction shall be constructed, placed or maintained in any such required open area except as specified in this section.

Streets and Alleys	Setbacks	Yards	Usable Open Space
X	X	X	X
X	X	X	X

(c) The permitted obstructions shall be as follows:

1. Overhead horizontal projections (leaving at least 7-1/2 feet of headroom) of a purely architectural or decorative character such as cornices, eaves, sills and belt courses, with a vertical dimension of no more than two feet six inches, not increasing the floor area or the volume of space enclosed by the building, and not projecting more than:

- (A) At roof level, three feet over streets and alleys and into set-backs, or to a perimeter in such required open areas parallel to and one foot outside the surfaces of bay windows immediately below such features, whichever is the greater projection;
- (B) At every other level, one foot over streets and alleys and into set-backs; and
- (C) Three feet into yards and usable open space, or 1/6 of the required minimum dimensions (when specified) of such open areas, whichever is less.

2. Bay (Projecting) windows, balconies (other than balconies used for primary access to two or more dwelling units or two or more bedrooms in group housing), and similar features that increase either the floor area of the building or the volume of space enclosed by the building above grade, when limited as specified herein. With respect to obstructions within yards and usable open space, the bay windows and balconies specified in Paragraph (c)3 below shall be permitted as an alternative to those specified in this Paragraph (c)2.

- (A) The minimum headroom shall be 7-1/2 feet.
- (B) Projection into the required open area shall be limited to three feet; provided that projection over streets and alleys shall be further limited to two feet where the sidewalk width is nine feet or less, and the projection shall in no case be closer than eight feet to the center line of any alley.
- (C) The glass areas of each bay window, and the open portions of each balcony, shall be not less than 50 per cent of the sum of the areas of the vertical surfaces of such bay window or balcony above the required open area. At least 1/3 of such required glass area of such bay window, and open portions of such balcony, shall be on one or more vertical surfaces situated at an angle of not less than 30 degrees to the line establishing the required open area. In addition, at least 1/3 of such required glass area or open portions shall be on the vertical surface parallel to, or most nearly parallel to, the line establishing each open area over which the bay window or balcony projects.

Streets and Alleys	Setbacks	Yards	Usable Open Space
		X	X

(D) The maximum length of each bay window or balcony shall be 15 feet at the line establishing the required open area, and shall be reduced in proportion to the distance from such line by means of 45 degree angles drawn inward from the ends of such 15-foot dimension, reaching a maximum of nine feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

(E) Where a bay window and a balcony are located immediately adjacent to one another, and the floor of such balcony in its entirety has a minimum horizontal dimension of six feet, the limitations of Subparagraph (c)2(D) above shall be increased to a maximum length of 18 feet at the line establishing the required open area, and a maximum of 12 feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

(F) The minimum horizontal separation between bay windows, between balconies, and between bay windows and balconies (except where a bay window and a balcony are located immediately adjacent to one another, as provided for in Subparagraph (c)2(E) above), shall be two feet at the line establishing the required open area, and shall be increased in proportion to the distance from such line by means of 135 degree angles drawn outward from the ends of such two-foot dimension, reaching a minimum of eight feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

(G) Each bay window or balcony over a street or alley, set-back or rear yard shall also be horizontally separated from interior lot lines (except where the wall of a building on the adjoining lot is flush to the interior lot line immediately adjacent to the projecting portions of such bay window or balcony) by not less than one foot at the line establishing the required open area, with such separation increased in proportion to the distance from such line by means of a 135 degree angle drawn outward from such one-foot dimension, reaching a minimum of four feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

3. Bay (projecting) windows, balconies (other than balconies used for primary access to two or more dwelling units or two or more bedrooms in group housing), and similar features that increase either the floor area of the building or the volume of space enclosed by the building above grade, when limited as specified herein. With respect to obstructions within yards and

Streets and Alleys	Setbacks	Yards	Usable Open Space
X	X	X	X
			X
		X	

usable open space, the bay windows and balconies specified in Paragraph (c)2 above shall be permitted as an alternative to those specified in this Paragraph (c)3.

- (A) The minimum headroom shall be 7-1/2 feet.
  - (B) Projection into the required open area shall be limited to three feet, or 1/6 of the required minimum dimension (when specified) of the open area, whichever is less.
  - (C) In the case of bay windows, the maximum length of each bay window shall be 10 feet, and the minimum horizontal separation between bay windows shall be five feet, above all parts of the required open area.
  - (D) The aggregate length of all bay windows and balconies projecting into the required open area shall be no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the length of all open areas along the buildable length of an interior side lot line; in the case of yards, these limits on aggregate length shall apply to the aggregate of all bay windows, balconies, fire escapes and chimneys.
4. Fire escapes, leaving at least 7-1/2 feet of headroom exclusive of drop ladders to grade, and not projecting more than necessary for safety or in any case more than four feet six inches into the required open area. In the case of yards, the aggregate length of all bay windows, balconies, fire escapes and chimneys that extend into the required open area shall be no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the buildable length of an interior side lot line.
  5. Overhead horizontal projections other than those listed in Paragraphs (c)1, 2, 3 and 4 above, leaving at least 7-1/2 feet of headroom, where the depth of any such projection is no greater than the headroom it leaves, and in no case is greater than 10 feet; and provided that, in the case of common usable open space at ground level, the open space under the projection directly adjoins uncovered usable open space that is at least 10 feet in depth and 15 feet in width.
  6. Chimneys not extending more than three feet into the required open area or 1/6 of the required minimum dimension (when specified) of the open area, whichever is less; provided, that the aggregate length of all bay windows, balconies, fire escapes and chimneys that extend into the required open area is no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the buildable length of an interior side lot line.

Streets and Alleys	Setbacks	Yards	Usable Open Space
X			
X			
X	X		
X	X		
X	X		
X	X		
	X	X	X
	X	X	X
X	X	X	X
	X	X	X
	X	X	X
		X	X

7. Temporary occupancy of street and alley areas during construction and alteration of buildings and structures, as regulated by the Building Code and other portions of the Municipal Code.
8. Space below grade, as regulated by the Building Code and other portions of the Municipal Code.
9. Building curbs and buffer blocks at ground level, not exceeding a height of nine inches above grade or extending more than nine inches into the required open area.
10. Signs as regulated by Article 6 of this Code, at locations and to the extent permitted therein.
11. Flag poles for projecting flags permitted by Article 6 of this Code.
12. Marquees, awnings and canopies in P, NC, C, and M districts, as regulated by the Building Code and as further limited by this Code.
13. Retaining walls that are necessary to maintain approximately the grade existing at the time of construction of a building. Other retaining walls and the grade maintained by them shall be subject to the same regulations as decks (see Paragraphs (c)24 and (c)25 below).
14. Steps of any type not more than three feet above grade, and uncovered stairways and landings not extending higher than the floor level of the adjacent first floor of occupancy above the ground story, and, in the case of yards and usable open space, extending no more than six feet into the required open area for any portion that is more than three feet above grade, provided that all such stairways and landings shall occupy no more than 2/3 the buildable width of the lot along a front or rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the length of all open areas along the buildable length of an interior side lot line.
15. Railings no more than three feet six inches in height above any permitted step, stairway, landing, fire escape, deck, porch or balcony, or above the surface of any other structure permitted in the required open area.
16. Decorative railings and decorative grille work, other than wire mesh, at least 75 percent open to perpendicular view and no more than six feet in height above grade.
17. Fences no more than three feet in height above grade.
18. Fences and wind screens no more than six feet in height above grade.

Streets and Alleys	Setbacks	Yards	Usable Open Space
		X	
		X	X
	X	X	X
		X	X
		X	
		X	

19. Fences and wind screens no more than 10 feet in height above grade.
20. Normal outdoor recreational and household features such as play equipment and drying lines.
21. Landscaping and garden furniture.
22. Garden structures enclosed by walls on no more than 50 percent of their perimeter, such as gazebos and sunshades, if no more than eight feet in height above grade and covering no more than 60 square feet of land.
23. Other structures commonly used in gardening activities, such as greenhouses and sheds for storage of garden tools, if no more than eight feet in height above grade and covering no more than 100 square feet of land.
24. Decks, whether attached to a building or not, at or below the adjacent first floor of occupancy, if developed as usable open space and meeting the following requirements:
  - (A) Slope of 15 percent or less. The floor of the deck shall not exceed a height of three feet above grade at any point in the required open area, nor shall such floor penetrate a plane made by a vertical angle 45 degrees above horizontal with its vertex three feet above grade at any lot line bordering the required open area.
  - (B) Slope of more than 15 percent and no more than 70 percent. The floor of the deck shall not exceed a height of three feet above grade at any point along any lot line bordering the required open area, nor shall such floor penetrate a plane made by a vertical angle 45 degrees above horizontal with its vertex three feet above grade at any lot line bordering the required open area, except that when two or more lots are developed with adjacent decks whose floor levels differ by not more than three feet, whether or not the lots will remain in the same ownership, each deck may come all the way to the lot line adjacent to the other deck. In addition, the vertical distance measured up from grade to the floor of the deck shall not exceed seven feet at any point in the required open area.
  - (C) Slope of more than 70 percent. Because in these cases the normal usability of the required open area is seriously impaired by the slope, a deck covering not more than 1/3 the area of the required open area may be built exceeding the heights specified above, provided that the light, air, view, and privacy of adjacent lots are not seriously affected. Each such case shall be considered on its individual merits. However, the following points shall be considered guidelines in these cases:

Streets and Alleys	Setbacks	Yards	Usable Open Space
		X	
			X
	X		

- (i) The deck shall be designed to provide the minimum obstruction to light, air, view and privacy.
- (ii) The deck shall be at least two feet inside all side lot lines.
- (iii) On downhill slopes, a horizontal angle of 30 degrees drawn inward from each side lot line at each corner of the rear building line shall be maintained clear and the deck shall be kept at least 10 feet inside the rear lot line.

25. Except in required side yards, decks, and enclosed and unenclosed extensions of buildings, when limited as specified herein.

(A) The structure shall extend no more than 12 feet into the required open area; and shall not occupy any space within the rear 25 percent of the total depth of the lot, or within the rear 15 feet of the depth of the lot, or within the rear 15 feet of the depth of the lot, whichever is greater.

(B) Within all parts of the required open area, the structure shall be limited in height to either:

(i) 10 feet above grade; or

(ii) A height not exceeding the floor level of the second floor of occupancy, excluding the ground story, at the rear of the building on the subject property, in which case the structure shall be no closer than five feet to any interior side lot line.

(C) Any fence or wind screen extending above the height specified in Subparagraph (C)25(B) shall be limited to six feet above such height; shall be no closer to any interior side lot line than one foot for each foot above such height; and shall have not less than 80 percent of its surfaces above such height composed of transparent or translucent materials.

26. Garages which are under ground, or under decks conforming to the requirements of Paragraph (c)24 or (c)25 above, if their top surfaces are developed as usable open space, provided that no such garage shall occupy any area within the rear 15 feet of the depth of the lot.

27. Garages, where the average slope of the required open area ascends from the street lot line to the line of the set-back and exceeds 50 percent, provided the height of the garage is limited to 10 feet above grade, or the floor level of the adjacent first floor of occupancy on the subject property, whichever height is less.

Streets and Alleys	Setbacks	Yards	Usable Open Space
	X		
		X	
	X	X	

28. Garages, where both adjoining lots (or the one adjoining lot where the subject property is a corner lot) contain a garage structure within the required set-back line or front set-back area on the same street or alley frontage, provided the garage on the subject property does not exceed the average of the two adjacent garage structures (or the one adjacent garage structure where the subject property is a corner lot) in either height above grade or extension into the required set-back.
29. Garages, where the subject property is a through lot having both its front and its rear lot line along streets, alleys, or a street and an alley, and both adjoining lots (or the one adjoining lot where the subject property is also a corner lot) contain a garage structure adjacent to the required rear yard on the subject property, provided the garage on the subject property does not exceed the average of the two adjacent garage structures (or the one adjacent garage structure where the subject property is a corner lot) in either height above grade or encroachment upon the required rear yard.
30. Driveways, for use only to provide necessary access to required or permitted parking that is located on the subject property other than in a required open area, and where such driveway has only the minimum width needed for such access.

**NOTE:** To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (d) Notwithstanding the limitations of subsection (c) of this section, the following provisions shall apply in C-3 districts.
  - I. **Decorative Architectural Features.** Decorative architectural features not increasing the interior floor area or volume of the space enclosed by the building are permitted over streets and alleys and into setbacks within the maximum vertical and horizontal dimensions described as follows:
    - (A) At roof level, decorative features such as cornices, eaves, and brackets may project four feet with a maximum vertical dimension no greater than 6 feet.
    - (B) At all levels above the area of minimum vertical clearance required in subsection (a)1 above, decorative features, such as belt courses, entablatures, and bosses, may project 2 feet with a maximum vertical dimension of 4 feet.
    - (C) At all levels above the area of minimum vertical clearance required by subsection (a)1 above, vertical



decorative features, such as pilasters, columns, and window frames (including pediment and sills), with a cross-sectional area of not more than 3 square feet at midpoint, may project 1 foot horizontally.

2. **Bay Windows.** Notwithstanding the provisions of subsections (c)2, (D) and (F) of this section, bay windows on non-residential floors of a structure are permitted only if the width of the bay is at least two times its depth, the total width of all bays on a facade plane does not exceed one-half of the width of the facade plane, and the maximum horizontal (plan) dimensions of the bay fit within the dimensions set forth in the diagram below.

SEC. 136.1

Obstructions over Streets and Alleys and in Required Set-Backs, Yards, and Usable Open Space in NC Districts.

In addition to the limitations of Section 136, especially Paragraph 136(c)12, the following provisions shall apply in NC districts.

- (a) **Awnings.** All portions of any permitted awning shall be not less than 8 feet above the finished grade, excluding any valance which shall not be less than 7 feet above the finished grade. No portion of any awning shall be higher than the window-sill level of the lowest story (if any) that has a window or windows on the building facade to which the awning is attached, exclusive of the ground story and mezzanine, provided that no such awning shall in any case exceed a height of 16 feet or the roofline of the building to which it is attached, whichever is lower.

1. **NC-1 districts.** The horizontal projection of any awning shall not exceed 4 feet from the face of a building. The vertical distance from the top to the bottom of any awning shall not exceed 4 feet, including any valance.
2. **All other NC districts.** When the width of all awnings is less than 10 feet along the direction of the street, the horizontal projection of such awnings shall not exceed 6 feet from the face of any supporting building and the vertical distance from the top to the bottom of such awnings shall not exceed 6 feet, including any valance. When the width of all awnings exceeds 10 feet measured along the direction of the street, the horizontal projection of such awnings shall not exceed 4 feet from the face of the supporting building and the vertical distance from the top to the bottom of such awnings shall not exceed 4 feet, including any valance.

(b) Canopies.

1. **NC-1 Districts.** No canopy shall be permitted in any NC-1 district.

2. All other NC districts. The maximum width of any canopy shall be 10 feet. The horizontal projection of any canopy may extend to a point 2 feet from the curb. The outer column support shall be located in the outer one-third of the sidewalk. The vertical distance from the top to the bottom of the canopy shall not exceed 2 feet, including any valance. All portions of any canopy, excluding the column supports and excluding any valance which may be not less than 7 feet above the finished grade, shall be not less than 8 feet above the finished grade. Canopies shall not be spaced closer than 20 feet from each other, measured from center line to center line.

(c) Marquees.

1. NC-1 Districts. No marquee shall be permitted in any NC-1 district.

2. All other NC districts. The vertical distance from the top to the bottom of any marquee shall not exceed 3 feet and the horizontal projection shall not extend beyond a point 2 feet from the curb.

A. A marquee projecting more than two-thirds of the distance from the property line to the curb line shall not exceed 10 feet or 50 percent of the length of the building, along the direction of the street, whichever is less. All portions of such marquee shall be not less than 12 feet nor more than 16 feet in height above the finished grade, nor higher than the window-sill level or windows on the building facade on which the marquee is placed, exclusive of the ground story and mezzanine. Each building frontage shall be considered separately.

B. A marquee projecting less than two-thirds of the distance from the property line to the curb line shall not exceed 25 feet or 50 percent of the length of the building along the direction of the street, whichever is less. All portions of such marquee shall be not less than 10 feet nor more than 16 feet above the finished grade, nor higher than the window-sill level or windows on the building facade on which the marquee is placed, exclusive of the ground story and mezzanine. Each building frontage shall be considered separately.

SEC. 140

ALL DWELLING UNITS TO FACE ON OPEN AREA, R, C, NC, AND M DISTRICTS.

(a) In each dwelling unit in an R, C, NC, or M district, the required windows (as defined by Section 501.4 of the San Francisco Housing Code) of at least one room that meets the 120-square foot minimum superficial floor area requirement of Section 501.1 of the Housing Code shall face directly on an open area of one of the following types:

1. A public street, public alley at least 25 feet in width, side yard at least 25 feet in width, or rear yard meeting the requirements of this Code; provided that if such windows are on an outer court whose width is less than 25 feet the depth of such court shall be no greater than its width; or
2. An open area (whether an inner court or a space between separate buildings on the same lot) which is unobstructed (except for fire escapes not projecting more than necessary for safety and in no case more than 4 feet 6 inches, chimneys, and those obstructions permitted in Sections 136(c)14, 15, 16, 19, 20 and 29 of this Code) and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

**SEC. 141**

**SCREENING OF ROOFTOP FEATURES R, C, NC, AND M DISTRICTS.**

(a) In R, C, NC, and M districts, rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply in construction of new buildings, and in any alteration of mechanical systems of existing buildings that results in significant changes in such rooftop equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation.

**NOTE:** To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (b) In C-3 districts, whenever the enclosure of mechanical equipment and appurtenances will become a prominent feature on the skyline, modifications may, in accordance with provisions of Section 309, be required in order to insure that:
1. The enclosure is designed as a logical extension of the building form and an integral part of the overall building design;
  2. Its cladding and detailing is comparable in quality to that of the rest of the building;
  3. If screened by additional volume, as authorized by Section 260(b), the rooftop form is appropriate to the nature and proportions of the building, and is designed to obscure the rooftop equipment and appurtenances and to provide a more balanced and graceful silhouette for the top of the building or structure; and

4. The additional building volume is not distributed in a manner which simply extends vertically the walls of the building.

SEC. 142

SCREENING OF PARKING AREAS, R DISTRICTS AND ALL NC DISTRICTS EXCEPT NC-3 AND NC-S DISTRICTS.

Off-street parking areas in R districts, and all NC except NC-3 and NC-S districts, shall be screened as provided in this section.

- (a) Every off-street parking space within a building, where not enclosed by solid building walls, shall be screened from view from all streets and alleys through use of garage doors or by some other means.
- (b) Along rear yard areas and other interior open spaces, all off-street parking spaces, driveways and maneuvering areas within buildings shall be screened from view and confined by solid building walls.
- (c) Off-street parking spaces in parking lots shall meet the requirements of Section 156 and other applicable provisions of Article 1.5 of this Code. Such parking areas shall be screened from view as provided in Section 156(d) of this Code.

SEC. 143

STREET TREES, R, NC, AND C-3 DISTRICTS.

- (a) In any R, NC, or C-3 District, street trees shall be

installed by the owner or developer in the case of construction of a new building, relocation of a building, or addition of floor area equal to 20 per cent or more of an existing building.

- (b) The street trees installed shall be a minimum of one tree of 15 gallon size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located within a set-back area on the lot or within the public right-of-way along such lot.
- (c) The species of trees selected shall be suitable for the site, and in the case of trees installed in the public right-of-way, the species and locations shall be subject to approval by the Department of Public Works. Procedures and other requirements for the installation, maintenance, and protection of trees in the public right-of-way shall be as set forth in Article 16 of the Public Works Code.

- (d) In any case in which the Department of Public Works cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities, or other reasons regarding the public welfare, and where installation of such tree on a lot itself is also impractical, the requirements of this Section 143 may be modified or waived by the Zoning Administrator to the extent necessary.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (e) In C-3 districts, the Zoning Administrator may allow the installation of planter boxes or tubs or similar landscaping in place of trees when that is determined to be more desirable in order to make the landscaping compatible with the character of the surrounding area, or may waive the requirement where landscaping is considered to be inappropriate because it conflicts with policies of the Downtown Plan, a component of the Master Plan, such as the policy favoring unobstructed pedestrian passage.

[Sections 144 and 145 are unchanged.]

SEC. 145.1

Street Frontages, Neighborhood Commercial Districts.

In order to preserve, enhance and promote attractive, clearly defined street frontages which are appropriate and compatible with the buildings and uses in Neighborhood Commercial districts and adjacent districts, the following requirements shall apply to new structures or alterations to existing structures involving a change in the level of the first story or a change in the facade at the street frontage, where such structure is located along any block frontage that is entirely within an NC district.

- (a) In all NC districts other than NC-5 districts, the width of such new or altered structure, parallel to and facing such street, shall abut the front property line or legislated set-back, as regulated in Section 131, except for entrance doors, outdoor activity areas as defined in Section 790.70, or walk-up facilities as defined in Section 790.140, which may be indented.
- (b) In all NC districts other than NC-5 districts, no more than one-third the width of such new or altered structure, parallel to and facing such street, shall be devoted to ingresses to parking.
- (c) The floor level of the ground story shall be within one foot of grade, as defined in Section 790.118, for a horizontal distance of 10 feet from the front building wall at the retail frontage.

- (d) If such structures contain at the ground story any of the permitted uses in the Sections listed below, at least one-half the total width of such new or altered structures, parallel to and facing such street, shall be devoted to the ground story to entrances, windows or display space at the pedestrian eye-level. Such windows shall use clear, untinted glass, except for decorative or architectural accent. Any decorative railings or decorative grille work, other than wire mesh, which is placed in front of or behind such windows, shall be at least 75 per cent open to perpendicular view and no more than six feet in height above grade.

<u>§ 703.40</u>	<u>Other Retail Sales and Services</u>
<u>§ 703.41</u>	<u>Bar</u>
<u>§ 703.42</u>	<u>Full-Service Restaurant</u>
<u>§ 703.43</u>	<u>Fast-Food Restaurant</u>
<u>§ 703.44</u>	<u>Take Out Food</u>
<u>§ 703.45</u>	<u>Movie Theater</u>
<u>§ 703.48</u>	<u>Amusement Game Arcade</u>
<u>§ 703.49</u>	<u>Financial Service</u>
<u>§ 703.50</u>	<u>Limited Financial Service</u>
<u>§ 703.51</u>	<u>Medical Service</u>
<u>§ 703.52</u>	<u>Personal Service</u>
<u>§ 703.53</u>	<u>Business or Professional Service</u>
<u>§ 703.55</u>	<u>Tourist Hotel</u>
<u>§ 703.61</u>	<u>Automobile Sale or Rental</u>
<u>§ 703.62</u>	<u>Animal Hospital</u>
<u>§ 703.65</u>	<u>Trade Shop</u>
<u>§ 703.70</u>	<u>Administrative Service</u>

## ARTICLE 1.5

### OFF-STREET PARKING AND LOADING

[Sections 150 through 155 are unchanged.]

#### SEC. 156

#### PARKING LOTS.

- (a) A parking lot is hereby defined as an off-street open area or portion thereof solely for the parking of passenger automobiles. Such an area or portion shall be considered a parking lot whether or not on the same lot as another use, whether or not required by this Code for any structure or use, and whether classified as an accessory, principal or conditional use.
- (b) Where parking lots are specified in Article 2 of this Code as a use for which conditional use approval is required in a certain district, such conditional use approval shall be required only for such parking lots in such district as are not qualified as accessory uses under Section 204.5 of this Code. The provisions of this Section 156 shall, however, apply to all parking lots whether classified as accessory, principal or conditional uses.
- (c) In considering any application for a conditional use for a parking lot for a specific use or uses, where the amount of parking provided exceeds the amount classified as accessory parking in Section 204.5 of this Code, the City Planning Commission shall consider the criteria set forth in Section 157.
- (d) Any parking lot for the parking of two or more automobiles which adjoins a lot in any R district, or which faces a lot in any R district across a street or alley, shall be screened from view therefrom, except at driveways necessary for ingress and egress, by a solid fence, a solid wall, or a compact evergreen hedge, not less than four feet in height.
- (e) Any parking lot for the parking of 10 or more automobiles within the C-3-0, C-3-R, C-3-S, or C-3-G district shall be screened from view from every street, except at driveways necessary for ingress and egress, by a solid fence, a solid wall, or a compact evergreen hedge, not less than four feet in height.
- (f) All artificial lighting used to illuminate a parking lot for any number of automobiles in any R ((district)), NC, or C district shall be so arranged that all direct rays from such lighting fall entirely within such parking lot.

- (g) No parking lot for any number of automobiles shall have conducted upon it any dead storage or dismantling of vehicles, or any repair or servicing of vehicles other than of an emergency nature.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (h) No permanent parking lot shall be permitted in C-3-O, C-3-R, and C-3-G Districts; temporary parking lots may be approved as conditional uses pursuant to the provisions of Section 303 for a period not to exceed two years; permanent parking lots in C-3-S Districts shall be permitted only as a conditional use.

[Sections 157 through 161 are unchanged.]



## ARTICLE 1.7

### COMPLIANCE

[Sections 170 through 176 are unchanged.]

#### SEC. 178

#### CONDITIONAL USES.

The following provisions shall apply to conditional uses:

- (a) Definition. For the purposes of this Section, a permitted conditional use shall refer to:
1. Any use or feature authorized as a conditional use pursuant to Article 3 of this Code, provided that such use or feature was established within a reasonable time from the date of authorization; or
  2. Any use or feature which is classified as a conditional use in the district in which it is located and which lawfully existed either on the effective date of this Code, or on the effective date of any amendment imposing new conditional use requirements upon such use or feature; or
  3. Any use deemed to be a permitted conditional use pursuant to Section 179 of this Code.
- (b) Continuation. Except as provided for temporary uses in Section 205 of this Code, and except where time limits are otherwise specified as a condition of authorization, any permitted conditional use may continue in the form in which it was authorized, or in the form in which it lawfully existed either on the effective date of this Code or the effective date of any amendment imposing new conditional use requirements upon such use or feature, unless otherwise provided in this Section or in Article 2 of this Code.
- (c) Enlargements or Alteration. A permitted conditional use may not be significantly altered, enlarged, or intensified, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.
- (d) Abandonment. A permitted conditional use which is discontinued for a period of three years, or otherwise abandoned, shall not be restored, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.
- (e) Changes in Use. A permitted conditional use shall not be changed to another use or feature that is classified as a conditional use in the district in which it is located, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.

USES LOCATED IN NEIGHBORHOOD COMMERCIAL DISTRICTS.

The following provisions shall govern with respect to uses and features located in Neighborhood Commercial districts to the extent that there is a conflict between the provisions of this section and other sections contained in this Article 1.7.

- (a) Any use or feature which lawfully existed on the effective date of Ordinance No. (this ordinance) which is classified as a conditional use by the enactment of Ordinance No. (this ordinance), shall be subject to the provisions of Section 178 of this Code.
- (b) Any use or feature which lawfully existed on the effective date of Ordinance No. (this ordinance) which use or feature is not permitted by the enactment of Ordinance No. (this ordinance) is hereby deemed to be a permitted conditional use subject to the provisions of Section 178. In addition, a conditional use authorization may be sought, pursuant to the provisions of Article 3, for any change in use described below:
1. Any use described in zoning categories .41, .42, .43, or .44, as defined in Sections 790.22, 790.92, 790.90, and 790.122, respectively, may change to another use described in zoning categories .41, .42, .43, or .44 even though such other use is not permitted in that Neighborhood Commercial district,
  2. Any use described in zoning categories .51, .52, or .53, as defined in Sections 790.114, 790.116, and 790.108, respectively, may change to another use described in zoning categories .51, .52, or .53, even though such other use is not permitted in that Neighborhood Commercial district,
  3. Any use described in zoning categories .57, .58, and .59, as defined in Sections 790.14, 790.17, and 790.15, respectively, may change to another use described in zoning categories .57, .58, and .59, even though such other use is not permitted in that Neighborhood Commercial district.
- (c) Any use located on the second story or above, in a structure located within a Neighborhood Commercial district, which use existed on the effective date of Ordinance No. (this ordinance) and was permitted as a conditional use prior to the adoption of Ordinance No. (this ordinance), but for which the required permits and conditional use authorization had not been obtained, and which use is not permitted by operation of Ordinance No. (this ordinance), will be deemed to be a permitted conditional use if:
1. Within two years of the effective date of Ordinance No. (this ordinance) an application for conditional use authorization is filed pursuant to the provisions of Article 3 of this Code, and if an application is filed for all other permits necessary to bring the use into compliance with applicable Codes; and

2. The conditional use is authorized and all other necessary permits are granted; and
3. Within one year of final administrative action on the granting of the necessary permits, or within such alternate period which the City Planning Commission deems reasonable and necessary, all work which is required for code compliance under all applicable codes is substantially completed.

(d) Any use located on the second story or above, in a structure located within a Neighborhood Commercial District, which use existed on the effective date of Ordinance No. (this ordinance) and was permitted as a principal use prior to the adoption of Ordinance No. (this ordinance), but for which the required permits had not been obtained, and which use is either not permitted or permitted only with conditional use authorization by operation of Ordinance No. (this ordinance) will be deemed to be a permitted conditional use if:

1. Within two years of the effective date of Ordinance No. (this ordinance) an application is filed for all other permits necessary to bring the use into compliance with applicable Codes; and
2. Within one year of final administrative action on the granting of the necessary permits, all work which is required for code compliance under all applicable codes is substantially completed.

[Sections 180 through 183 are unchanged.]

#### SEC. 184

#### SHORT-TERM CONTINUANCE OF CERTAIN NONCONFORMING USES.

The period of time during which the following nonconforming uses may continue or remain shall be limited to five years from the effective date of this Code (May 2, 1960), or of the amendment thereto which caused the use to be nonconforming. Every such nonconforming use shall be completely eliminated within 90 days after the expiration of such period.

- (a) Any nonconforming commercial or industrial use of land where no enclosed building is involved in such use

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

, except for permanent off-street parking lots in the C-3-O, C-3-R and C-3-G districts existing on the effective date of Ordinance No. \_\_, provided that such lots are screened in the manner required by Section 156(e).

- (b) Any use of a type first permitted as a principal or conditional use in an NC, C or M district or in a Residential Commercial Combined district, when occupying a building in an R district other than a Residential Commercial Combined district that has an assessed valuation not in excess of \$500 on the effective date of this Code or such later date as the use becomes nonconforming, with the following exceptions:
1. Any lawful use in this category in a building having an assessed valuation of \$250 or more on the effective date of this Code, or such later date as the use becomes nonconforming, shall have a period of permitted continuance of 10 years from the date at which the property was placed in a Residential zoning classification, if such a period of continuance produces an expiration date which is later than the expiration date stated above; or
  2. Any lawful use in this category which is of a type first permitted in a C-1 district; or of a type first permitted in any other district and supplying commodities at retail, or offering personal services, primarily to residents of the immediate vicinity; shall have a period of permitted continuance of 10 years from the effective date of this Code, or of the amendment thereto which caused the use to be nonconforming. After five years of such period have elapsed, any use as described in this Paragraph (b)2 shall, upon application, be qualified for consideration by the City Planning Commission as a conditional use as regulated in Section 303 of this Code.

**SEC. 185 CONTINUANCE OF OTHER NONCONFORMING USES.**

The purpose of this section is to provide for the gradual elimination or conversion, after a reasonable allowance of time for the amortization of investments therein, of certain classes of nonconforming uses in buildings, in order to encourage and promote the orderly and beneficial development of the land and buildings with conforming uses. The section is intended to apply to obsolescent buildings whose use is widely at variance with the regulations of this Code, and is safeguarded against unnecessary hardship in application by provision for a minimum period of continuance of 20 years, by procedures for extension and exceptions, and by the requirement of repeated notice as the buildings approach an age indicative of obsolescence. It is further declared that the requirement of eventual removal, or conversion to conforming use of such buildings, subject to the exceptions set forth, is in the public interest and is intended to promote the general welfare.

- (a) This section shall apply only to nonconforming uses occupying buildings in R districts, other than Residential-Commercial Combined districts, when such uses would first be permitted as a principal or conditional use in an NC, C or M district or in a Residential-Commercial Combined district. It shall not apply to exempt limited commercial uses meeting the requirements of Section 186, or to any nonconforming use of land or a building whose continuance is more strictly limited by the provisions of Section 184.

- (b) Every such building to which this section applies may be continued in such use for at least 20 years from the effective date of this Code (May 2, 1960), or of the amendment thereto which causes it to be nonconforming, and may be continued for a longer period if it has not yet reached the age hereinafter specified, computed from the date the building was erected. For buildings of Type 1 or Type 2, as defined in the Building Code of the City, the specified age shall be 50 years; for Type 3 buildings it shall be 40 years; and for Type 4 and Type 5 buildings it shall be 30 years.
- (c) Upon the expiration of the period specified for each such building, it shall be completely removed or altered and converted to a conforming use, except as hereinafter provided.
- (d) Where special circumstances apply to any such building and use, which do not apply generally to others affected hereby, extension of time may be granted under the variance procedure as regulated in Section 305, but no such extension shall be for a period in excess of one year. Successive extensions, subject to the same limitations, may be granted upon new application.
- (e) Any unconforming use affected by this section shall be qualified for consideration by the City Planning Commission as a conditional use as regulated in Section 303, upon application filed at any time during the period of permitted continuance specified above. In the event that a conditional use is authorized by the City Planning Commission for any such use, the provisions of Sections 180 through 183 shall continue to apply to such use except as specifically provided in the action of the Commission, and no enlargement, intensification or extension of the nonconforming use shall be permitted by the Commission.
- (f) The Zoning Administrator shall give notice by mail of the date of expiration of the periods of permitted continuance specified herein to each owner of record within four years of the effective date of this Code, or of the date of the amendment which caused the use to become nonconforming, and shall repeat such notice at approximate intervals of four years thereafter. A final notice shall be given one year before said date of expiration in each instance. The notices shall set forth all pertinent provisions of this section, including the declared purposes thereof. Failure to send notice by mail to any such owner where the address of such owner is not a matter of public record, or where no Permit of Occupancy for a nonconforming use covered by this section has been issued as provided in Section 171 of this Code, shall not invalidate any proceedings under this section.

## SEC. 186

### EXEMPTION OF LIMITED COMMERCIAL NON-CONFORMING USES.

The purposes of this section is to provide for the further continuance in R districts of nonconforming uses of a limited commercial character, as herein described, which are beneficial to, or can be accommodated within, the residential areas in which they are located. It is hereby found and

declared that, despite the general incompatibility of non-conforming uses with the purposes of this Code, and with other nearby uses, these limited commercial uses may be tolerated in residential areas, and tend to provide convenience goods and services on a retail basis to meet the frequent and recurring needs of neighborhood residents within a short distance of their homes. These uses tend to be small in scale, to serve primarily a walk-in trade, and to cause a minimum of interference with nearby streets and properties. Accordingly, this section recognizes the public advantages of these uses and establishes conditions for their continued operation.

(a) The following nonconforming uses in R districts shall be exempt from the termination provisions of Section 185, provided such uses comply with all the conditions specified in Subsection (b) below:

1. ((In all RH districts and RM-1 districts, any use that would be permitted as a principal or conditional use in an RC-1 district.))

Basic Requirement. Nonconforming uses located in Residential districts are subject to the NC-1 District provisions, as set forth in Section 710. These NC-1 provisions are intended to provide for retail sales and services of a limited commercial character which will benefit the immediate community and will be compatible with the Residential district in which the nonconforming use is located.

2. ((In all other RM districts: any use that would be permitted as a principal or conditional use in an RC-2 district.))

Additional Requirements. Any nonconforming use which is not more than one-quarter mile from an Individual Area Neighborhood Commercial district, set forth in Sections 714 through 728, shall be regulated by the controls applicable in that Individual Area Neighborhood Commercial district if those controls are more restrictive than the NC-1 district controls.

(b) The limited commercial nonconforming uses described above shall meet the following conditions:

1. The building shall be maintained in a sound and attractive condition, consistent with the general appearance of the neighborhood;
2. Any signs on the property shall be made to comply with the requirements of Article 6 of this Code applying to nonconforming uses;
3. The hours during which the use is open to the public shall be limited to the period between 6:00 a.m. and 10:00 p.m.;
4. No public sidewalk space shall be occupied in connection with the use;

5. Truck loading shall be limited in such a way as to avoid undue interference with sidewalks, or with crosswalks, bus stops, hydrants and other public features;
  6. Noise, odors and other nuisance factors shall be adequately controlled; and
  7. All other applicable provisions of this Code shall be complied with.
- (c) Any use affected by this section which does not comply with all of the conditions herein specified shall be subject to termination in accordance with Section 185 at the expiration of the period specified in that section, but shall be qualified for consideration as a conditional use under Section 185(e). Any such use which is in compliance with such conditions at the expiration of such period but fails to comply therewith at any later date shall be subject to termination when it ceases to comply with any of such conditions.
- (d) The provisions for nonconforming uses contained in Section 180 through 183 shall continue to apply to all uses affected by this Section 186, except that the cost limit for structural alterations contained in Section 181(b)4 shall not be applicable thereto.

#### SEC. 187

#### GARMENT SHOPS AND GARMENT FACTORIES AS NONCONFORMING USES.

- (a) A garment shop or a garment factory (as defined in the Building Code), existing on January 1, 1960, and located either in a commercial district or in a building having legal nonconforming commercial status under provisions of the City Planning Code in force on that date, shall be regarded as a legal nonconforming use under provisions of the City Planning Code becoming effective on May 2, 1960, if such shop or factory was brought into compliance with all applicable codes and ordinances prior to January 1, 1961. Permits of Occupancy must have been obtained prior to January 1961, by such shop or factory, and any shop or factory which failed to comply with all applicable codes and ordinances prior to that date shall have closed and discontinued all operations.
- (b) Garment shops and garment factories located in an R district, except those having legal nonconforming status, shall have closed and ceased all operations by January 1, 1961.
- (c) Garment shops and garment factories having legal nonconforming status in R districts, NC, and C districts shall be subject to the provisions of Sections 180 through 185 of this Code as nonconforming uses. No such use shall be intensified by installation of additional machines.

[Sections 188 and 189 are unchanged.]

ARTICLE 2  
USE DISTRICTS

NC Districts are located in Article 7 of this Code.

SEC. 201

**CLASSES OF USE DISTRICTS.** In order to carry out the purposes and provisions of this Code, the city is hereby divided into the following classes of use districts:

- P Public Use Districts
- RH-1(D) Residential, House Districts, One-Family (Detached Dwellings)
- RH-1 Residential, House Districts, One-Family
- RH-1(S) Residential, House Districts, One-Family with Minor Second Unit
- RH-2 Residential, House Districts, Two-Family
- RH-3 Residential, House Districts, Three-Family
- RM-1 Residential Mixed Districts, Low Density
- RM-2 Residential Mixed Districts, Moderate Density
- RM-3 Residential, Mixed Districts, Medium Density
- RM-4 Residential, Mixed Districts, High Density
- RC-1 Residential-Commercial Combined Districts, Low Density
- RC-2 Residential-Commercial Combined Districts, Moderate Density
- RC-3 Residential-Commercial Combined Districts, Medium Density
- RC-4 Residential-Commercial Combined Districts, High Density

**NEIGHBORHOOD COMMERCIAL DISTRICTS (Also see Article 7)**

**General Area Districts**

- NC-1 Neighborhood Commercial Cluster District
- NC-2 Small-Scale Neighborhood Commercial District
- NC-3 Moderate-Scale Neighborhood Commercial District
- NC-5 Neighborhood Commercial Shopping Center District

**Individual Area Districts**

- Broadway Neighborhood Commercial District
- Castro Street Neighborhood Commercial District
- Inner Clement Street Neighborhood Commercial District
- Outer Clement Street Neighborhood Commercial District
- Upper Fillmore Street Neighborhood Commercial District
- Haight Street Neighborhood Commercial District
- Hayes-Gough Neighborhood Commercial District
- Upper Market Street Neighborhood Commercial District
- North Beach Neighborhood Commercial District
- Polk Street Neighborhood Commercial District
- Sacramento Street Neighborhood Commercial District
- Union Street Neighborhood Commercial District
- Valencia Street Neighborhood Commercial District
- 24th Street-Mission Neighborhood Commercial District
- 24th Street-Noe Valley Neighborhood Commercial District

- C-1 Neighborhood Shopping Districts
- C-2 Community Business Districts
- C-M Heavy Commercial Districts



C-3-0	Downtown Office District
C-3-R	Downtown Retail District
C-3-G	Downtown General Commercial District
C-3-S	Downtown Support District
M-1	Light Industrial Districts
M-2	Heavy Industrial Districts

**SEC. 202**

**USES PERMITTED BY THIS CODE.**

- (a) The use limitations of this Code shall be set forth in this Article 2 for the use districts of the city, as established by Section 201 of this Code and as shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of Section 105. The uses permitted under this Code shall consist of the following:
1. Principal uses, permitted as of right in each established district where listed for that class of districts in this Article 2, as regulated herein and elsewhere in this Code.
  2. Conditional uses, permitted in each established district when authorized by the City Planning Commission under Section 303 of this Code, where listed for that class of districts in this Article 2 and as regulated herein and elsewhere in this Code.
  3. Accessory uses for such permitted principal and conditional uses, as defined and regulated in Sections 204 through 204.5 of this Code. Any use not qualified under such sections as an accessory use shall be classified as a principal or conditional use.
  - ((4. Special uses, permitted in Neighborhood Commercial Special Use Districts, when authorized by the Zoning Administrator or the City Planning Commission, where listed for that class of districts in this Article 2 and as regulated herein and elsewhere in this Code.))
- (b) Permitted uses shall include in each established district such uses not specifically listed in this Article 2 as are from time to time determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code.
- (c) No use shall be permitted in any R district, C district or M-1 district which by reason of its nature or manner of operation creates conditions that are hazardous, noxious or offensive through emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.
- (d) Except as specifically provided herein to the contrary, the provisions of this Article 2 shall apply to all uses, properties and developments, both public and private, including those of the City and County of San Francisco.

[Sections 203 through 207.1 are unchanged.]

SEC. 207.2

DENSITY OF DWELLING UNITS IN NEIGHBORHOOD COMMERCIAL DISTRICTS.

The density of dwelling units in Neighborhood Commercial districts shall be as stated in the following Subsections. The rules for calculation of dwelling unit densities set forth in Section 207.1 of this Code shall apply in Neighborhood Commercial districts, except that any remaining fraction of one-half or more of the minimum amount of lot area per dwelling unit shall be adjusted upward to the next higher whole number of dwelling units.

(a) Dwelling Unit Density, General Area Districts.

The dwelling unit density in Neighborhood Commercial General Area Districts shall be at a density ratio not exceeding the number of dwelling units permitted in the nearest Residential district, provided that the maximum density ratio shall in no case be less than the amount set forth in the following table. The distance to each Residential district shall be measured from the midpoint of the front lot line or from a point directly across the street therefrom, whichever permits the greater density.

<u>General Area District</u>	<u>Residential Density Limits</u>
<u>NC-1, NC-2</u>	<u>One dwelling unit for each 800 sq.ft. of lot area.</u>
<u>NC-3, NC-S</u>	<u>One dwelling unit for each 600 sq.ft. of lot area.</u>

(b) Dwelling Unit Density, Individual Area Districts.

The dwelling unit density in Individual Area Neighborhood Commercial districts shall be at a density ratio not exceeding the amounts set forth in the following table.

<u>Individual Area District</u>	<u>Residential Density Limits</u>
<u>Sacramento Street</u>	<u>One dwelling unit for each 800 sq.ft. of lot area.</u>
<u>Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley</u>	<u>One dwelling unit for each 600 sq.ft. of lot area.</u>
<u>Broadway, Hayes-Gough Upper Market Street North Beach, Polk Street</u>	<u>One dwelling unit for each 400 sq.ft. of lot area.</u>

DENSITY LIMITATIONS FOR GROUP HOUSING.

The density limitations for group housing as described in Sections 209.2(a), (b), and (c) of this Code shall be as follows:

- (a) The maximum number of bedrooms on each lot shall be as specified in the following table for the district in which the lot is located.

TABLE 5A

Maximum Density for Group Housing

District	Minimum Number of Square Feet of Lot Area for Each Bedroom
RH-2	415
RH-3, RM-1, RC-1	275
RM-2, RC-2	210
RM-3, RC-3	140
RM-4, RC-4	70
<u>NC-1, NC-2, Sacramento Street</u>	<u>275</u>
<u>NC-3, NC-S, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Union Street, Valencia Street, 24th Street-Mission 24th Street-Noe Valley</u>	<u>210</u>
<u>Broadway, Hayes-Gough Upper Market Street, North Beach Polk Street</u>	<u>140</u>

- (b) For purposes of calculating the maximum density for group housing as set forth herein, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.
- (c) The rules for calculation of dwelling unit densities as set forth in Section 207.1 shall also apply in calculation of the density limitations for group housing, except that in NC districts, any remaining fraction of one-half or more of the maximum amount of lot area per bedroom shall be adjusted upward to the next higher whole number of bedrooms.

ARTICLE 3  
PROCEDURES

[Sections 301 through 302 are unchanged.]

SEC. 303           CONDITIONAL USES.

- (a) **General.** The City Planning Commission shall hear and make determinations regarding applications for the authorization of conditional uses in the specific situations in which such authorization is provided for elsewhere in this Code. The procedures for conditional uses shall be as specified in this section and in Sections 306 through 306.~~(5)~~6, except that Planned Unit Developments shall in addition be subject to Section 304, ~~((and))~~ medical institutions and post-secondary educational institutions shall in addition be subject to the institutional master plan requirements of Section 304.5, and conditional use applications filed pursuant to Article 7, or otherwise required by this Code for uses in Neighborhood Commercial districts shall be subject to the provisions set forth in Section 315, in lieu of those provided for in Sections 306.2 and 306.3, with respect to scheduling and notice of hearings.
- (b) **Initiation.** A conditional use action may be initiated by application of the owner, or authorized agent for the owner, of the property for which the conditional use is sought.
- (c) **Determination.** After its hearing on the application, or upon the recommendation of the Zoning Administrator if the application is filed pursuant to Section 315 and no hearing is required, the City Planning Commission ((may)) shall approve the application and authorize a conditional use if the facts presented are such to establish:
1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
  2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
    - (A) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

- (B) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
  - (C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
  - (D) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
3. That such use of feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan; and
4. With respect to applications filed pursuant to Article 7 of this Code; that such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Neighborhood Commercial district, as set forth in Sections 710.1 through 728.1, and
5. (A) With respect to applications filed pursuant to Article 7, Section 703.2(a), use categories .45, .46, and .47, in lieu of the criteria set forth above in Section 303(c)1-4, that such use or feature will:
- (i) Not be located within 1000 feet of another such use, if the proposed use or feature is included in use category .46 as defined by Section 790.36; and/or
  - (ii) Not be open between 12 midnight and 6 a.m. except in the Broadway Neighborhood Commercial District, as regulated in Section 714, where such uses shall not be open between 2 and 6 a.m.; and
  - (iii) Not use electronic amplification between 10 p.m. and 6 a.m.; and
  - (iv) Be sufficiently insulated for noise and operated so that fixed source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.
- (B) Notwithstanding the above, the City Planning Commission may authorize a conditional use which does not satisfy the criteria set forth in 5(A)ii and/or 5(A)iii above, if facts presented are such to establish that the use will be operated in such a way as to minimize disruption to residences in and around the district with respect to noise and crowd control.

(d) **Conditions.** When authorizing a conditional use as provided herein the City Planning Commission, or the Board of Supervisors on appeal, shall prescribe such additional conditions, beyond those specified in this Code, as are in its opinion necessary to secure the objectives of the Code. Once any portion of the conditional use authorization is utilized, all such conditions pertaining to such authorization shall become immediately operative. The violation of any condition so imposed shall constitute a violation of this Code and may constitute grounds for revocation of the conditional use authorization. Such conditions may include time limits for exercise of the conditional use authorization; otherwise, any exercise of such authorization must commence within a reasonable time.

(e) **Modification of Conditions.** Authorization of a change in any condition previously imposed in the authorization of a conditional use shall be subject to the same procedures as a new conditional use. Such procedures shall also apply to applications for modification or waiver of conditions set forth in prior stipulations and covenants relative thereto continued in effect by the provisions of Section 174 of this Code.

(f) **(Continuation.)**

1. Except as provided for temporary uses in Section 205 of this Code, and except where time limits are otherwise specified as a condition of authorization, any conditional use that has been established as authorized by the City Planning Commission may continue as authorized so long as it is not changed to another use or feature, or discontinued for a continuous period of three years, or otherwise abandoned.
2. A conditional use shall not be restored when so abandoned, or changed to another use or feature that is classified as a conditional use in the district in which it is located, or significantly altered or intensified, except upon approval of a new conditional use application by the City Planning Commission.
3. Where a use or feature classified as a conditional use in the district in which it is located lawfully exists at the effective date of this Code, or at the effective date of any amendment imposing new conditional use requirements upon such use or feature in such district, such use or feature shall be deemed to be a permitted conditional use in the form in which it exists on such date, without further authorization except as provided in this subsection or in Section 205 of Article 2 of this Code.

(( (g) )) **Delegation of Hearing.** The City Planning Commission may delegate to a committee of one or more of its members, or to the Zoning Administrator, the holding of the hearing required by this Code for a conditional use action. The delegate or delegates shall submit to the City Planning Commission a record of the hearing, together with a report of findings and recommendations relative thereto, for the consideration of the Commission in reaching its decision in the case.

## PLANNED UNIT DEVELOPMENTS.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

In districts other than NC and C-3,

the City Planning Commission may authorize as conditional uses, in accordance with the provisions of Section 303, Planned Unit Developments subject to the further requirements and procedures of this section. After review of any proposed development, the City Planning Commission may authorize such development as submitted or may modify, alter, adjust or amend the plan before authorization, and in authorizing it may prescribe other conditions as provided in Section 303(d). The development as authorized shall be subject to all conditions so imposed and shall be excepted from other provisions of this Code only to the extent specified in the authorization.

- (a) **Objectives.** The procedures for Planned Unit Developments are intended for projects on sites of considerable size, developed as integrated units and designed to produce an environment of stable and desirable character which will benefit the occupants, the neighborhood and the city as a whole. In cases of outstanding over-all design, complementary to the design and values of the surrounding area, such a project may merit a well reasoned modification of certain of the provisions contained elsewhere in this Code.
- (b) **Nature of site.** The tract or parcel of land involved must be either in one ownership, or the subject of an application filed jointly by the owners of all the property included or by the Redevelopment Agency of the City. It must constitute all or part of a Redevelopment Project Area, or if not must include an area of not less than 1/2 acre, exclusive of streets, alleys and other public property that will remain undeveloped.
- (c) **Application and plans.** The application must describe the proposed development in detail, and must be accompanied by an over-all development plan showing, among other things, the use or uses, dimensions and locations of structures, parking spaces, and areas, if any, to be reserved for streets, open spaces and other public purposes. The application must include such pertinent information as may be necessary to a determination that the objectives of this section are met, and that the proposed development warrants the modification of provisions otherwise applicable under this Code.
- (d) **Criteria and limitations.** The proposed development must meet the criteria applicable to conditional uses as stated in Section 303(c) and elsewhere in this Code. In addition, it shall:
  - 1. Affirmatively promote applicable objectives and policies of the Master Plan;

2. Provide off-street parking adequate for the occupancy proposed;
3. Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;
4. Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;
5. In R districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for RC districts under this Code; and
6. Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections.

[Sections 304.5 through 306.1 are unchanged.]

**SEC. 306.2 Scheduling of Hearings.**

When an action for an amendment, conditional use or variance has been initiated by application or otherwise, the Zoning Administrator shall set a time and place for a hearing thereon within a reasonable period. In the case of an application for a variance, such period shall not exceed 30 days from the date upon which the application is accepted for filing. The procedures for scheduling of hearings on conditional use applications where such authorization is required pursuant to zoning categories .10, .11, .21, .24 through .27, .38 through .90, and .95 of Sections 710 through 728 for each Neighborhood Commercial district, are set forth in Section 315.

**SEC. 306.3 Notice of Hearings.**

- (a) Except as indicated in Subsection (b) below, and except as provided in Section 315 for conditional use applications where such authorization is required pursuant to Zoning Categories .10, .11, .21, .24 through .27, .38 through .90 and .95 of Sections 710 through 728 for each Neighborhood Commercial district, notice of the time, place and purpose of the hearing on an action for an amendment, conditional use or variance shall be given by the Zoning Administrator as follows:



1. By mail to the applicant or other person or agency initiating the action.
2. By mail, except in the case of proposed amendments to change the text of the Code, not less than 10 days prior to the date of the hearing to the owners of all real property within the area that is the subject of the action and within 300 feet of all exterior boundaries of such area, using for this purpose the names and addresses of the owners as shown on the latest city-wide assessment roll in the office of the Tax Collector. Failure to send notice by mail to any such property owner where the address of such owner is not shown on such assessment roll shall not invalidate any proceedings in connection with such action.
3. By publication, except in variance cases, at least once in a newspaper of general circulation in the city not less than 20 days prior to the date of the hearing.
4. Such other notice as the Zoning Administrator shall deem appropriate.

(b) In the following situations, notice of hearings shall be given as indicated:

1. In the case of variance applications involving a less than 10 per cent deviation as described in Section 305(c), the Zoning Administrator need give only such notice as the Zoning Administrator deems appropriate in cases in which a hearing is actually held.
2. In the case of amendments to reclassify land on the basis of general zoning studies for one or more zoning districts, which studies either are city-wide in scope or cover a major sub-area of the city as determined by the City Planning Commission, and where the total area of land so proposed for reclassification, excluding the area of public streets and alleys, is 30 acres or more, the notice given shall be as described in Subsection (a) above, except that:
  - A. The newspaper notice shall be published as an advertisement in all editions of such newspaper, and need contain only the time and place of the hearing and a description of the general nature of the proposed amendment together with a map of the area proposed for reclassification.
  - B. The notice by mail need contain only the time and place of the hearing and a general description of the boundaries of the area proposed for reclassification.

[Section 306.4 is unchanged.]

## Reconsideration.

- (a) Whenever any application for an amendment, ((conditional use)) or variance, or any part thereof, has been disapproved by the City Planning Commission or Zoning Administrator, or by the Board of Supervisors or the Board of Permit Appeals on appeal as described in Section 308, no application proposing an amendment, ((conditional use)) or variance, the same or substantially the same as that which was disapproved, shall be resubmitted to or reconsidered by the City Planning Commission or Zoning Administrator within a period of one year from the effective date of final action upon the earlier application.
- (b) Whenever any application for a conditional use, or any part thereof, has been disapproved by the City Planning Commission, or by the Board of Supervisors on appeal as described in Section 308, no application proposing a conditional use, the same or substantially the same as that which was disapproved, shall be resubmitted to or reconsidered by the City Planning Commission within a period of eighteen months from the effective date of final action upon the earlier application.

[Sections 306.6 through 310 are unchanged.]

(( SEC. 312

## SPECIAL USES.

- (a) **General.** The Zoning Administrator and the City Planning Commission shall make determinations regarding applications for authorization of special uses in the specific situations in which such authorization is provided for elsewhere in this Code. The procedures for special uses shall be as specified in this section.
- (b) **Purpose.** The special use authorization procedure is intended to facilitate the orderly processing of applications for alteration and enlargement of existing uses and for establishment of uses in Neighborhood Commercial Special Use Districts through a procedure which allows for efficient and thorough review of applications using criteria and requirements as set forth in this Code and guidelines as adopted from time to time by the City Planning Commission so as to insure fairness to each applicant and adequate and reasonable regulation of commercial development. Except as provided in Subdivision (d), no special use authorization may be approved pursuant to this Chapter which is not consistent with the policies and objectives of the Comprehensive Plan of San Francisco, the purposes of this Code, the general purposes of Neighborhood Commercial Special Use Districts (Section 242(a)), and the purposes of the particular special use district. In considering such authorizations, the Zoning Administrator and the Planning Commission shall also consider the needs of the owners of property, operators of businesses, residents of surrounding areas, users of the area and the community in general. ))

SEC. 315

PROCEDURES FOR CONDITIONAL USE AUTHORIZATION IN  
NEIGHBORHOOD COMMERCIAL DISTRICTS.

In addition to the provisions of Section 306.1 and 306.4, the following procedures shall govern applications for conditional use authorization where this authorization is required pursuant to zoning categories .10, .11, .21, .24 through .27, .38 through .90, and .95 of Sections 710 through 728 for each Neighborhood Commercial district. The criteria for determinations on such applications are set forth in Section 303(c). Additional criteria for determinations on applications pursuant to zoning categories .10, .11, and .21 are set forth in the Section containing the control.

SEC. 315.1

Applications and Filing Fees.

The provisions set forth in Section 306.1 shall govern with respect to applications and filing fees.

SEC. 315.2

Zoning Administrator Review, Scheduling of Hearing, and Recommendation.

The Zoning Administrator will review and schedule applications for conditional use authorization for City Planning Commission determination; either on Consent Calendar, with a recommendation regarding action on the application; or at a public hearing, without a recommendation.

- (a) Scheduling of Determination. After an application for conditional use is filed at the Department, the Zoning Administrator will review the application, make a recommendation for determination, and set a time and place for determination of that application within a reasonable period.
- (b) Consent Calendar with Recommendation. After reviewing an application, the Zoning Administrator shall determine if the facts presented establish that the proposed use or feature is in conformity with the criteria set forth in Section 303(c), as applicable, and in Sections 253.1, 121.5, and 121.7 for zoning categories .10, .11, and .21, respectively, and may recommend approval or approval with conditions, placing that recommendation on Consent Calendar.
- (c) Public Hearing. After reviewing an application, the Zoning Administrator may determine that the public interest would best be served by a City Planning Commission review of the application and shall in that event schedule the application for a public hearing.
- (d) Report and Recommendation. In all actions involving a Consent Calendar or public hearing, the Zoning Administrator will make necessary investigations and studies and submit proposed findings to the Director of the Department of City Planning. The report and any recommendation will be submitted at the Consent Calendar or public hearing.

SEC. 315.3

Notice of Recommendation and Determination.

After review of an application subject to these procedures and scheduling of the matter for Planning Commission determination the Zoning Administrator shall provide notice of any recommendation to be placed on the Consent Calendar and of the date and time that the matter will be considered by the Commission; or, in the event of a public hearing, shall provide notice of the time, place, and purpose of the hearing, as follows:

- (a) By mail to the applicant or other person or agency initiating the action; and
- (b) By posting on the subject property; and
- (c) By publication at least once in a newspaper of general circulation in the city not less than 20 days prior to the scheduled date of the appearance of the item on the City Planning Commission Consent Calendar or of the public hearing; and
- (d) By mail at least 20 days prior to the date that the matter is scheduled for determination by the City Planning Commission to property owners within 300 feet of the property that is the subject of the action as well as groups or individuals requesting such notice in writing; and
- (e) Such other notice as the Zoning Administrator shall deem appropriate.

SEC. 315.4

Request for Reconsideration of Consent Calendar Items at a Public Hearing.

- (a) Requests. Any application which is the subject of a consent calendar recommendation will be scheduled for a full public hearing if a request is made in writing prior to the date that the matter is scheduled for determination by the City Planning Commission or at the Commission meeting by any of of the following:
  - 1. The applicant; or
  - 2. Ten or more property owners or tenants of the residential or commercial property within 300 feet of the exterior boundaries of the subject property; or
  - 3. Any City Planning Commissioner.
- (b) Rescheduling. An item for which a request for public hearing has been made pursuant to subsection (a), above, will be rescheduled for City Planning Commission review and determination at a public hearing. Notice of the time, place and purpose of the public hearing shall be provided as follows:

1. By mail to the applicant or other person or agency initiating the action; and
2. By posting on the subject property; and
3. By publication at least once in a newspaper of general circulation in the city not less than 10 days prior to the scheduled date of the public hearing; and
4. By mail at least 10 days prior to the scheduled date of the public hearing to all persons requesting such notice in writing; and
5. Such other notice as the Zoning Administrator shall deem appropriate.

**SEC. 315.5**

**Conduct of Consent Calendar and Determination.**

On applications placed on the Consent Calendar, the City Planning Commission will make determinations regarding the authorization of conditional uses, as follows.

The City Planning Commission will consider the Zoning Administrator's recommendation, as shown on Consent Calendar, and make a determination regarding authorization of the conditional use.

- (a) Determination. After considering the Zoning Administrator's recommendation regarding the application, the City Planning Commission may concur with that recommendation, as shown on consent calendar, without public testimony unless there is request for public hearing or the item is called off calendar as provided for in Section 315.4.
- (b) Decision. Such action taken by the City Planning Commission to approve or approve with conditions, as shown on the Consent Calendar, shall be final except upon filing of an appeal as provided for in Section 315.8.

**SEC. 315.6**

**Conduct of Public Hearings and Determination.**

The provisions set forth in Section 306.4 with respect to conduct of hearings shall govern whenever a full public hearing is required pursuant to Section 315.2 or 315.4.

SEC. 315.7

Reconsideration.

Whenever an application for a conditional use is authorized by the City Planning Commission, or by the Board of Supervisors pursuant to Section 308.1, no application which proposes a further intensification of that use or feature, or change to another related use, will be considered by the City Planning Commission within a period of eighteen months from the effective date of final action on the earlier application, if such intensification or change in use was specifically restricted in the action on the earlier application.

Whenever an application for a conditional use is denied by the City Planning Commission or by the Board of Supervisors pursuant to Section 308.1, no application which proposes a conditional use which is the same authorization or essentially the same as that which was denied will be considered by the City Planning Commission within a period of eighteen months from the effective date of final action on the earlier application.

SEC. 315.8

Appeal.

A final determination by the City Planning Commission on an application for conditional use authorization may be appealed to the Board of Supervisors pursuant to the provisions of Section 308.1.

ARTICLE 3.5

FEEES

SEC. 350 FEES, GENERAL.

In order to compensate the Department of City Planning for a part of the cost of processing permit applications for the establishment, abolition or modification of a set-back line, for reclassification of property, for conditional use authorization, for a variance, ((or for a special use authorization,)) and in order to compensate the Department of City Planning for a part of the cost of reviewing permit applications filed in and issued by other City departments, fees shall be charged and collected as indicated for each class of application or permit listed in Sections 351 through 353 below.

SEC. 351 FEES FOR APPLICATIONS TO ESTABLISH, ABOLISH OR MODIFY A SETBACK LINE, TO RECLASSIFY PROPERTY, TO AUTHORIZE A CONDITIONAL USE, TO CONSIDER A VARIANCE ((OR TO AUTHORIZE A SPECIAL USE)).

Before accepting any application for filing, the Department of City Planning shall charge and collect a fee as follows:

- (a) For each application to establish, abolish or modify a set-back line, the fee shall be \$300 for each block frontage, or portion thereof, affected by the proposed application.
- (b) For each application to reclassify property, the fee shall be:

Assessor's Block or Portion Thereof	Fee	Assessor's Block or Portion Thereof	Fee
1	\$ 500	21	\$3600
2	750	22	3650
3	1000	23	3700
4	1250	24	3750
5	1400	25	3800
6	1550	26	3850
7	1700	27	3900
8	1850	28	3950
9	2000	29	4000
10	2150	30	4050
11	2300	31	4100
12	2450	32	4150
13	2600	33	4200
14	2750	34	4250
15	2900	35	4300
16	3050	36	4350
17	3200	37	4400
18	3350	38	4450
19	3500	39	4500
20	3550	40	4550

Assessor's Block or Portion Thereof	Fee	Assessor's Block or Portion Thereof	Fee
41	\$3600	47	\$4900
42	3650	48	4950
43	3700	49	5000
44	3750	50	5020
45	3800	51	— add \$20 per block or portion thereof
46	3850		

- (c) For each application to authorize a conditional use, including planned unit development, the fee shall be,
1. Where the total estimated construction cost as defined by the San Francisco Building Code is less than \$50,000, \$200;
  2. Where said total estimated construction cost is \$50,000 or more, but less than \$200,000, \$300;
  3. Where said total estimated construction cost is \$200,000 or more, but less than \$1,000,000, \$300 plus one tenth of one percent of the cost over \$200,000;
  4. Where said total estimated construction cost is \$1,000,000 or more, but less than \$10,000,000, \$2,200 plus one hundred seventy-five thousandths of one per cent of the cost over \$1,000,000;
  5. Where said total estimated construction cost is \$10,000,000 or more, but less than \$20,000,000, \$17,950 plus one tenth of one per cent of the cost over \$10,000,000;
  6. Where said total estimated construction cost is \$20,000,000 or more, but less than \$30,000,000, \$27,950 plus five hundredths of one per cent of the cost over \$20,000,000;
  7. Where said total estimated construction cost is \$30,000,000 or more, but less than \$100,000,000, \$32,950 plus twenty-five thousandths of one per cent of the cost over \$30,000,000;
  8. Where said total estimated construction cost is \$100,000,000 or more, \$50,250.
- (d) For each application to consider a variance, the fee shall be:
1. Where the total estimated construction cost as defined by the San Francisco Building Code is less than \$10,000, \$100;
  2. Where said total estimated construction cost is \$10,000 or more, but less than \$50,000, \$200 plus one tenth of one per cent of the cost over \$10,000;



3. Where said total estimated construction cost is \$50,000 or more, but less than \$200,000, \$250 plus one-tenth of one per cent of the cost over \$50,000;
4. Where said total estimated construction cost is \$200,000 or more, but less than \$1,000,000, \$500 plus one-tenth of one per cent of the cost over \$200,000;
5. Where said total estimated construction cost is \$1,000,000 or more, but less than \$10,000,000, \$2,180 plus two-tenths of one per cent of the cost over \$1,000,000;
6. Where said total estimated construction cost is \$10,000,000 or more, but less than \$30,000,000, \$20,180 plus one-tenth of one percent of the cost over \$10,000,000;
7. Where said total estimated construction cost is more than \$30,000,000, \$40,180 plus five-hundredths of one per cent of the cost over \$30,000,000;

(( e) For each application for authorization of a special use pursuant to Sections 242 et seq. of this Code, the fee shall be \$200 for those applications which can be approved by the Zoning Administrator and \$350 for those applications which require review by the Planning Commission. ))

- (f) **Exemption.** Any fraternal, charitable, benevolent or any other non-profit organization having a regular membership associated primarily for civic welfare, with revenue accruing therefrom to be used exclusively for the non-profit purposes of said organization, and which organization is exempt from taxation under the Internal Revenue laws of the United States as a bonafide fraternal, charitable, benevolent or other non-profit organization, shall be exempt from paying the fees specified in paragraphs (a) through (e) inclusive of this section.

[Sections 352 and 353 are unchanged.]

## ARTICLE 6

### SIGNS

[Sections 601 and 602 are unchanged.]

#### SEC. 602.1 Area (Of a Sign).

- (a) The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed but including any sign tower. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back and are at no point more than two feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.
- (b) On windows. The area of any sign painted directly on a window shall be the area within a rectangular perimeter formed by extending lines around the extreme limits of writing, representation, or any figure of similar character depicted on the surface of the window. The area of any sign placed on or behind the window glass shall be as described above in paragraph (a).
- (c) On awnings, canopies or marquees. The area of any sign on an awning, canopy or marquee shall be the total of all signage on all faces of the structure. All sign copy on each face shall be computed within one rectangular perimeter formed by extending lines around the extreme limits of writing, representation, or any figure of similar character depicted on the surface of the face of the awning, canopy or marquee.

[Sections 602.2 through 602.8 are unchanged.]

- SEC. 602.9 **Identifying Sign.** A sign for a use listed in Article 2 of this Code as either a principal or a conditional use permitted in an R district, regardless of the district in which the use itself may be located, which sign serves to tell only the name, address and lawful use of the premises upon which the sign is located, or to which it is affixed. A bulletin board of a public, charitable or religious institution, used to display announcements relative to meetings to be held on the premises, shall be deemed an identifying sign.

With respect to shopping malls containing five or more stores or establishments in NC districts, and shopping centers containing five or more stores or establishments in NC-S districts, identifying signs shall include signs which tell the name of and/or describe aspects of the operation of the mall or center. Shopping malls, as that term is used in this section, are characterized by a common pedestrian passageway which provides access to the businesses located therein.

[Sections 602.10 through 602.20 are unchanged.]

SEC. 602.21 Wall Sign. A sign placed flat against a building wall with its copy parallel to the wall to which it is attached and not protruding more than the thickness of the sign cabinet.

SEC. ((602.21))

SEC. 602.22 Wind Sign. Any sign composed of two or more banners, flags, or other objects, mounted serially and fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

SEC. 602.23 Window Sign. A sign painted directly on the surface of a window glass or placed behind the surface of the glass inside the building.

[Section 603 is unchanged.]

SEC. 604 PERMITS AND CONFORMITY REQUIRED.

- (a) Any application for a permit for a sign that conforms to the provisions of this Code shall be approved by the Department of City Planning without modification or disapproval by the Department of City Planning or the City Planning Commission, pursuant to the authority vested in them by Section 26, Part III, of the San Francisco Municipal Code or any other provision of said Municipal Code

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is not currently effective as an interim control.

; provided, however, that signs subject to the regulations set forth in ((with the exception of)) Article 10 of the City Planning Code, Preservation of Historical, Architectural and Aesthetic Landmarks and Article 11, Preservation of Buildings and Districts of Architectural, Historical and Aesthetic Importance in the C-3 Districts shall be governed by the relevant provisions thereof.

No sign, other than those signs exempted by Section 603 of this Code, shall be erected, placed, replaced, reconstructed or relocated on any property, intensified in illumination or other aspect, or expanded in area or in any dimension except in conformity with the provisions of this Code. No such erection, placement, replacement, reconstruction, relocation, intensification, or expansion shall be undertaken without a permit having been duly issued therefor, except as specifically provided otherwise in this Section 604.

- (b) The provisions of this Section 604 shall apply to work of the above types on all signs unless specifically exempted by this Code, whether or not a permit for such sign is required under the San Francisco Building Code. In cases in which permits are not required under the Building Code, applications for permits shall be filed with the Central Permit Bureau of the Department of Public Works on forms prescribed by the Department of City Planning, together with a permit fee of \$5 for each sign, and the permit number shall appear on the completed sign in the same manner as required by the Building Code.
- (c) No permit shall be required under this Code for a sign

NOTE: To implement the Downtown Plan, the following amendments are proposed. It is currently effective as an interim control.

- (i) painted or repainted directly on a door or window in a C or M district, or
- (ii) painted or repainted directly on a wall of a building or structure in a C

district (except for Significant and Contributory buildings and buildings in conservation districts subject to the provisions of Article 11)

or M district and not exceeding 100 square feet in area. Permits shall be required for all other painted signs in C and M districts, and for all painted signs in P and R districts. Repainting of any painted sign shall be deemed to be a replacement of the sign, except as provided in Subsection (f) below.

- (d) Except as provided in Subsection (c) above, no permit shall be required under this Code for ordinary maintenance and minor repairs which do not involve replacement, alteration, reconstruction, relocation, intensification or expansion of the sign.
- (e) No permit shall be required under this Code for temporary sale or lease signs, temporary signs of persons and firms connected with work on buildings under actual construction or alteration, and temporary business signs, to the extent that such signs are permitted by this Code.

- (f) A mere change of copy on a sign the customary use of which involves frequent and periodic changes of copy shall not be subject to the provisions of this Section 604, except that a change from general advertising to non-general advertising sign copy or from non-general advertising to general advertising sign copy shall in itself constitute a new sign subject to the provisions of this Section 604. In the case of signs the customary use of which does not involve frequent and periodic changes of copy, a change of copy shall in itself constitute a new sign subject to the provisions of this Section 604 if the new copy concerns a different person, firm, group, organization, place, commodity, product, service, business, profession, enterprise or industry.
- (g) Each application for a permit for a sign shall be accompanied by a scaled drawing of the sign, including the location of the sign on the building or other structure or on the lot, and including (except in the case of a sign the customary use of which involves frequent and periodic changes of copy) such designation of the copy as is needed to determine that the location, area and other provisions of this Code are met.
- (h) Unless otherwise provided in this Code or in other Codes or regulations, a lawfully existing sign which fails to conform to the provisions of this Article 6 may remain until the end of its normal life. Such sign may not, however, be replaced, altered, reconstructed, relocated, intensified or expanded in area or in any dimension except in conformity with the provisions of this Code. Ordinary maintenance and minor repairs shall be permitted, but such maintenance and repairs shall not include replacement, alteration, reconstruction, relocation, intensification or expansion of the sign. A sign which is damaged or destroyed by fire or other calamity shall be governed by the provisions of Sections 181(c) and 188(b) of this Code. A sign which is voluntarily destroyed or removed by its owner or which is required by law to be removed may be restored only in fully conformity with the provisions of this Code.
- (i) Nothing in this Article 6 shall be deemed to permit any use of property that is otherwise prohibited by this Code, or to permit any sign that is prohibited by the regulations of any special sign district or the standards or procedures of any Redevelopment Plan or any other Code or legal restriction.

[Sections 605 through 606 are unchanged.]

## SEC. 607

### COMMERCIAL AND INDUSTRIAL DISTRICTS.

Signs in C and M districts, other than those signs exempted by Section 603 of this Code, shall conform to the following provisions:

- (a) **General advertising signs.** No general advertising sign shall be permitted in any C-1 district.

- (b) **Roof signs.** No roof sign shall be permitted in any C-1 district. In all other C and M districts no roof sign shall be permitted; except that a roof sign may be erected in such other C and M districts if:
1. The sign does not extend more than 25 feet above the roof line of the building on or over which the sign is placed; and
  2. All parts of the sign are within 25 feet of, and the sign is mounted at not more than a 45 degree angle from, a wall of a building the roof line of which is at least as high as the top of the sign; and
  3. Such wall forms a complete backdrop for the sign, as the sign is viewed from all points from which the sign is legible from a public street or alley.

The limitations upon roof signs in this Subsection 607(b) shall not apply to signs located within 200 feet of the park known as Union Square and facing said park.

- (c) **Wind signs.** No wind sign shall be permitted in any C or M district.
- (d) **Moving parts.** No sign shall have or consist of any moving, rotating, or otherwise physically animated part (as distinguished from lights that give the appearance of animation by flashing, blinking or fluctuating), except as follows:
1. Moving or rotating or otherwise physically animated parts may be used for the rotation of barber poles and the indication of time of day and temperature.
  2. In the case of a general advertising sign in C-2, C-3, C-M, M-1 and M-2 districts, except signs located so as to be primarily viewed by persons traveling on any portion of a freeway, moving or rotating or otherwise physically animated parts may be used if such parts do not exceed a velocity of one complete cycle in a four-second period where such parts constitute less than 30 percent of the area of the sign or if, where such parts constitute a greater area of the sign, they do not exceed a velocity of one complete cycle in a four-second period and are stationary at least half of each eight-second period.
- (e) **Illumination.** Any sign may be non-illuminated or indirectly or directly illuminated. Signs in C-3, C-M, M-1 and M-2 districts shall not be limited in any manner as to type of illumination, but no sign in a C-1 or C-2 district shall have or consist of any flashing, blinking, fluctuating or otherwise animated light except in each of the following special districts, all as specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, described in Section 608 of this Code:

- (( 1. Along the main commercial frontage in the C-2 areas on Mission Street from Seventeenth Street to Randall Street, Geary Boulevard from Masonic Avenue to Twenty-eighth Avenue, and Lombard Street from Van Ness Avenue to Broderick Street. ))
- (( 2.))
  - 1. In the C-2 area consisting of five blocks in the vicinity of Fisherman's Wharf.
- (( 3.))
  - 2. In the C-2 area in the vicinity of Van Ness Avenue from Golden Gate Avenue and Eddy Street to Sacramento Street, and Polk Street from Eddy Street to Geary Street, also known as the Automotive Special Use District.
- (( 4.))
  - 3. In the C-2 area in the vicinity of Stockton, Washington and Kearny Streets and Broadway, also known as Washington-Broadway Special Use District Number 1.
- (f) **Projection.** No sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line and in no case shall a sign project more than 10 feet beyond the street property line or building set-back line in C-1 districts, or 12 feet beyond the street property line or building set-back line in any other C or M district.
- (g) **Height and extension above roof line.**
  - 1. **Signs attached to buildings.** No sign attached to a building shall extend or be located above the roof line of the building to which it is attached; except that up to one-half the area of a business sign attached to the street wall of a building may extend above the roof line, up to the maximum height permitted for free standing signs in the same district or 10 feet above the roof line, whichever is the lesser. In addition, no sign attached to a building shall under any circumstances exceed the following maximum heights:
    - in C-1: 40 feet;
    - in C-3: 100 feet;In all other C and M districts: 60 feet.

The 100-foot height limitation stated herein shall not apply to signs located within 200 feet of the park known as Union Square and facing said park.

2. Free standing signs. The maximum height for free standing signs shall be as follows:

In C-1: 24 feet;

In C-2: 36 feet;

In all other C and M districts: 40 feet.

- (h) **Special standards for automobile service stations.** For automobile service stations, only the following signs are permitted, subject to the standards in this Subsection (h) and to all other standards in this Section 607.

1. A maximum of two oil company signs, which shall not extend more than 10 feet above the roof line if attached to a building, or exceed the maximum height permitted for free standing signs in the same district if free standing. The area of any such sign shall not exceed 180 square feet, and along each street frontage all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. No such sign shall project more than five feet beyond any street property line or building set-back line. The areas of other permanent and temporary signs as covered in Paragraph 607(h)2 below shall not be included in the calculation of the areas specified in this paragraph.
2. Other permanent and temporary business signs, not to exceed 30 square feet in area for each such sign or a total of 180 square feet for all such signs on the premises. No such sign shall extend above the roof line if attached to a building, or in any case project beyond any street property line or building set-back line.
3. General advertising signs meeting the provisions of this Section 607.



SEC. 607.1

Neighborhood Commercial Districts.

Signs located in Neighborhood Commercial districts shall be regulated as provided herein, except for those signs which are exempted by Section 603. Signs not specifically regulated in this Section 607.1 shall be prohibited. In the event of conflict between the provisions of Section 607.1 and other provisions of Article 6, the provisions of Section 607.1 shall prevail in Neighborhood Commercial districts, provided that with respect to properties also located in the Upper Market Special Sign District the provisions of Section 608.10 shall prevail.

(a) Purposes and Findings. In addition to the purposes stated in Section 101 and 601 of this Code, the following purposes apply to Neighborhood Commercial districts. These purposes constitute findings that form a basis for regulations and provide guidance for their application.

1. As Neighborhood Commercial districts change, they need to maintain their attractiveness to customers and potential new businesses alike. Physical amenities and a pleasant appearance will profit both existing and new enterprises.
2. The character of signs and other features projecting from buildings is an important part of the visual appeal of a street and the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to street design and building design. These regulations establish a framework that will contribute toward a coherent appearance of Neighborhood Commercial districts.
3. Neighborhood Commercial districts are typically mixed-use areas with commercial units on the ground or lower stories and residential uses on upper stories. Although signs and other advertising devices are essential to a vital commercial district, they should not be allowed to interfere with or diminish the livability of residential units within a Neighborhood Commercial district or in adjacent residential districts.
4. The scale of most Neighborhood Commercial districts as characterized by building height, bulk, and appearance, and the width of streets and sidewalks differs from that of other commercial and industrial districts. Sign sizes should relate and be compatible with the surrounding district scale.

(b) Identifying Signs. Identifying signs, as defined in Section 602.9, shall be permitted in all Neighborhood Commercial Districts subject to the limits set forth below.

1. One sign per lot shall be permitted and such sign shall not exceed 20 square feet in area. The sign may be a freestanding sign, if the building is recessed from the street property line, or may be a wall sign or a projecting sign. The existence of a freestanding identifying sign shall preclude the erection of a freestanding business sign on the same lot. A wall or projecting

sign shall be mounted on the first story level; a freestanding sign shall not exceed 15 feet in height. Such sign may be non-illuminated, indirectly illuminated, or directly illuminated.

2. One sign identifying a shopping center or shopping mall shall be permitted subject to the conditions in Paragraph 1, but shall not exceed 30 square feet in area. Any sign identifying a permitted use listed in Sections 603.40 through 703.71 in an NC district shall be considered a business sign and subject to Section 607.1(d) of this Code. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated during the hours of operation of the businesses in the shopping center or shopping mall.

(c) General Advertising Signs. General advertising signs, as defined in Section 602.7, shall be permitted in Neighborhood Commercial districts as provided for below. In NC districts where such signs are permitted, general advertising signs may be either a wall sign or freestanding, provided that the surface of any freestanding sign shall be parallel to and within 3 feet of an adjacent building wall. In either case, the building wall shall form a complete backdrop for the sign, as the sign is viewed from all points from a street or alley from which it is legible.

1. NC-2 Districts. No more than one general advertising sign shall be permitted per lot. Such sign shall not exceed 50 square feet in area nor exceed 12 feet in height. Such sign may be either non-illuminated or indirectly illuminated.

2. NC-3, NC-S and Broadway Districts. No more than two general advertising signs shall be permitted per lot, or in NC-S districts, per district. The area of any such sign shall not exceed 100 square feet, and the total area of all such signs on the lot shall not exceed 200 square feet. The height of any such sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sills on the wall to which it is attached if a wall sign, or the adjacent wall or the top of the adjacent wall if a freestanding sign, whichever is lower.

(A) NC-3 and NC-S Districts. Signs may be either non-illuminated or indirectly illuminated.

(B) Broadway Neighborhood Commercial District. Signs may be either non-illuminated, indirectly or directly illuminated.

(d) Business Signs. Business signs, as defined in Section 602.3 shall be permitted in all Neighborhood Commercial districts subject to the limits set forth below.

1. NC-1 Districts.

(A) Window Signs. The total area of all window signs, as defined in Section 602.1(a), shall not exceed one-third the area of the window on or in which the signs are located.

Such signs may be non-illuminated, indirectly illuminated, or directly illuminated.

**(B)** Wall Signs. The area of all wall signs shall not exceed 2 square feet per foot of street frontage occupied by the business measured along the wall to which the signs are attached, or 100 square feet, whichever is less. The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is attached. Such signs may be non-illuminated or indirectly illuminated; or during business hours, may be directly illuminated.

**(C)** Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 20 square feet. The height of such sign shall not exceed 15 feet or the height of the wall to which it is attached. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. The sign may be non-illuminated or indirectly illuminated, or during business hours, may be directly illuminated.

**(D)** Signs on Awnings. Sign copy may be located on permitted awnings in lieu of wall signs and projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 20 square feet. Such sign copy may be non-illuminated or indirectly illuminated.

**3. NC-2, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Hayes-Gough, Upper Market Street, North Beach, Polk Street, Sacramento Street, Union Street, Valencia Street, 24th Street-Mission, and 24th Street-Noe Valley Neighborhood Commercial Districts.**

**(A)** Window Signs. The total area of all window signs, as defined in Section 602.1(a), shall not exceed one-third the area of the window on or in which the signs are located. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated.

**(B)** Wall Signs. The area of all wall signs shall not exceed 2 square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 100 square feet, whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be non-illuminated, indirectly, or directly illuminated.

(C) Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 20 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. Such signs may be non-illuminated or indirectly illuminated; or during business hours, may be directly illuminated.

(D) Signs on Awnings and Marquees. Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be non-illuminated or indirectly illuminated; except that sign copy on marquees for movie theatres or places of entertainment may be directly illuminated during business hours.

(E) Freestanding Signs and Sign Towers. One freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 20 square feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. Such signs may be non-illuminated or indirectly illuminated; or during business hours, may be directly illuminated.

4. NC-3, NC-S, Broadway Neighborhood Commercial Districts.

(A) Window Signs. The total area of all window signs, as defined in Section 602.1(a), shall not exceed one-third the area of the window on or in which the signs are located. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated.

(B) Wall Signs. The area of all wall signs shall not exceed 3 square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 150 square feet, whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be non-illuminated, indirectly, or directly illuminated.

(C) Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 30 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. Such signs may be non-illuminated, indirectly, or directly illuminated.

(D) Sign Copy on Awnings and Marquees. Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as defined in Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be non-illuminated or indirectly illuminated; except that sign copy on marquees for movie theatres or places of entertainment may be directly illuminated during business hours.

(E) Freestanding Signs and Sign Towers. One freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. Such signs may be non-illuminated or indirectly illuminated, or during business hours, may be directly illuminated.

5. Special Standards for Automotive Gas and Service Stations. For automotive gas service stations in Neighborhood Commercial districts, only the following signs are permitted, subject to the standards in this Paragraph (d)(5) and to all other standards in this Section 607.1.

(A) A maximum of two oil company signs, which shall not extend more than 10 feet above the roof line if attached to a building, or exceed the maximum height permitted for free standing signs in the same district if free standing. The area of any such sign shall not exceed 180 square feet, and along each street frontage, all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. No such sign shall project more than five feet beyond any street property line. The areas of other permanent and temporary signs as covered in sub-paragraph (B) below shall not be included in the calculation of the areas specified in this sub-paragraph.

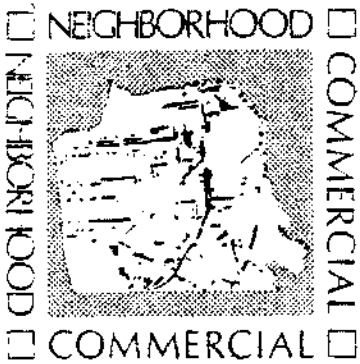
- (B) Other permanent and temporary business signs, not to exceed 30 square feet in area for each such sign or a total of 180 square feet for all such signs on the premises. No such sign shall extend above the roof line if attached to a building, or in any case project beyond any street property line or building set-back line.
- (e) Special Sign Districts. Additional controls apply to certain Neighborhood Commercial districts that are designated as Special Sign Districts. The designations, locations, and boundaries of these Special Sign Districts are provided on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, and are described within Sections 608.1 through 608.10. of this Code.
- (f) Special Districts for Sign Illumination. Signs in Neighborhood Commercial districts shall not have nor consist of any flashing, blinking, fluctuating or otherwise animated light except in the following special districts, all specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, and described in Section 607(e) of this Code.
1. Broadway Neighborhood Commercial District. Along the main commercial frontage of Broadway between Wayne and Osgood.
  2. NC-3. NC-3 district along Lombard Street from Van Ness Avenue to Broderick Street.
- (g) Other Sign Requirements. Within Neighborhood Commercial districts, the following additional requirements shall apply:
1. Public Areas. No sign shall be placed upon any public street, alley, or public plaza, or in any portion of a transit system, except such signs, structures, and features as are specifically approved by the appropriate public authorities under applicable laws and regulations not inconsistent with this Code and under such conditions as may be imposed by such authorities.
  2. Temporary Signs. Temporary signs such as sale or lease signs as defined in Section 602.17 and regulated in Sections 606(b)3 and 608.8(f)2, and construction signs as regulated in Section 606(b)4 are permitted in Neighborhood Commercial districts.
  3. Maintenance. Every sign pertaining to an active establishment shall be adequately maintained in its appearance, or else removed or obscured. When the space occupied by any establishment has been vacated, all signs pertaining to such establishment shall be removed within 180 days following the date of vacation.

[Section 608 is unchanged.]

SEC. 608.1

Near R Districts. No general advertising sign, and no other sign exceeding 100 square feet in area, shall be located in an NC, C or M district within 100 feet of any R district in such a manner as to be primarily viewed from residentially-zoned property or from any street or alley within an R district; any sign of which the face is located parallel to a street property line and lies for its entire width opposite an NC, C or M district shall be deemed prima facie not to be primarily so viewed. No sign of any size within 100 feet of any R district shall project beyond the street property line or building set-back line of any street or alley leading off the main commercial frontage into the R district.

[Sections 608.2 through 609.12 are unchanged.]



# PLANNING CODE MAP AMENDMENTS

## INTRODUCTION

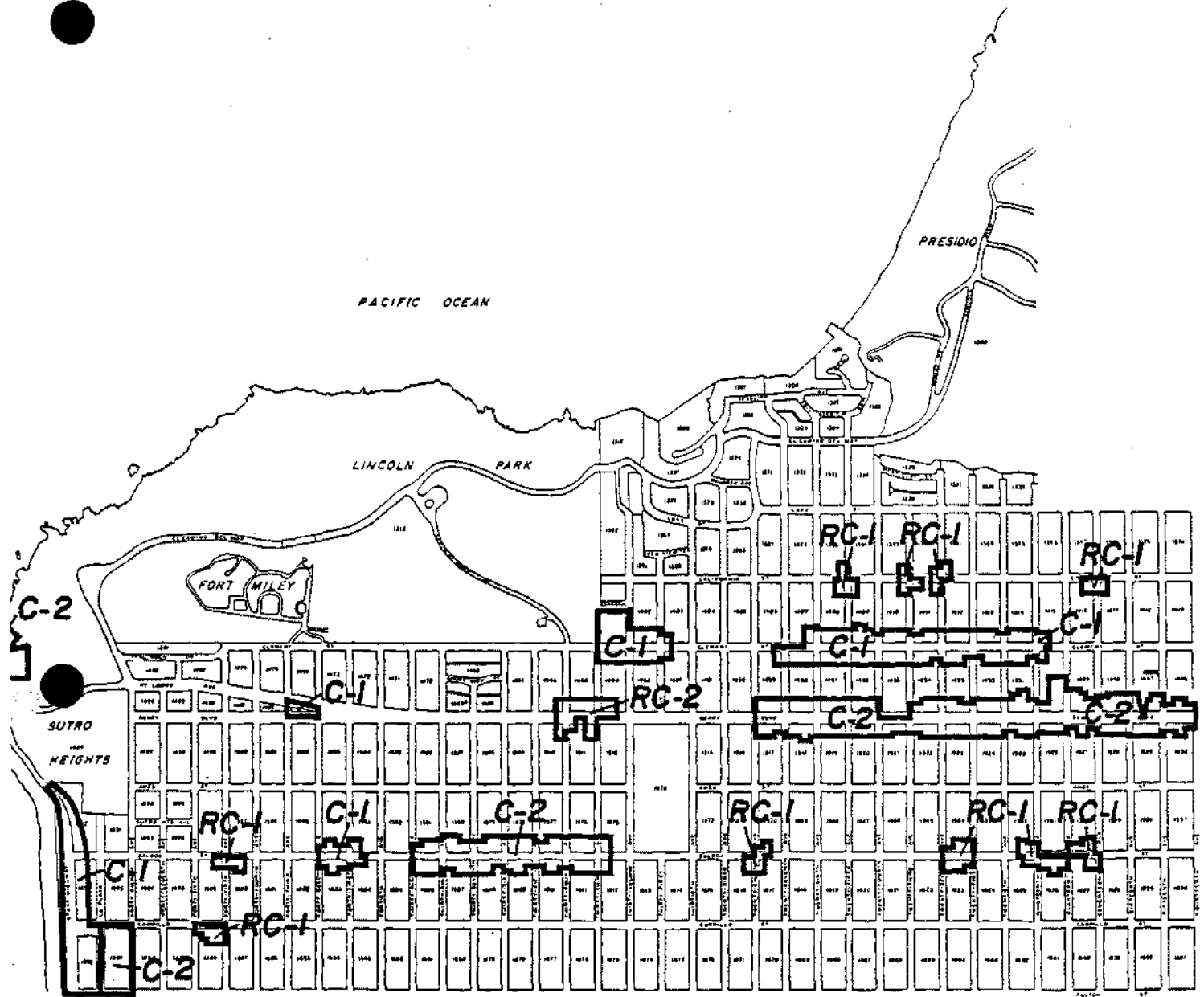
This chapter presents zoning map amendments proposed to establish four new general area neighborhood commercial use districts, fifteen new individual area neighborhood commercial use districts, including minor amendments to abutting residential use districts, to amend or delete certain Special Use and Special Sign District boundaries, and to establish a new 65-A-1 height and bulk district in the North Beach and Broadway Neighborhood Commercial districts.

Detailed maps showing block and lot changes are included for the fifteen individual area use districts and the North Beach and Broadway 65-A-1 height and bulk district. Similarly detailed maps for all affected districts are on file at the Department of City Planning, 450 McAllister Street, Room 405, 558-2104.

Existing zoning use district boundaries are also presented for all areas to be maintained as C-2, RC-2, RC-3, RC-4, and CM.

An index of all proposed district changes presented alphabetically by street name follows this chapter.



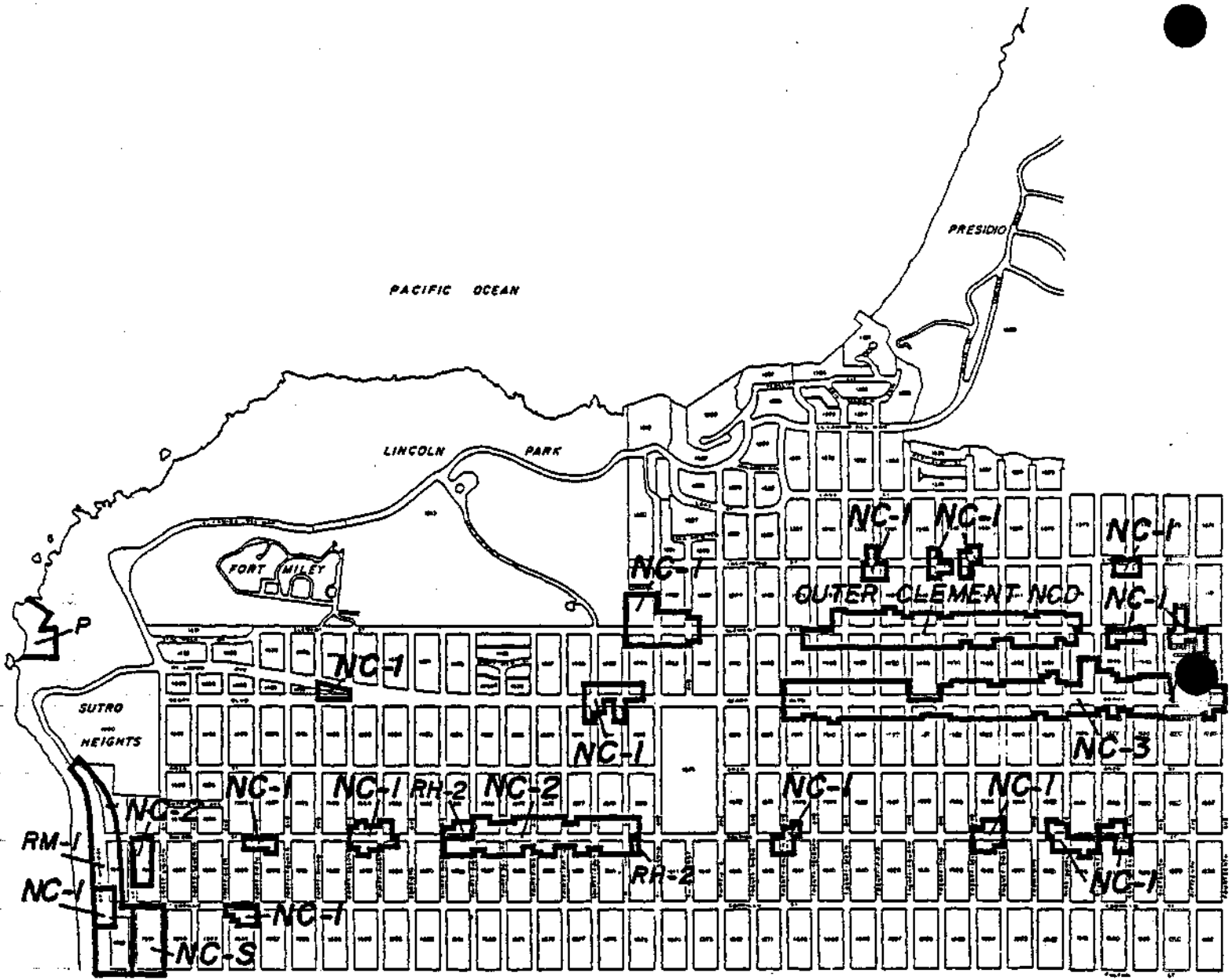


**EXISTING ZONING**  
(Schematic Boundary Only)

- C-1 C-2 C-M  
Commercial Districts
- RC-1 RC-2 RC-3 RC-4  
Residential-Commercial Combined Districts

Map 10





**PROPOSED ZONING**  
(Schematic Boundary Only)

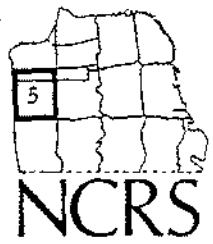
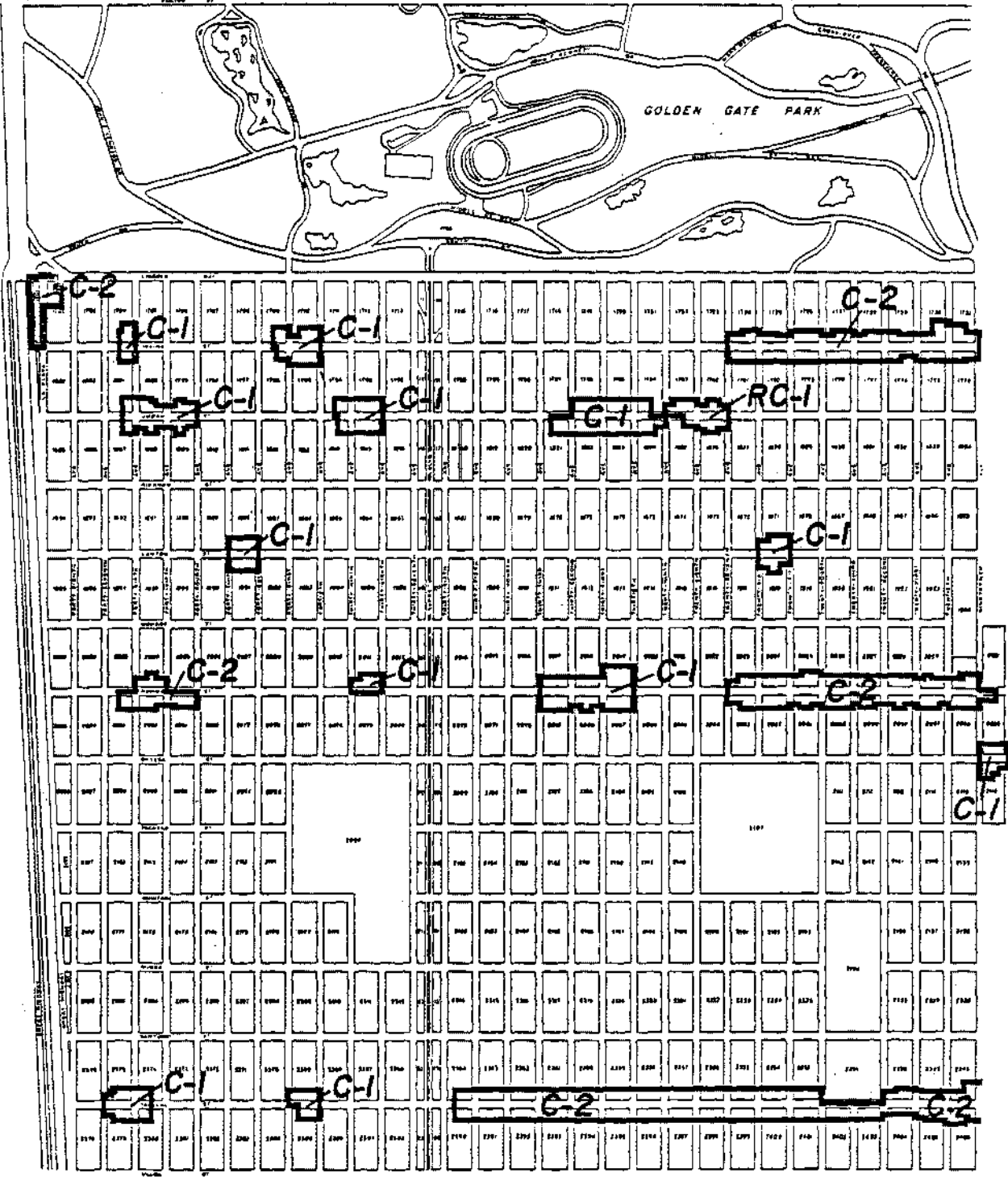
- NC-1 NC-2 NC-3 NC-S NCD  
Neighborhood Commercial Districts
- C-2 C-M  
Commercial Districts
- RC-3 RC-4  
Residential-Commercial Districts
- RH-1 RH-2 RH-3 RM-1 RM-2 RM-3 P  
Residential And Public Districts



Map 11



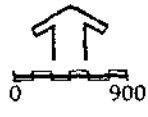
Exhibit 4

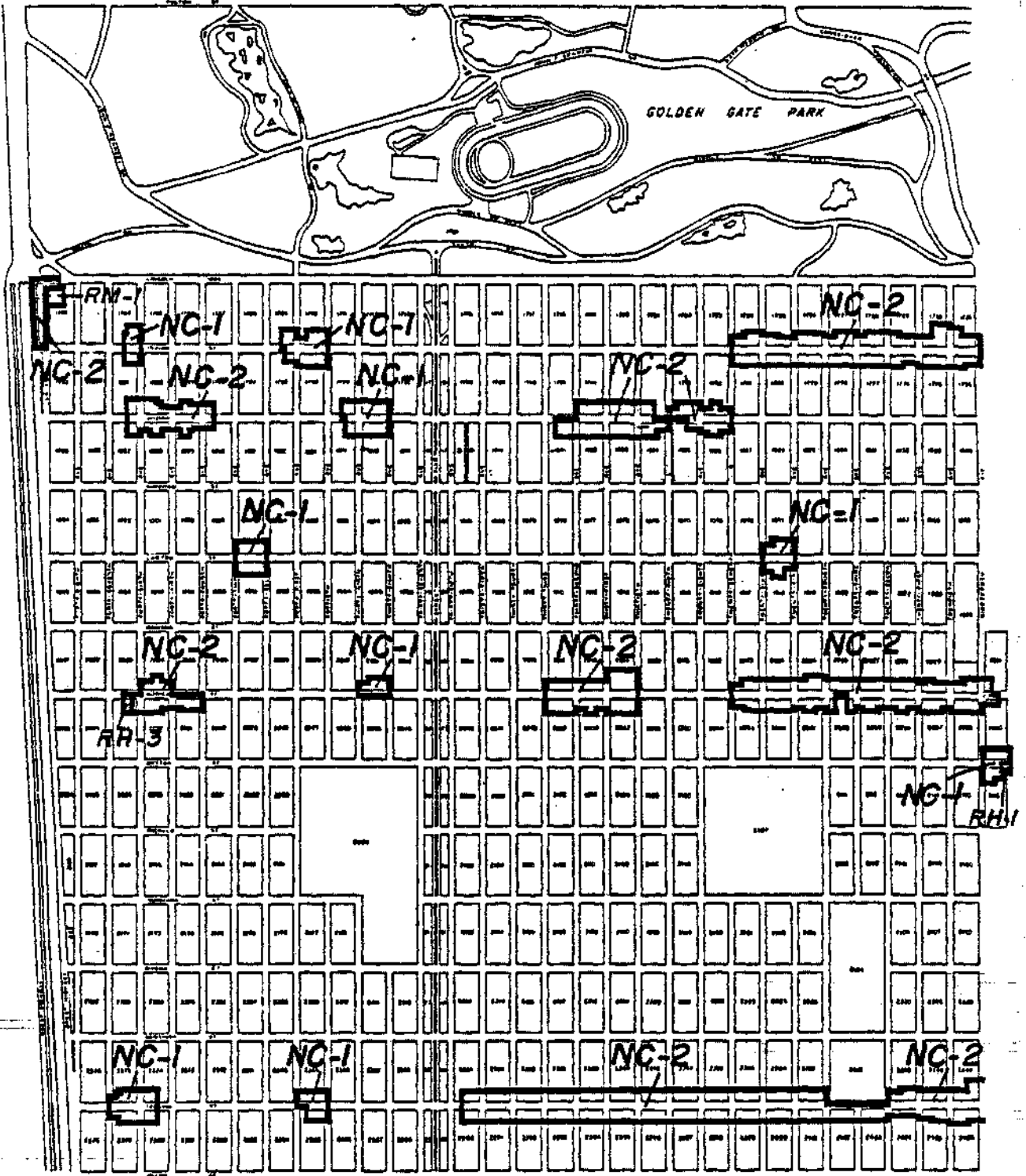


**EXISTING ZONING**  
(Schematic Boundary Only)

C-1 C-2 C-M  
Commercial Districts  
RC-1 RC-2 RC-3 RC-4  
Residential-Commercial Combined Districts

Map 12





**PROPOSED ZONING**  
(Schematic Boundary Only)

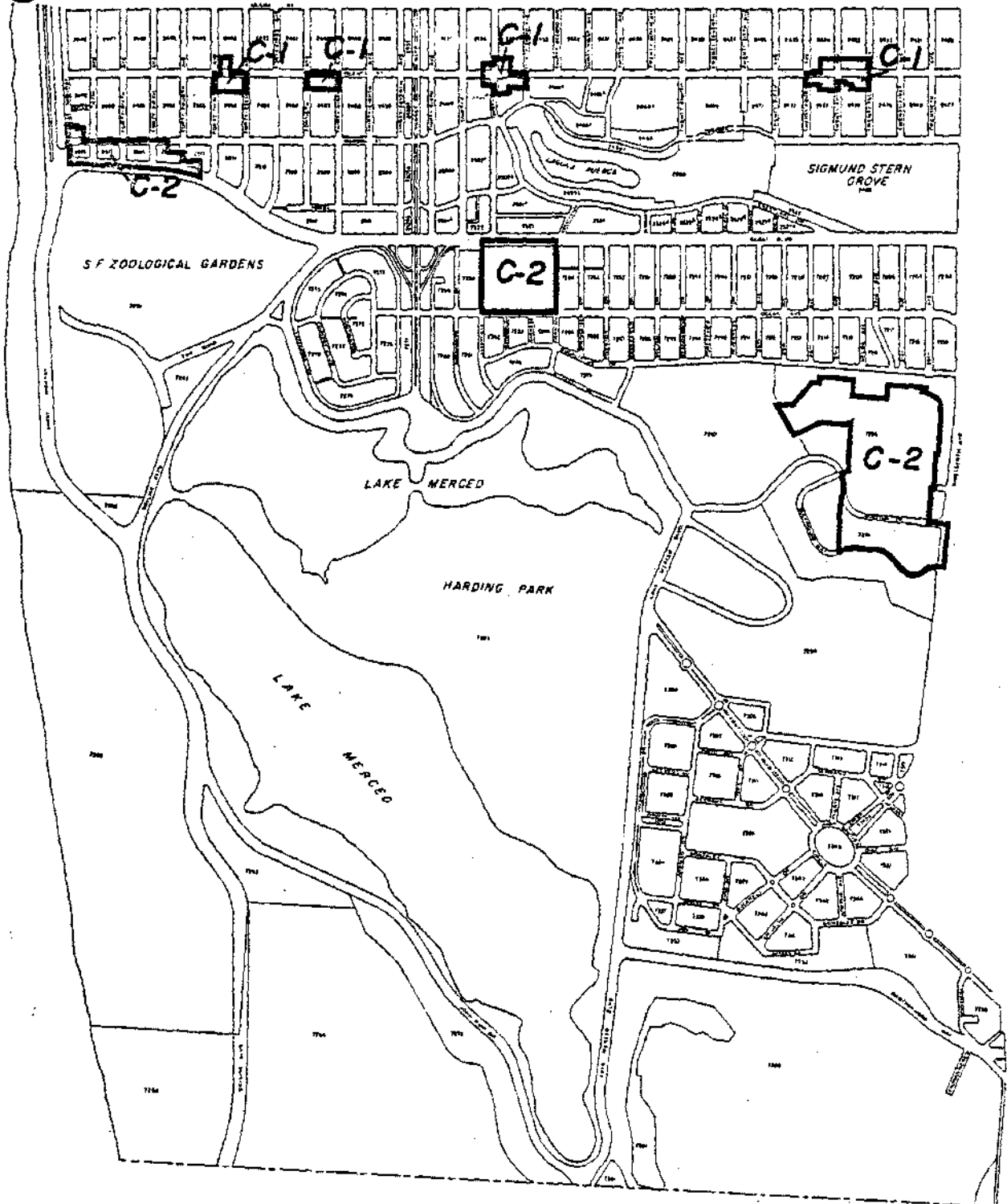
- NC-1 NC-2 NC-3 NC-S NC-D  
Neighborhood Commercial Districts
- C-2 C-M  
Commercial Districts
- RC-3 RC-4  
Residential-Commercial Districts
- RH-1 RH-2 RH-3 RM-1 RM-2 RM-3  
Residential Districts

Map 13



Exhibit 5



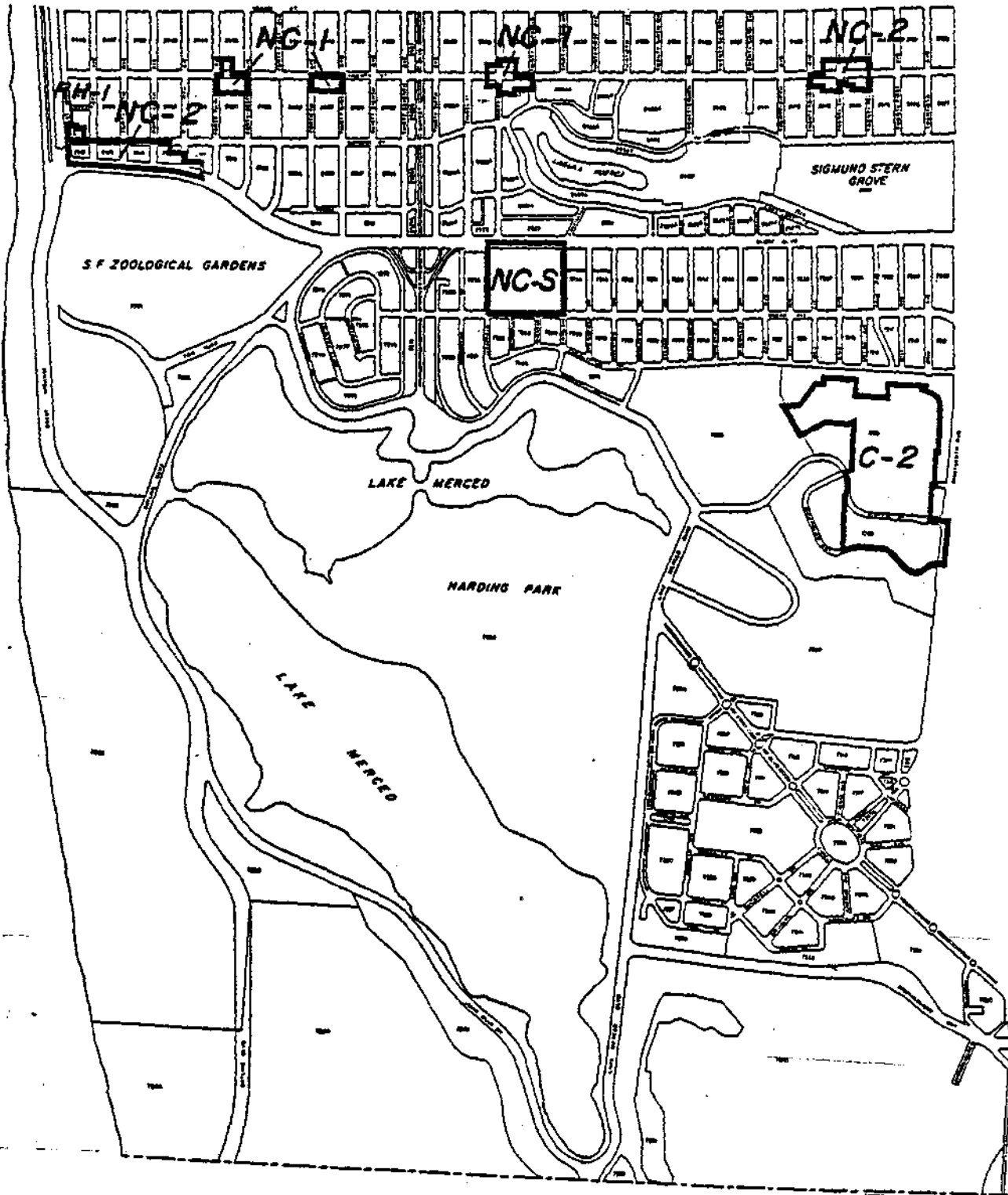


**EXISTING ZONING**  
(Schematic Boundary Only)

- C-1 C-2 C-M  
Commercial Districts
- RC-1 RC-2 RC-3 RC-4  
Residential-Commercial Combined Districts

Map 26





**PROPOSED ZONING**  
 (Schematic Boundary Only)

NC-1 NC-2 NC-3 NC-S NCD  
 Neighborhood Commercial Districts

C-2 C-M  
 Commercial Districts

RC-3 RC-4  
 Residential-Commercial Districts

RH-1 RH-2 RH-3 RM-1 RM-2 RM-3  
 Residential Districts



Exhibit 12

INDEX OF RECOMMENDED ZONING MAP CHANGES BY STREET NAME

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Alemany Blvd.	U.S. 101 to Putnam St.	C-M	NC-S
	Putnam to Banks Sts.	C-2	NC-S
	Banks to Ellsworth Sts.	C-2	RM-1
	at Ocean Ave.	C-2	NC-3
	Whipple to Lawrence Aves.	C-2	NC-S
	Lawrence to Sickles Aves.	C-2	RH-2
	at Sickles Ave.	C-2	NC-1
	at Sickles Ave.	C-1	NC-1
	at San Jose Ave.	C-1	NC-1
Worcester to St. Charles Aves.	C-2	NC-S	
Alemany Plaza	Shopping Center	C-2	NC-S
Arguello Blvd.	at McAllister St.	C-1	NC-1
Army St.	at Hampshire St.	C-2	NC-1
	at Bryant St.	C-1	NC-1
	Shotwell to Valencia Sts.	C-2	NC-3
	Bartlett to Guerrero Sts.	C-2	Valencia
Balboa St.	3rd to 7th Aves.	C-1	NC-2
	17th to 20th Aves.	RC-1	NC-1
	21st to 22nd Aves.	RC-1	NC-1
	at 28th Ave.	RC-1	NC-1
	33rd to 39th Aves.	C-2	NC-2
	41st to 42nd Aves.	C-1	NC-1
	at 45th Ave.	RC-1	NC-1
Banks St.	Crescent Ave. to Alemany Blvd.	C-2	RH-1
Bayshore Blvd.	at Silver Ave.	C-1	NC-1
	at Thornton Ave.	C-1	NC-1
	at Hester Ave.	C-1	C-2
	at Blanken Ave.	C-1	NC-1
	Arleta to Visitacion Aves.	C-2	NC-2
	Visitacion Ave. to County Line	C-2	NC-3
Brazil Ave.	at Paris St.	RC-1	NC-1
	Paris to Edinburgh Sts.	RC-1	RM-1
Broadway	Sansome to Powell Sts.	C-2	Broadway
Buchanan St.	Post to Bush Sts.	C-2	NC-2
	Bay to Beach Sts.	C-2	NC-2
	North Point St. to Marina Blvd.	C-2	NC-S

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Bush St.	Larkin to Polk Sts.	C-2	Polk
	Fillmore to Steiner Sts. [south side]	C-2	NC-2
	Scott to Broderick Sts. [south side]	C-2	NC-3
Cabrillo St.	at 7th Ave.	C-1	NC-1
	at 10th Ave.	RC-1	NC-1
	45th to 46th Aves.	RC-1	NC-1
California St.	Hyde to Polk Sts.	RC-3	Polk
	Fillmore to Steiner Sts.	C-2	Upper Fillmore
	Divisadero to Broderick Sts.	C-2	NC-2
	Lyon St. to Presidio Ave.	C-2	NC-2
	at Presidio Ave.	RM-1	NC-2
	Laurel St. to Parker Ave.	C-2	NC-5
	4th to 6th Aves.	C-1	NC-2
	6th to 7th Aves.	RC-1	NC-2
	at 17th Ave.	RC-1	NC-1
	at 22nd Ave.	RC-1	NC-1
at 23rd Ave.	RC-1	NC-1	
at 25th Ave.	RC-1	NC-1	
Cambon Dr.	at Castelo Ave.	C-1	NC-5
Capitol Ave.	at Broad St.	RC-1	NC-1
Carroll Ave.	Thornton Ave. to Quint St.	C-1	NC-1
Castro St.	17th to 19th Sts.	C-2	Castro
	24th to 25th Sts.	RC-1	24th-Noe Valley
Chestnut St.	Powell to Mason Sts.	RC-3	North Beach
	Mason to Jones Sts.	C-2	North Beach
	Fillmore to Divisadero Sts.	C-2	NC-2
	Divisadero to Broderick Sts.	C-2	RH-3
Church St.	Hermann to Market Sts.	C-2	NC-3
	Duboce Ave. to 15th Sts.	C-2	Upper Market
	at 25th St.	RC-1	NC-1
	at Clipper St.	RC-1	NC-1
	at 26th St.	RC-1	NC-1
	at Army St.	RC-1	NC-1
	at 27th St.	RC-1	NC-1
	at Duncan St.	RC-1	NC-1
at 28th St.	RC-1	NC-1	
Valley to 30th Sts.	C-1	NC-1	
Clement St.	Arguello Blvd. to Funston Ave.	C-2	Inner Clement
	14th to 16th Aves.	RM-1	NC-1
	17th to 18th Aves.	RH-3	NC-1
	19th to 27th Aves.	C-1	Outer Clement
	31st to 33rd Aves.	C-1	NC-1



Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Cole St.	Carl St. to Parnassus Ave.	RC-1	NC-1
Columbus Ave.	Pacific Ave. to Broadway Broadway to Francisco St.	C-2 C-2	Broadway North Beach
Cortland St.	Bonview to Folsom Sts.	C-2	NC-2
Dewey Blvd.	at Laguna Honda Blvd.	C-1	NC-1
Diamond St.	Chenery to Bosworth Sts.	C-2	NC-2
Diamond Heights	Shopping Center	C-1	NC-5
Diamond Heights Blvd.	Duncan St. to Gold Mine Dr.	C-1	NC-5
Divisadero St.	Haight St. to Golden Gate Ave. Golden Gate Ave. to Turk St. Turk to Eddy Sts. Eddy to O'Farrell Sts. O'Farrell to Bush Sts. Bush to Sacramento Sts.	C-2 C-2 C-2 C-2 C-2 C-2	NC-2 RM-1 RM-3 NC-2 NC-3 NC-2
Duboce Ave.	Guerrero to Church Sts.	C-2	NC-3
Eddy St.	Gough to Laguna Sts. at Buchanan St. at Pierce St.	C-1 C-1 RC-2	NC-5 NC-5 NC-1
Farmer's Market	Area	C-M/C-2	NC-5
Fillmore St.	Germania to Haight Sts. McAllister to Bush Sts. Bush to Jackson Sts. Union to Moulton Sts.	RC-1 C-2 C-2 C-2	NC-1 NC-3 Upper Fillmore Union
Fitzgerald Ave.	at Ingalls St.	C-1	NC-1
Francisco St.	Powell to Mason Sts. [north side] Powell to Mason Sts. [south side] Mason to Jones Sts.	RC-4 RC-3 C-2	North Beach North Beach North Beach
Franklin St.	Market to Oak Sts. Hickory to Ivy Sts. Ivy to Turk Sts. Myrtle to California Sts.	C-M C-2 C-2 C-2	NC-3 Hayes-Gough NC-3 NC-3
Frederick St.	at Stanyan St. [NW corner] at Stanyan St. [NE,SW,SE corners]	C-2 RC-1	NC-1 NC-1

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Fulton St.	Franklin to Gough Sts.	C-2	NC-3
	Gough to Octavia Sts.	C-M	NC-3
	Octavia to Laguna Sts.	C-M	RM-2
	at Fillmore St.	RC-4	NC-1
	Central to Masonic Aves. [south side]	C-1	NC-1
	Central to Masonic Aves. [north side]	C-1	NC-5
	at Masonic Ave. [SW corner] at 8th Ave.	RH-3 C-1	NC-1 RM-3
Geary Blvd.	Franklin to Gough Sts.	C-2	NC-3
	Laguna to Fillmore Sts.	C-2	NC-5
	Fillmore to Steiner Sts.	C-2	NC-3
	Scott St. to Funston Ave.	C-2	NC-3
	Lyon St. to Presidio Ave.	RC-3	NC-3
	14nd to 28th Aves.	C-2	NC-3
	33rd to 34th Aves.	RC-2	NC-1
Geneva Ave.	at San Jose Ave.	RC-1	NC-1
	Alemanly Blvd. to Paris St.	C-2	NC-3
	Paris to Edinburgh Sts.	RC-1	RH-1
	Edinburgh to Vienna Sts.	C-2	NC-2
	at Prague St.	C-1	NC-1
	at Walbridge Ave. Carrizal to Pasadena Sts.	C-2 C-1	NC-5 NC-1
G.E.T.	Shopping Center	C-2	NC-5
Gilman Ave.	Griffith to Fitch Sts.	C-1	NC-1
Glen Park	Area	C-2	NC-2
Gough St.	Market to Lily Sts.	C-M	NC-3
	Lily to Grove Sts.	C-2	Hayes-Gough
	Ivy to Turk Sts.	C-2	NC-3
	Geary to Fern Sts.	C-2	NC-3
Grant Ave.	Broadway to Filbert St.	C-2	North Beach
Great Hwy.	Balboa to Fulton Sts.	C-1	RM-1
	at Cabrillo St.	C-1	NC-1
	Lincoln Wy. to Irving St.	C-2	NC-2
Green St.	Grant Ave. to Powell St.	C-2	North Beach
Grove St.	Franklin to Octavia Sts.	C-2	NC-3
Guerrero St.	Market St. to Duboce Ave.	C-2	NC-3
	at 14th St.	RC-1	NC-1
	at 17th St.	RC-1	NC-1
	at 18th St.	RC-1	NC-1
	at 22nd St.	RC-1	NC-1

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Haight St.	Webster to Steiner Sts. at Pierce St. at Scott St. Central Ave. to Stanyan St.	C-2 RC-1 RC-1 C-2	NC-2 NC-1 NC-1 Haight
Hayes-Gough	Area	C-2/C-M	Hayes-Gough
Hayes St.	Frankin to Laguna Sts. at Ashbury St. at Cole St.	C-2 C-1 RC-1	Hayes-Gough NC-1 NC-1
Holloway Ave.	at Brighton Ave. at Ashton Ave.	RC-1 RC-1	NC-1 NC-1
Hunters Point Blvd.	Hudson to Innes Aves.	C-1	C-M
Hyde St.	Jackson St. to Pacific Ave. Green to Union Sts. at Union St.	RC-2 RM-1 C-1	NC-2 NC-1 NC-1
Irving St.	5th to 6th Aves. 6th to 27th Aves. 40th to 41st Aves. at 46th Ave.	RH-2 C-2 C-1 C-1	NC-2 NC-2 NC-1 NC-1
Japan Center	Shopping Center	C-2	NC-S
Judah St.	8th to 10th Aves. 27th to 29th Aves. 29th to 33rd Aves. 38th to 39th Aves. 44th to 46th Aves.	C-2 RC-1 C-1 C-1 C-1	NC-2 NC-2 NC-2 NC-1 NC-2
La Playa	Balboa to Cabrillo Sts. Cabrillo to Fulton Sts. Lincoln Wy. to Irving St.	RM-1 C-2 C-2	NC-2 NC-S NC-2
Laurel Village	Shopping Center	C-2	NC-S
Lawton St.	25th to 26th Aves. 42nd to 43rd Aves.	C-1 C-1	NC-1 NC-1
Leland Ave.	Bayshore Blvd. to Cora St.	C-2	NC-2
Lombard St.	Van Ness to Richardson Aves. Richardson Ave. to Baker St. Baker to Lyon Sts.	C-2 C-2 C-2	NC-3 RH-3 NC-2
Lyon St.	Greenwich to Lombard Sts.	RC-1	NC-2

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Mansfield Ave.	Avalon Ave. to Ina Ct.	C-1	NC-1
Marina Blvd.	Laguna to Buchanan Sts.	C-2	NC-5
Market St.	Franklin to Octavia Sts. Octavia to Church Sts. Church to Castro Sts.	C-M C-2 C-2	NC-3 NC-3 Upper Market
Mason St.	Washington St. to Pacific Ave. Chestnut to Pacific Aves.	RC-3 RC-3	NC-2 North Beach
Masonic Ave.	Wood to O'Farrell Sts. at Fulton St.	C-2 C-1	NC-3 NC-5
McAllister St.	Gough and Laguna Sts. at Buchanan St.	RC-2 RC-2	RM-2 NC-1
Mendell St.	Fairfax to Hudson Aves.	C-M	P
Miraloma Park	Shopping Center	C-1	NC-5
Mission St.	14th to 17th Sts. 17th to 24th Sts. at 24th St. 24th St. to Precita Ave. Precita Ave. to Randall St. Highland to College Aves. at Bosworth St. Alemany Blvd. to Silver Ave. Silver to Niagara Aves. Niagara Ave. to County Line	C-M C-2 C-2 C-2 C-2 C-2 C-2 C-2 C-2 C-2 C-2	NC-3 NC-3 24th-Mission NC-3 NC-2 NC-2 NC-1 NC-2 NC-3 NC-2
Monterey Blvd.	at Joost Ave. Edna St. to Ridgewood Ave.	C-1 C-1	NC-2 NC-2
Naples St.	Geneva Ave. to Rolph St.	C-2	NC-2
Nihonmachi	Shopping Center	C-2	NC-2
Noriega St.	19th to 27th Aves. 30th to 33rd Aves. 38th to 39th Aves. 44th to 46th Aves.	C-2 C-1 C-1 C-2	NC-2 NC-2 NC-1 NC-2
North Beach	Area	C-2	North Beach
North Point St.	Leavenworth to Hyde Sts. at Hyde St. Larkin to Polk Sts.	C-2 RC-1 RC-1	RH-3 NC-1 NC-1

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Ocean Ave.	Mission St. to Cayuga Ave.	C-2	NC-3
	Otsego to San Jose Aves.	C-2	NC-2
	Phelan Ave. to Manor Dr.	C-2	NC-3
	Paloma Ave. to Junipero Serra Blvd.	C-2	NC-2
	Junipero Serra Blvd. to 19th Ave.	C-2	NC-3
	Everglade to Clearfield Drs.	C-2	NC-5
Ogden Ave.	Putnam to Bradford Sts.	C-M	NC-5
Ortega St.	18th to 19th Aves.	C-1	NC-1
Pacific Ave.	Powell to Taylor Sts.	RC-3	NC-2
	Taylor to Polk Sts.	RC-2	NC-2
Page St.	Franklin to Gough Sts.	C-M	NC-3
Palou Ave.	at Crisp Rd.	C-1	NC-1
Parkmerced	Shopping Center	C-1	NC-5
Parkside	Shopping Center	C-2	NC-5
Peralta Ave.	Jarboe to Tompkins Aves.	C-2	NC-5
Petrini Plaza	Shopping Center	C-1	NC-5
Pierce St.	at Post St.	C-2	RH-3
Pine St.	Larkin to Polk Sts.	C-2	Polk
	Fillmore to Steiner Sts.	C-2	Upper Fillmore
Plymouth Ave.	San Jose Ave. to Farallones St.	C-1	NC-1
	Sagamore to Broad Sts. [east side]	C-1	RH-2
Point Lobos Ave.	42nd to 43rd Ave.	C-1	NC-1
	at El Camino del Mar	C-2	P
Polk St.	Post to Filbert Sts.	C-2	Polk
Portola Dr.	O'Shaughnessy Blvd to Evelyn Wy.	C-1	NC-5
Post St.	Larkin to Polk Sts. [north side]	C-2	Polk
	Van Ness Ave. to Gough St.	C-2	NC-3
	Laguna to Webster Sts. [north side]	C-2	NC-2
	Laguna to Fillmore Sts. [south side]	C-2	NC-5
	Fillmore to Pierce Sts.	C-2	RM-3
	Scott to Broderick Sts.	C-2	NC-3
Potrero Ave.	at 25th St.	C-2	NC-1

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Powell St.	Broadway to Greenwich St. Chestnut to Francisco Sts.	C-2 C-2	North Beach North Beach
Precita Ave.	Folsom to Treat Sts. at Hampshire St.	C-1 C-2	NC-1 NC-1
Randolph St.	at Orizaba St. Victoria to Ramsell Sts.	RC-1 C-1	NC-1 NC-1
Sacramento St.	at Baker St. Lyon to Spruce Sts.	RC-1 C-2	NC-1 Sacramento
San Bruno Ave.	Hale to Woolsey Sts. Dwight to Olmstead Sts. at Wilde Ave.	C-2 C-2 C-1	NC-2 NC-2 NC-1
San Jose Ave.	Standish to Nantucket Aves.	C-1	NC-1
Sanchez St.	at 26th St.	RC-1	NC-1
Scott St.	Geary Blvd. to Bush St.	C-2	NC-3
Silver Ave.	Holyoke to Goettingen Sts.	C-1	NC-1
Sloat Blvd.	Everglade to Clearfield Drs. 44th Ave. to Great Hwy.	C-2 C-2	NC-5 NC-2
South Van Ness Ave.	at 19th St. 23rd to 24th Sts.	C-2 C-2	NC-1 NC-1
Stanyan St.	at Page St. Page to Waller Sts. Waller to Beulah Sts. at Frederick St. at Parnassus Ave.	RC-2 C-2 RC-1 RC-1 C-1	NC-1 Haight Haight NC-1 NC-1
Steiner St.	Golden Gate Ave. to O'Farrell St. Geary Blvd. to Bush St.	C-2 C-2	RM-3 RM-3
Stockton St.	Broadway to Greenwich St.	C-2	North Beach
Sunnydale Ave.	at Hahn St.	C-1	NC-1
Sutter St.	Larkin to Polk Sts. Van Ness Ave. to Gough St. Steiner to Pierce Sts. Scott to Broderick Sts.	C-2 C-2 C-2 C-2	Polk NC-3 NC-2 NC-3
Taraval St.	12th to 36th Aves. 40th to 41st Aves. 46th to 47th Aves.	C-2 C-1 C-1	NC-2 NC-1 NC-1

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Thornton Ave.	at Bridgeview Dr.	C-1	NC-1
Tunnel Ave.	Bayshore Blvd. to Blanken Ave.	C-1	NC-1
Union St.	Van Ness Ave. to Steiner St.	C-2	Union
Valencia St.	14th to 20th Sts. 20th to Army Sts.	C-M C-2	Valencia Valencia
Vallejo St.	Grant Ave. to Powell St. Polk St. to Van Ness Ave.	C-2 C-2	North Beach RH-3
Vandewater St.	Powell to Mason Sts. [south side]	RC-4	North Beach
Vicente St.	22nd to 24th Aves. 34th to 35th Aves. 39th to 40th Aves. 42nd to 43rd Aves.	C-1 C-1 C-1 C-1	NC-2 NC-1 NC-1 NC-1
Waller St.	Octavia to Laguna Sts.	C-2	NC-3
Washington St.	at Broderick St.	RC-1	NC-1
Webster St.	Ellis to Post Sts.	C-2	NC-5
West Portal Ave.	Ulloa St. to 15th Ave.	C-2	NC-3
Williams Ave.	Newhall to Phelps Sts.	C-2	NC-5
3rd St.	22nd to 23rd Sts. Innes to La Salle Aves. La Salle to Yosemite Aves. Gilman to Key Aves. Key to Meade Aves.	RC-2 C-M C-2 C-2 C-2	NC-2 NC-3 NC-3 NC-3 RH-1
7th Ave.	Cabrillo to Fulton Sts.	C-1	NC-1
9th Ave.	Lincoln Wy. to Judah St.	C-2	NC-2
14th St.	Dolores to Church Sts. Church to Belcher Sts.	C-2 C-2	NC-3 Upper Market
15th St.	Natoma to Julian Sts. Church to Sanchez Sts.	C-M C-2	NC-3 Upper Market
16th St.	Capp to Valencia Sts. Valencia to Dolores Sts. Sanchez to Noe Sts.	C-M C-2 C-2	NC-3 Valencia Upper Market

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
17th St.	Capp to Valencia Sts.	C-M	NC-3
	Hartford to Castro Sts. [north side]	C-2	Upper Market
	Hartford to Castro Sts. [south side]	C-2	Castro
18th St.	Texas to Connecticut Sts.	C-2	NC-2
	Capp to San Carlos Sts.	C-2	NC-3
	Guerrero to Oakwood Sts. at Dolores St.	RC-1 RC-1	NC-1 NC-1
	Noe to Hartford Sts.	RC-1	Castro
	Hartford to Diamond Sts.	C-2	Castro
19th Ave.	Junipero Serra Blvd. to Randolph St.	C-2	NC-2
19th St.	Capp to San Carlos Sts.	C-2	NC-3
20th St.	Missouri to Arkansas Sts.	C-2	NC-2
	Treat St. to South Van Ness Ave.	C-2	NC-2
	Capp to San Carlos Sts.	C-2	NC-3
	San Carlos to Lexington Sts.	RC-1	NC-1
21st St.	Capp to Valencia Sts.	C-2	NC-3
22nd St.	3rd to Minnesota Sts. at Folsom St.	RC-2 RC-1	NC-2 NC-1
	South Van Ness Ave. to Capp St.	RC-1	NC-1
	Capp to Bartlett Sts.	C-2	NC-3
23rd St.	Arkansas to Wisconsin Sts.	RC-1	NC-1
	Capp to Bartlett Sts.	C-2	NC-3
24th St.	Vermont St. to San Bruno Ave.	C-2	RH-2
	San Bruno Ave. to Bartlett St.	C-2	24th-Mission
	Chattanooga to Diamond Sts. at Douglass St.	RC-1 RC-1	24th-Noe Valley NC-1.
26th St.	Shotwell to Bartlett Sts.	C-2	NC-3
29th St.	Mission St. to San Jose Ave. at Dolores St.	C-2 RC-1	NC-2 NC-1
	at Sanchez St.	RC-1	NC-1



# Exhibit D

pursuant to Sections 1513, 1523 and 1604 of Public Law 93-641 or Sections 437 and 438 of the California Health and Safety Code, if such approval is found by the reviewing agencies to be required under those Sections.

(g) **Permit Applications.** Commencing on January 1, 1977, the Department of City Planning shall not approve any building permit application for any construction pertaining to any development of any institution subject to this Section, with the exception of minor alterations necessary to correct immediate hazards to health or safety, unless that institution has complied with all the applicable requirements of Subsections (b) and (c) above with regard to its filing of an institutional master plan or revisions thereto. (Amended Ord. 443-78, App. 10/6/78)

**SEC. 305. VARIANCES.** (a) **General.** The Zoning Administrator shall hear and make determinations regarding applications for variances from the strict application of quantitative standards in this Code. He shall have power to grant only such variances as may be in harmony with the general purpose and intent of this Code and in accordance with the general and specific rules contained herein, and he shall have power to grant such variances only to the extent necessary to overcome such practical difficulty or unnecessary hardship as may be established in accordance with the provisions of this Section. No variance shall be granted in whole or in part which would have an effect substantially equivalent to a reclassification of property; or which would permit any use, any height or bulk of a building or structure, or any type of sign not expressly permitted by the provisions of this Code for the district or districts in which the property in question is located; or which would grant a privilege for which a conditional use procedure is provided by this Code; or which would change a definition in this Code. The procedures for variances shall be as specified in this Section and in Sections 306 through 306.5.

(b) **Initiation.** A variance action may be initiated by application of the owner, or authorized agent for the owner, of the property for which the variance is sought.

(c) **Determination.** The Zoning Administrator shall hold a hearing on the application, provided, however, that if the variance requested involves a deviation of less than 10 percent from the Code requirement, the Zoning Administrator may at his option either hold or not hold such a hearing. No variance shall be granted in whole or in part unless there exist, and the Zoning Administrator specifies in his findings as part of a written decision, facts sufficient to establish:

(1) That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;

(2) That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

(3) That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

(4) That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and

(5) That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the Master Plan.

Upon issuing his written decision either granting or denying the variance in whole or in part, the Zoning Administrator shall forthwith transmit a copy thereof to the applicant. The action of the Zoning Administrator shall be final and shall become effective 10 days after the date of his written decision except upon the filing of a valid appeal to the Board of Permit Appeals as provided in Section 308.2.

(d) **Conditions.** In granting any variance as provided herein, the Zoning Administrator, or the Board of Permit Appeals on appeal, shall specify the character and extent thereof, and shall also prescribe such conditions as are necessary to secure the objectives of this Code. Once any portion of the granted variance is utilized, all such specifications and conditions pertaining to such authorization shall become immediately operative. The violation of any specification or condition so imposed shall constitute a violation of this Code and may constitute grounds for revocation of the variance. Such conditions may include time limits on the exercise of the granted variance; otherwise, any exercise of such variance must commence within a reasonable time. (Amended Ord. 234-72, App. 8/18/72)

**SEC. 306. APPLICATIONS AND HEARINGS.** In case of an amendment, interim control, conditional use or variance action described in Sections 305 through 306.7 of this Code, the procedures for applications and hearings shall be as described in Sections 306 through 306.7. In addition, the Zoning Administrator and the City Planning Commission may from time to time establish policies, rules and regulations which further define these procedures. (Amended Ord. 210-84, App. 5/4/84)

**SEC. 306.1. APPLICATIONS AND FILING FEES.** (a) **Who May Initiate.** The persons and agencies that may file or otherwise initiate actions for amendments, conditional uses and variances are indicated in Sections 302 through 305.

(b) **Where To File.** Applications shall be filed in the office of the Department of City Planning.

(c) **Content of Applications.** The content of applications shall be in accordance with the policies, rules and regulations of the Zoning Administrator and the City Planning Commission. All applications shall be upon forms prescribed therefor, and shall contain or be accompanied by all information required to assure the presentation of pertinent facts for proper consideration of the case and for permanent record. The applicant may be required to file with his application the information needed for the preparation and mailing of notices as specified in Section 306.3.

(d) **Verification.** Each application filed by or on behalf of one or more property owners shall be verified by at least one such owner or his authorized agent attesting to the truth and correctness of all facts, statements and information presented.

(e) **Fees.** Before accepting any application for filing, the Department of City Planning shall charge and collect a fee as specified in Article 3.5 of this Code. (Amended Ord. 259-81, App. 5/15/81)

# Exhibit E

# Western Shoreline Area Plan

---

## INTRODUCTION

The conservation of the California coast has always been of interest and concern to San Francisco. From the early years of the city's history, the coastal beach and cliff areas have been an important recreational and natural resource to the people of San Francisco and the Bay Area. There has always been an intense interest among the city's citizens in maintaining the area for the use and enjoyment of the public. This position was underscored by the enthusiastic participation of the City in establishing the Golden Gate National Recreation Area and the overwhelming voter support for Proposition 20 in 1972 which led to the passage of the Coastal Act of 1976. Pursuant to that act San Francisco prepared a Local Coastal Program adopted by the City Planning Commission, and the Board of Supervisors, and certified by the California Coastal Commission on April 26, 1984.

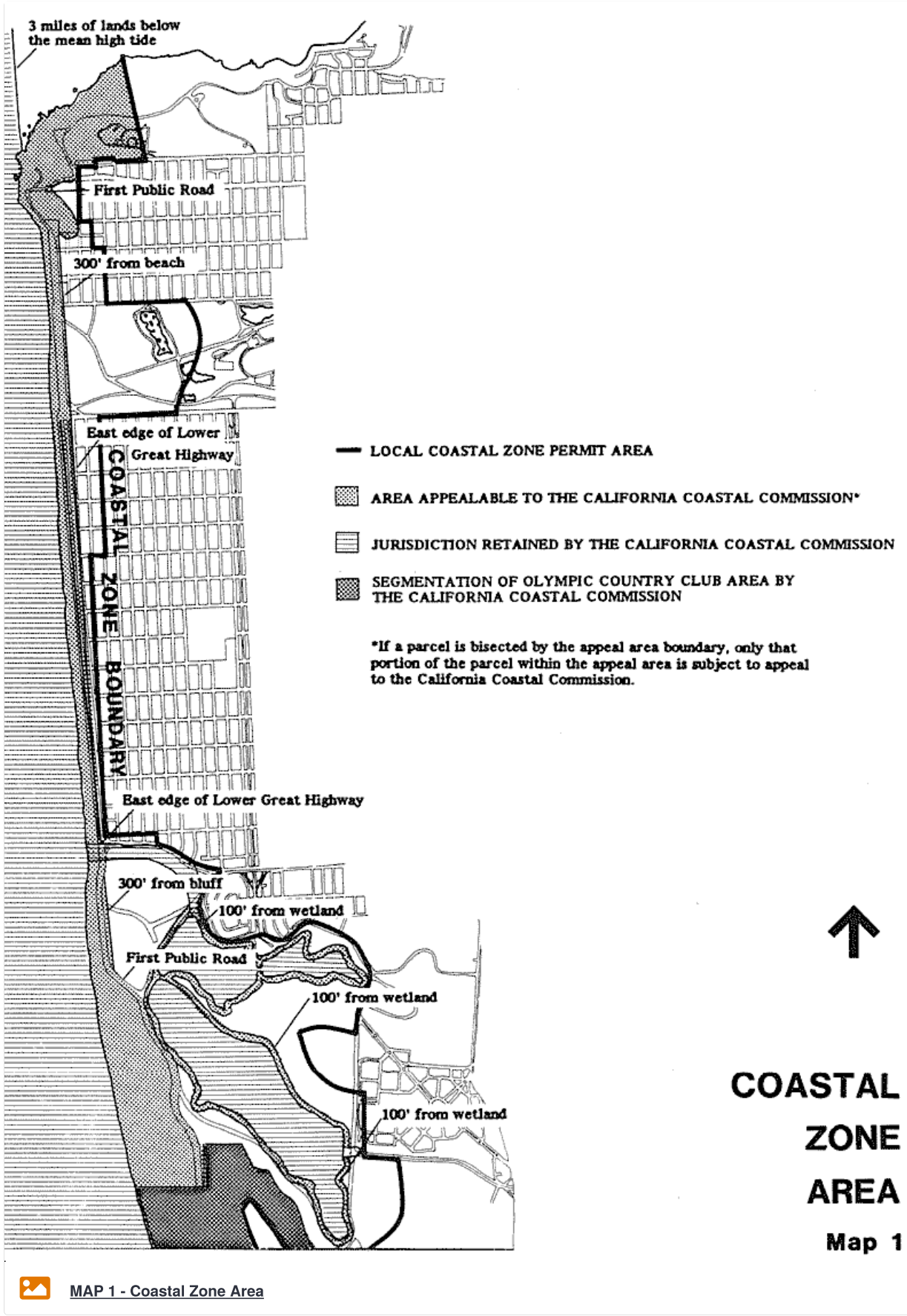
The City Planning Commission is responsible for adopting and maintaining a comprehensive long-term general plan for future development of the City and County of San Francisco known as the Master Plan. The Plan is divided into a number of functional elements, including Urban Design, Residence, Recreation and Open Space, Commerce and Industry, Environmental Protection, Transportation, and a number of subarea plans, including the Civic Center Plan, Northeastern Waterfront Plan and the Central Waterfront Plan.

The policies of the Local Coastal Program, together with the addition of summary objectives to the various section readings to make it compatible with other area plans, are being incorporated in the City's Master Plan, as an area plan under the title Western Shoreline Plan.

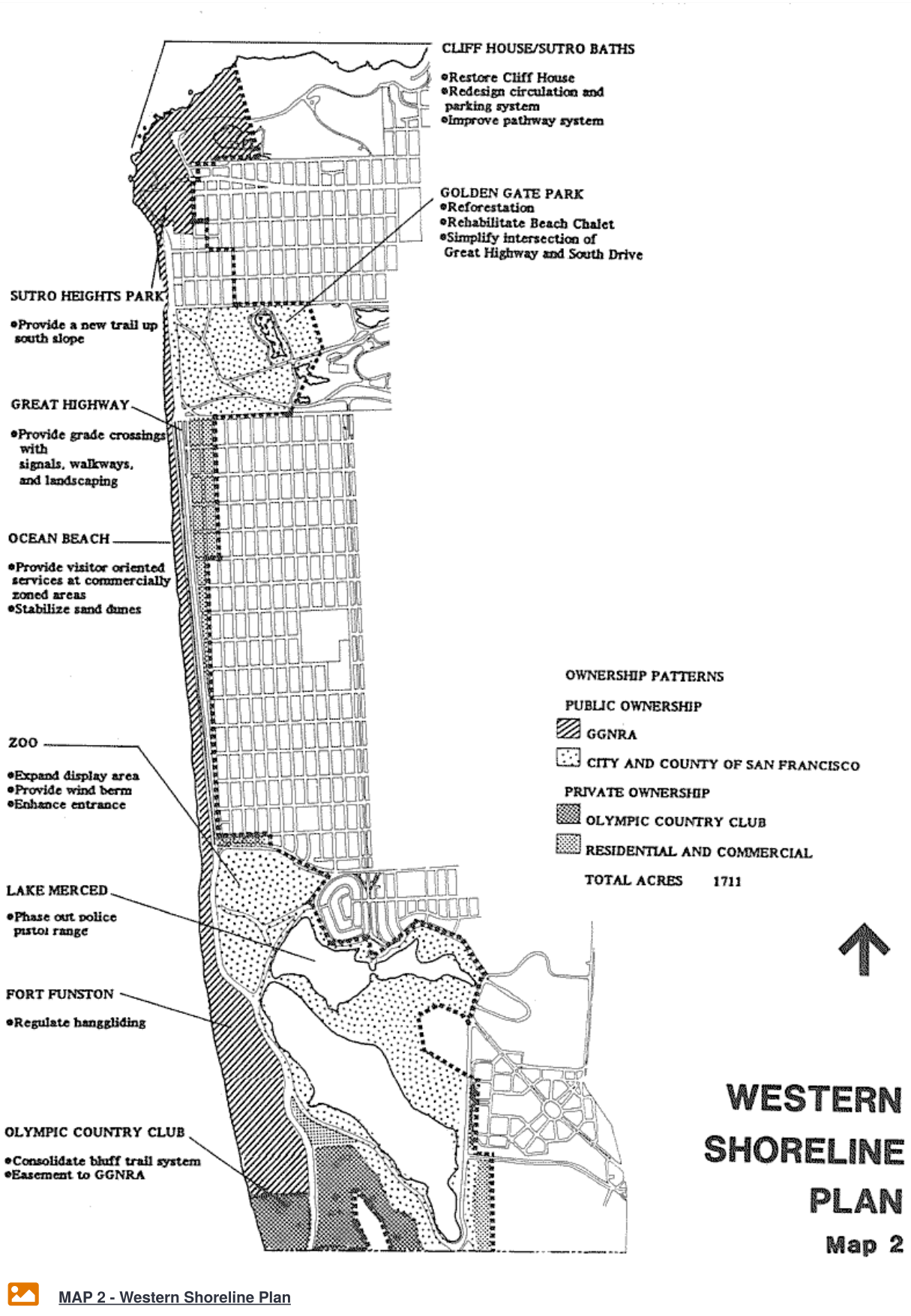
The San Francisco Coastal Zone extends approximately 6 miles along the western shoreline from the Fort Funston cliff area in the south to the Point Lobos recreational area in the north. The south end of the Coastal Zone includes the Lake Merced area, the Zoo, the Olympic Country Club, and the seashore and bluff area of Fort Funston. The Coastal Zone spans the Ocean Beach shoreline and includes Golden Gate Park west of Fortieth Avenue, the Great Highway corridor and the adjacent residential blocks in the Sunset and Richmond districts. The north end of the seashore includes the Cliff House and Sutro Baths area, Sutro Heights Park, and Point Lobos recreational area.

Most of the San Francisco western shoreline is publicly owned. Golden Gate Park, the Zoo, and Lake Merced contain 60% of the 1,771 acres which comprise the Coastal Zone area. Another 25% of the Coastal Zone is within the Golden Gate National Recreation Area (GGNRA). Only 14% of the land is privately owned, and 9% of this land is within the Olympic Country Club area. The remainder 5% is private residential and commercial property which fronts or lies in close proximity to the seashore.

The Coastal Zone is the area shown on Map 1.



The area covered by the Western Shoreline Plan is divided into ten subareas as listed below and shown on Map 2.



MAP 2 - Western Shoreline Plan

- [The Great Highway](#)
- [Golden Gate Park](#)
- [The Zoo](#)

- [Lake Merced](#)
- [Ocean Beach](#)
- [Sutro Heights Park](#)
- [Cliff House Sutro Baths](#)
- [Fort Funston](#)
- [Olympic Country Club](#)
- [Richmond and Sunset Residential Neighborhoods](#)

The Plan consists of transportation policies for the entire Coastal Zone and of specific policies relating to the ten subareas.

---

## OBJECTIVES AND POLICIES

---

# Transportation

### OBJECTIVE 1

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

##### POLICY 1.1

Improve crosstown public transit connections to the coastal area, specifically Ocean Beach, the Zoo and the Cliff House.

##### POLICY 1.2

Provide transit connections amongst the important coastal recreational destinations

##### POLICY 1.3

Connect local transit routes with regional transit, including BART, Golden Gate Transit, and the Golden Gate National Recreation Transit.

##### POLICY 1.4

Provide incentives for transit usage.

##### POLICY 1.5

Consolidate the Municipal Railway turnaround at the former Playland-at-the-Beach site.

##### POLICY 1.6

Provide transit shelters at the beach for transit patrons.

---

# The Great Highway

### OBJECTIVE 2

#### REDESIGN THE GREAT HIGHWAY TO ENHANCE ITS SCENIC QUALITIES AND RECREATIONAL USE.

##### POLICY 2.1

Develop the Great Highway right-of-way as a four lane straight highway with recreational trails for bicycle, pedestrian, landscaping, and parking. Emphasize slow pleasure traffic and safe pedestrian access to beach.

##### POLICY 2.2

Maintain the landscaped recreational corridor adjacent to the development at the former Playland-at-the-Beach site to

provide a link between Golden Gate park and Sutro Heights park.

#### **POLICY 2.3**

Provide for a continuation of the bicycle trail by an exclusive bicycle lane on public streets between the Great Highway and Point Lobos.

#### **POLICY 2.4**

Improve public access to Ocean Beach from Golden Gate Park by providing a landscaped bridge over vehicular underpass, if funds are not available improve public access by providing grade crossings with signals, walkways, lighting and landscaping.

#### **POLICY 2.5**

Locate parking for users of Ocean Beach and other coastal recreational areas so that the Great Highway need not be crossed. Provide limited parking east of the highway for park use. Design parking to afford maximum protection to the dune ecosystem.

#### **POLICY 2.6**

Provide permanent parking for normal use required by beach users in the Great Highway corridor (taking into account the increased accessibility by transit); provide multiple use areas which could be used for parking at peak times, but could be used for recreational uses when not needed for parking.

#### **POLICY 2.7**

improve pedestrian safety by providing clearly marked crossings and installing signalization.

#### **POLICY 2.8**

Enhance personal safety by lighting parking areas and pedestrian crossings.

#### **POLICY 2.9**

Improve public access to Ocean Beach south of Lincoln Way by providing grade crossing with signals and walkways at every other block.

---

## **Golden Gate Park**

### **OBJECTIVE 3**

**ENHANCE THE RECREATIONAL CONNECTION BETWEEN GOLDEN GATE PARK AND THE BEACH FRONTAGE.**

#### **POLICY 3.1**

Strengthen the visual and physical connection between the park and beach. Emphasize the naturalistic landscape qualities of the western end of the park for visitor use. When possible eliminate the Richmond-Sunset sewer treatment facilities.

#### **POLICY 3.2**

Continue to implement a long-term reforestation program at the western portion of the park.

#### **POLICY 3.3**

Develop and periodically revise a Master Plan for Golden Gate Park to include specific policies for the maintenance and improvement of recreational access in the western portion of the park.

#### **POLICY 3.4**

Rehabilitate the Beach Chalet for increased visitor use.

---

## **The Zoo**



**OBJECTIVE 4****IMPROVE THE QUALITY OF THE ZOO AND ITS RELATIONSHIP TO THE COASTAL ZONE RECREATIONAL SYSTEM.****POLICY 4.1**

Maintain the landscaped park-like atmosphere of the Zoo.

**POLICY 4.2**

Enhance visitor interest in the Zoo by pursuing a specific Zoo Master Plan for modernization and improvement of Zoo facilities and enhancement of the animal collection.

**POLICY 4.3**

Allow location of a sewage treatment plant and a pump station to serve the western area of San Francisco on Zoo property. Locate and design the facilities to maximize their joint use by the Zoo.

**POLICY 4.4**

Expand the existing Zoo area west toward the Great Highway and south toward Skyline Boulevard.

**POLICY 4.5**

Provide a wind berm along the Great Highway for protection and public viewing of Ocean Beach and the Pacific Ocean.

**POLICY 4.6**

Enhance the entrance to the Zoo by providing visitor amenities at the northwest corner.

**POLICY 4.7**

Provide parking near the entrance to the Zoo for those visitors who cannot reasonably use public transportation.

**POLICY 4.8**

Provide for the reasonable expansion of the Recreation Center for the Handicapped for recreation purposes. Accommodate that expansion in a way that will not inhibit the development of either the Zoo or the treatment plant.

---

## Lake Merced

**OBJECTIVE 5****PRESERVE THE RECREATIONAL AND NATURAL HABITAT OF LAKE MERCED.****POLICY 5.1**

Preserve in a safe, attractive and usable condition the recreational facilities, passive activities, playgrounds and vistas of Lake Merced area for the enjoyment of citizens and visitors to the city.

**POLICY 5.2**

Maintain a recreational pathway around the lake designed for multiple use.

**POLICY 5.3**

Allow only those activities in Lake Merced area which will not threaten the quality of the water as a standby reservoir for emergency use.

**POLICY 5.4**

As it becomes obsolete, replace the police pistol range on the southerly side of South Lake with recreational facilities.

---

## 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 6.2**

Improve and stabilize the sand dunes where necessary with natural materials to control erosion.

**POLICY 6.3**

Keep the natural appearance of the beach and maximize its usefulness by maintaining the beach in a state free of litter and debris.

**POLICY 6.4**

Maintain and improve the physical condition and appearance of the Esplanade between Lincoln Way and the Cliff House.

**POLICY 6.5**

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

**POLICY 6.6**

Extend the seawall promenade south to Sloat Boulevard as funds become available.

---

## Sutro Heights Park

**OBJECTIVE 7****PRESERVE AND RESTORE SUTRO HEIGHTS PARK.****POLICY 7.1**

Continue the use of Sutro Heights Park as a park, preserve its natural features, and retain its quiet neighborhood orientation.

**POLICY 7.2**

Restore elements of the historic garden and landscaping and include minor interpretive displays and seating areas.

**POLICY 7.3**

Improve access between Golden Gate Park and Sutro Heights Park by providing a new trail system up the south slope of Sutro Heights Park within the La Playa Street right-of-way for equestrians, pedestrians and joggers.

**POLICY 7.4**

Protect the natural bluffs below Sutro Heights Park. Keep the hillside undeveloped in order to protect the hilltop landform, and maintain views to and from the park. Acquire the former Playland-at-the-Beach site north of Balboa if funds become available.

---

## Cliff House - Sutro Baths

**OBJECTIVE 8****MAINTAIN THE VISITOR ATTRACTIVENESS OF THE CLIFF HOUSE AND SUTRO BATH COMPLEX.****POLICY 8.1**

Develop the Cliff House/Sutro Bath area as a nature-oriented shoreline park. Permit limited commercial-recreation uses if public ownership is retained and if development is carefully controlled to preserve the natural characteristics of the site.

**POLICY 8.2**

Restore the Cliff House to its 1909 appearance or, if financially feasible, to an accurate replica of the original 1890 structure.

**POLICY 8.3**

Insure hiker safety by providing a clearly marked and well maintained pathway system.

**POLICY 8.4**

Redesign parking and vehicular circulation in the area to relieve congestion and provide for the safety of pedestrians crossing Point Lobos.

**POLICY 8.5**

To increase visitor enjoyment, mitigate the noise and air pollution caused by tour buses by relocating bus waiting areas.

---

## Fort Funston

**OBJECTIVE 9**

**CONSERVE THE NATURAL CLIFF ENVIRONMENT ALONG FORT FUNSTON.**

**POLICY 9.1**

Maximize the natural qualities of Fort Funston. Conserve the ecology of entire Fort and develop recreational uses which will have only minimal effect on the natural environment.

**POLICY 9.2**

Permit hanggliding but regulate it so that it does not significantly conflict with other recreational and more passive uses and does not impact the natural quality of the area.

---

## Olympic Country Club

**OBJECTIVE 10**

**RETAIN THE OPEN SPACE QUALITY OF THE OLYMPIC COUNTRY CLUB AREA.**

**POLICY 10.1**

If the private golf course use is discontinued, acquire the area for public recreation and open space, if feasible.

**POLICY 10.2**

Maintain the existing public easement along the beach. Encourage the granting of an additional easement by the Olympic Country Club to the National Park Service for public use and maintenance of the sensitive bluff area west of Skyline Boulevard as part of the Golden Gate National Recreation Area.

**POLICY 10.3**

Protect the stability of the westerly bluffs by consolidating the informal trails along the bluff area into a formal trail system which would be clearly marked. Coordinate the lateral trail system along the bluff with the San Mateo trail system south of the San Francisco boundary.

---

## Richmond and Sunset Residential Neighborhoods

### OBJECTIVE 11

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

##### POLICY 11.1

Preserve the scale and character of existing residential neighborhoods by setting allowable densities at the density generally prevailing in the area and regulating new development so its appearance is compatible with adjacent buildings.

##### POLICY 11.2

Develop the former Playland-at-the-Beach site as a moderate density residential apartment development with neighborhood commercial uses to serve the residential community and, to a limited extent, visitors to the Golden Gate National Recreation 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 11.4

Strive to increase the amount of housing units citywide, especially units for low- and moderate-income people.

##### POLICY 11.5

Work with federal and state funding agencies to acquire subsidy assistance for private developers for the provision of low- and moderate-income units.

##### POLICY 11.6

Protect the neighborhood environment of the Richmond and Sunset residential areas from the traffic and visitor impacts from the public using adjacent recreation and open space areas.

##### 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.

---

## Coastal Hazards

### OBJECTIVE 12

#### **PRESERVE, ENHANCE, AND RESTORE THE OCEAN BEACH SHORELINE WHILE PROTECTING PUBLIC ACCESS, SCENIC QUALITY, NATURAL RESOURCES, CRITICAL PUBLIC INFRASTRUCTURE, AND EXISTING DEVELOPMENT FROM COASTAL HAZARDS.**

##### POLICY 12.1

Adopt Managed Retreat Adaptation Measures Between Sloat Boulevard and Skyline Drive.

Erosion of the bluff and beach south of Sloat Boulevard has resulted in damage to and loss of beach parking and portions of the Great Highway, and threatens existing critical wastewater system infrastructure. Sea level rise will likely exacerbate these hazards in the future. The City shall pursue adaptation measures to preserve, enhance, and restore public access, scenic quality, and natural resources along Ocean Beach south of Sloat Boulevard and to protect existing wastewater and stormwater infrastructure from impacts due to shoreline erosion and sea level rise. Federal projects in the Coastal Zone are not subject to city-issued coastal development permits. Local Coastal Program policies regarding adaptation within Golden Gate National Recreation Area simply provide guidance to both the National Park Service and California Coastal Commission, which review federal projects under the Coastal Zone Management Act. All

non-federal development on federal lands is subject to coastal development permit review by the California Coastal Commission.

## Implementation Measures:

- (a) As the shoreline retreats due to erosion and sea level rise, incrementally remove shoreline protection devices, rubble that has fallen onto the beach, roadway surfaces, and concrete barriers south of Sloat Boulevard.
- (b) Relocate public beach parking and public restrooms to areas that will not be affected by shoreline erosion or sea level rise for their expected lifespan given current sea level rise projections and mapping. The relocated facilities should not require the construction of shoreline protection devices and should be relocated if they are threatened by coastal hazards in the future.
- (c) Close the Great Highway between Sloat and Skyline boulevards and make circulation and safety improvements along Sloat and Skyline boulevards to better accommodate bicyclists, pedestrians, and vehicles.
- (d) Import sand to restore the beach and construct dunes. Stabilize dunes with vegetation, beach grass straw punch, brushwood fencing, or other non-structural methods.
- (e) Extend the coastal trail to Fort Funston and Lake Merced by constructing a multi-use public access pathway along the shoreline from Sloat Boulevard to Skyline Boulevard.
- (f) Permit shoreline protection devices if necessary to protect coastal water quality and public health by preventing damage to existing wastewater and stormwater infrastructure due to shoreline erosion only when less environmentally damaging alternatives are determined to be infeasible.
- (g) Maintain service vehicle access necessary for the continued operation and maintenance of existing wastewater and stormwater infrastructure systems.

### POLICY 12.2

#### **Develop and Implement Sea Level Rise Adaptation Plans (Or the Western Shoreline).**

Sea level rise and erosion threaten San Francisco's coastal resources and their impacts will worsen over time. San Francisco shall use the best available science to support the development of adaptation measures to protect our coastal resources in response to sea level rise and coastal hazards.

## Implementation Measures:

- (a) Conduct detailed sea level rise vulnerability assessments and develop adaptation plans to minimize risks to life, property, essential public services, public access and recreation, and scenic and natural resources from shoreline erosion, coastal flooding and sea level rise for the Western Shoreline Area.
- (b) The vulnerability assessments shall be based on sea level rise projections for likely and worst-case mid-century and end-of-century sea level rise in combination with a 100-year storm event, and shall include one or more scenarios that do not rely on existing shoreline protection devices.
- (c) Adaptation measures shall be designed to minimize impacts on shoreline sand supply, scenic and natural resources, public recreation, and coastal access.
- (d) The adaptation plans shall consider a range of alternatives, including protection, elevation, flood proofing, relocation or partial relocation, and reconfiguration.
- (e) Adaptation measures that preserve, enhance, or restore the sandv beach, dunes, and natural and scenic resources such as beach nourishment, dune restoration, and managed retreat shall be preferred over new or expanded shoreline protection devices.
- (f) The adaptation plans shall consider the recommendations contained in the SPUR Ocean Beach Master Plan.
- (g) Create and maintain sea level rise hazard maps to designate areas within the coastal zone that would be exposed to an increased risk of flooding due to sea level rise. The maps shall include likely and worst case mid-century and end-of-century sea level rise projections in combination with a 100-year storm event. The maps shall include a scenario that does not include existing shoreline protection devices. The maps shall be updated when new information warranting significant adjustments to sea level rise projections becomes available.

### POLICY 12.3

#### **Develop and Implement a Beach Nourishment Program to Sustain Ocean Beach.**

Shoreline erosion has substantially narrowed the sandy beach south of Sloat Boulevard. Sea level rise will likely exacerbate the loss of sandy beach south of Sloat Boulevard and may extend this effect to the north towards the Cliff House. The City shall pursue the development and implementation of a long-term beach nourishment program to maintain a sandy beach along the western shoreline to preserve Ocean Beach as a public recreational resource for future generations and to protect existing public infrastructure and development from coastal hazards.

## Implementation Measure:

Work with the U.S. Army Corps of Engineers to develop and implement a beach nourishment program involving the placement of sand dredged from the San Francisco bar navigation channel offshore of the Golden Gate onto Ocean Beach. Other sources of suitable sand for beach nourishment may also be identified and permitted. Sand shall not be removed from stable dunes.

### POLICY 12.4

#### Develop the Shoreline in a Responsible Manner.

Sea level rise and erosion impacts will worsen over time and could put private and public development in the Western Shoreline Area at risk of flooding. Given these future impacts, development in the Coastal Zone should be sited to avoid coastal hazard areas when feasible. If avoidance is infeasible, development shall be designed to minimize impacts to public safety and property from current or future flooding and erosion without reliance on current or future shoreline protection features.

New development and substantial improvements to existing development located in areas exposed to an increased risk of flooding or erosion due to sea level rise shall be designed and constructed to minimize risks to life and property.

New development and substantial improvements to existing development shall ensure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

New development and substantial improvements to existing development shall not require the construction of shoreline protective devices that would substantially alter natural landforms along bluffs and cliffs. If new development becomes imminently threatened in the future, it shall rely on alternative adaptation measures up to and including eventual removal.

Public recreational access facilities (e.g., public parks, restroom facilities, parking, bicycle facilities, trails, and paths), public infrastructure (e.g., public roads, sidewalks, and public utilities), and coastal-dependent development shall be sited and designed in such a way as to limit potential impacts to coastal resources over the structure's lifetime. As appropriate, such development may be allowed within the immediate shoreline area only if it meets all of the following criteria:

1. The development is required to serve public recreational access and/or public trust needs and cannot be feasibly sited in an alternative area that avoids current and future hazards.
2. The development will not require a new or expanded shoreline protective device and the development shall be sited and designed to be easy to relocated and/or removed, without significant damage to shoreline and/or bluff areas, when it can no longer serve its intended purpose due to coastal hazards.
3. The development shall only be allowed when it will not cause, expand, or accelerate instability of a bluff.

### POLICY 12.5

#### Limit Shoreline Protection Devices

Shoreline protection devices such as rock revetments and seawalls can negatively impact coastal resources by disrupting sand transport and fixing the shoreline in a specific location, leading to the eventual narrowing and ultimate loss of sandy beaches. Such structures are expensive to construct and maintain, may be incompatible with recreational uses and the scenic qualities of the shoreline, and may physically displace or destroy environmentally sensitive habitat areas associated with bluffs, dunes, beaches, and intertidal areas. Because of these impacts, shoreline protection devices shall be avoided and only implemented where less environmentally damaging alternatives are not feasible.

Shoreline protection devices such as rock revetments and seawalls shall be permitted only where necessary to protect existing critical infrastructure and existing development from a substantial risk of loss or major damage due to erosion and only where less environmentally damaging alternatives such as beach nourishment, dune restoration and managed retreat are determined to be infeasible. New or expanded shoreline protection devices should not be permitted solely to protect parking, restrooms, or pedestrian or bicycle facilities.

### POLICY 12.6

#### Minimize Impacts of Shoreline Protection Devices.

Shoreline protection devices may be necessary to protect existing critical infrastructure or development. These shoreline protection

devices shall be designed to minimize their impacts on coastal resources while providing adequate protection for existing critical infrastructure and existing development.

All shoreline protection devices shall be designed and constructed to avoid, minimize, and mitigate impacts on shoreline sand supply, environmentally sensitive habitat areas, scenic quality, public recreation, and coastal access.

Shoreline protection devices shall be designed to blend visually with the natural shoreline, provide for public recreational access, and include proportional mitigation for unavoidable coastal resource and environmentally sensitive habitat impacts.

Coastal permit applications for reconstruction, expansion, or replacement of existing shoreline protection devices shall include a re-assessment of the need for the device, the need for any repair or maintenance of the device, any additional required mitigation for unavoidable impacts to coastal resources and the potential for removal or relocation based on changed conditions. Coastal permits issued for shoreline protection devices shall authorize their use only for the life of the structures they were designed to protect.

---

Amendment by Board of Supervisors [Ordinance 0009-18](#) Adopted 01/23/2018.

Amendment by Board of Supervisors [Ordinance 0009-18](#) adopted on 5/10/2018.

San Francisco Planning Department  
[sfplanning.org](http://sfplanning.org)

Questions or comments on the General Plan? Please email us at [pic@sfgov.org](mailto:pic@sfgov.org).



# Exhibit F





# EXECUTIVE SUMMARY COASTAL ZONE PERMIT/CONDITIONAL USE AUTHORIZATION/PLANNING CODE TEXT AND ZONING MAP AMENDMENTS/SHADOW FINDINGS

**HEARING DATE: JULY 27, 2023**

**Record No.:** 2022-001407CTZ/CUA/MAP/PCA/SHD  
**Project Address:** 2700 45<sup>th</sup> Avenue  
**Zoning:** Neighborhood Commercial, Small Scale (NC-2) Zoning District  
 100-A Height and Bulk District  
**Cultural District:** Sunset Chinese Cultural District  
**Block/Lot:** 2513 / 026  
**Initiated by:** Supervisor Joel Engardio / Introduced on May 2, 2023  
**Board File No.:** 230505

**Project Sponsor:** Dane Bunton  
 Studio BANAA  
 2169 Folsom St., Suite #106  
 San Francisco, CA 94110

**Property Owner:** United Irish Cultural Center Inc.  
 San Francisco, CA 94116

**Staff Contact:** Gabriela Pantoja – (628) 652-7380  
 Gabriela.Pantoja@sfgov.org

**Environmental Review:** Infill Exemption

**Recommendation:** Approval with Conditions

## Planning Code Text / Zoning Map Amendments

The proposed ordinance will amend 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 outlines permitted land uses, including General Office, Institutional, Retail Sales and Service, Wireless Telecommunications Facility, and Nighttime Entertainment, reduces Transportation Demand Management

(TDM) requirements, eliminates applicability of Large Lot Development and Non-Residential Use Size Limit requirements, and allows exceptions from the Floor Area Ratio (FAR), Rear Yard, and Bulk Planning Code requirements via a Conditional Use Authorization.

The Way It Is Now:	The Way It Would Be:
2700 45 <sup>th</sup> Avenue, Assessor’s Parcel Block No. 2513, Lot No. 026 is located within the NC-2 (Neighborhood Commercial, Small Scale) Zoning District and 100-A Height and Bulk District.	2700 45 <sup>th</sup> Avenue, Assessor’s Parcel Block No. 2513, Lot No. 026 will be located within the NC-2 Zoning District, 100-A Height and Bulk District, and Wawona Street and 45 <sup>th</sup> Avenue Cultural Center Special Use District (SUD). Zoning Map SU13 will be amended to illustrate the Wawona St. and 45 <sup>th</sup> Ave. Cultural Center SUD at the subject property, Block 2513, Lot 026.
	The Wawona St. and 45 <sup>th</sup> Ave. Cultural Center SUD will principally permit General Office, Institutional Uses, Retail Sales and Services, Wireless Communication Facilities, and Nighttime Entertainment at all floors, reduced Transportation Demand Management (TDM) requirement, eliminate the applicability of Planning Code Sections 121.1 (Development of Large Lots in NC Zoning Districts) and 121.2 (Non-Residential Use Size Limits in NC Zoning Districts), and authorize exceptions from Floor Area Ratio (FAR), Rear Yard, and Bulk Planning Code requirements via a Conditional Use Authorization.

## Project Description

The Project includes 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. The proposed building will contain 54 off-street parking spaces, two car-share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. The Project will improve the pedestrian walkways with new ADA curb ramps, a new bulbout at the intersection of Wawona St. and 45th Ave., ADA passenger loading zones, street trees, and Class 2 bicycle parking spaces. A total of three signs will be erected at the site.

## Required Commission Action

The proposed Ordinance, as introduced by District 4 Supervisor Joel Engardio, is before the Commission so that it may be approved, rejected, or approved with modifications.

In order for the Project to proceed, the Commission must adopt Shadow Findings pursuant to Planning Code Section 295, grant a Coastal Zone Permit pursuant to Planning Code Sections 330.4(a) and 330.2(e), and a grant a Conditional Use Authorization pursuant to Planning Code Section 303 to allow exceptions from the Floor Area Ratio (Planning Code Section 124), Rear Yard (Planning Code Section 134), and Bulk (Planning Code Section 270) requirements.

## Issues and Other Considerations

- **Public Comment & Outreach.** Prior to the submittal of the listed applications, the Project Sponsors 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 Sponsors have continued to provide community members with Project updates via a monthly newsletter and a dedicated website. Over 200 community members have already expressed support for the proposed development including Cub Scout Pack 0108, The Kennelly and Michael Dillon Schools of Irish Dance, SF Connaught Social and Athletic Club, and District 4 Board of Supervisor, Joel Engardio. To date, the Department has not received any correspondence in opposition to the Project.
- **Sunset Chinese Cultural District.** The Project is located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.
- **General Plan Compliance.** The Project will develop 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 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, is a proven manager and operator of a large community facility.

The Project 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. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.

Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area. The Project 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.

In conclusion, on balance, the Project 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.

In 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 Zoning Map 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 proposed Special Use District (SUD) 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 SUD, the Project will not achieve its optimal massing, scale, and use. Thus, the SUD is required for the Center to remain an anchoring point of San Francisco’s Irish history and to better serve the larger community.

## Environmental Review

The Project is exempt from the California Environmental Quality Act (“CEQA”) as an Infill Exemption per CEQA Guidelines Section 15183.3.

## Recommendation

The Department recommends that the Commission approve the proposed Ordinance and adopt the attached Draft Resolution to that effect.

The Department recommends that the Commission approve the request for Conditional Use Authorization and Coastal Zone Permit for the Project and adopts findings that net new shadow on San Francisco Zoo by the proposed project would not be adverse to the use of San Francisco Zoo.

## **Basis for Recommendation**

The Department finds that the Project is, on balance, consistent with the Western Shoreline Area Plan and the Objectives and Policies of the General Plan. The Project will maintain a longstanding community member, United Irish Cultural Center, within the Outer Sunset neighborhood and help preserve an important part of San Francisco's history. Additionally, the Project will expand 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 Project will also enhance and provide neighborhood serving retail use opportunities, job opportunities, and business opportunities to the residents of the neighborhood. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

## **Attachments:**

Draft Planning Commission Resolution  
Exhibit A – Board of Supervisors File No.230505  
Draft Motion – Conditional Use Authorization with Conditions of Approval (Exhibit B)  
Draft Motion – Coastal Zone Permit  
Draft Motion – Shadow Findings  
Exhibit C – Plans and Renderings  
Exhibit D – Environmental Determination  
Exhibit E – Land Use Data  
Exhibit F – Maps and Context Photos  
Exhibit G – Project Sponsor Brief  
Exhibit H – First Source Hiring Affidavit



# PLANNING COMMISSION DRAFT RESOLUTION

**HEARING DATE: JULY 27, 2023**

**Project Name:** 2700 45<sup>th</sup> Avenue  
**Case Number:** **2022-001407MAP/PCA [Board File No. 230505]**  
**Initiated by:** Supervisor Joel Engardio / Introduced on May 2, 2023  
**Staff Contact:** Gabriela Pantoja, Senior Planner  
Gabriela.Pantoja@sfgov.org, (628) 652-7380  
**Reviewed by:** Natalia Fossi, District 4 Manager  
Natalia.Fossi@sfgov.org, (628) 652-7306

**RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE TO CREATE THE WAWONA STREET AND 45TH AVENUE CULTURAL CENTER SPECIAL USE DISTRICT AT 2700 45TH AVENUE, ASSESSOR'S PARCEL BLOCK NO. 2513, LOT NO. 026, AND AMEND ZONING MAP NO. SU13 TO ILLUSTRATE THE WAWONA STREET AND 45TH AVENUE CULTURAL CENTER SPECIAL USE DISTRICT; 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 May 2, 2023 Supervisor Engardio introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 230505, which would create Planning Code Section 249.96 for the Wawona Street and 45<sup>th</sup> Avenue Cultural Center Special Use District (SUD) and amend the Zoning Map SU13 to illustrate the Wawona Street and 45<sup>th</sup> Avenue Cultural Center SUD for Assessor's Parcel Block No. 2513, Lot No.026;

WHEREAS, the proposed Ordinance and associated Project has been determined is exempt from the California Environmental Quality Act ("CEQA") as an Infill Exemption per CEQA Guidelines Section 15183.3; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on July 27, 2023; 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 the redevelopment of a distinctive building that reflects the Irish heritage helps maintain a sense-of-place for the community.

## 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.

**WESTERN SHORELINE AREA PLAN**

**RICHMOND AND SUNSET RESIDENTIAL NEIGHBORHOODS**

Objectives and Policies

**OBJECTIVE 11**

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

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 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.*

**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 July 27, 2023.

Jonas P. Ionin  
*Commission Secretary*

AYES:

NOES:

ABSENT:

ADOPTED: July 27, 2023

# EXHIBIT A

1 [Planning Code, Zoning Map - Wawona Street and 45th Avenue Cultural Center Special Use  
District]

2

3 **Ordinance amending the Planning Code to create the Wawona Street and 45th Avenue**  
4 **Cultural Center Special Use District (Assessor's Parcel Block No. 2513, Lot No. 026) to**  
5 **facilitate the redevelopment of a cultural center; amending the Zoning Map to show the**  
6 **Wawona Street and 45th Avenue Cultural Center Special Use District; affirming the**  
7 **Planning Department's determination under the California Environmental Quality Act;**  
8 **and making findings of consistency with the General Plan, and the eight priority**  
9 **policies of Planning Code, Section 101.1, and findings of public necessity,**  
10 **convenience, and welfare under Planning Code, Section 302.**

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

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

19 Section 1. CEQA and Land Use Findings.

20 (a) The Planning Department has determined that the actions contemplated in this  
21 ordinance comply with the California Environmental Quality Act (California Public Resources  
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
23 Supervisors in File No. 230505 and is incorporated herein by reference. The Board affirms  
24 this determination.

25 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
adopted findings that the actions contemplated in this ordinance are consistent, on balance,

1 with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The  
2 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
3 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

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

9  
10 Section 2. Background and Findings.

11 (a) The Irish Cultural Center (“Cultural Center”) has operated at 2700 45th Avenue for  
12 more than 45 years and has established a strong community presence by providing facilities  
13 for social, recreational, athletic, and cultural activities. The Cultural Center has operated in  
14 the original 2-story building since 1975 and has not been significantly renovated since it was  
15 first constructed. To ensure the long-term viability of the Cultural Center and its ability to  
16 continue serving the San Francisco community, a larger space that can better accommodate  
17 its ongoing cultural, educational, and recreational activities is necessary.

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

1 Cultural Center will also include nonprofit office space, classrooms, a children’s playroom, and  
2 a member lounge.

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

8  
9 Section 3. The Planning Code is hereby amended by adding Section 249.96, to read  
10 as follows:

11  
12 **SEC. 249.96. WAWONA STREET AND 45TH AVENUE CULTURAL CENTER SPECIAL**  
13 **USE DISTRICT.**

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

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

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

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

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

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

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

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

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

15  
16                   Section 4. Pursuant to Sections 106 and 302(c) of the Planning Code, Sheet SU 13 of  
17 the Zoning Map of the City and County of San Francisco is hereby amended, as follows:

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

23  
24                   Section 5. Effective Date. This ordinance shall become effective 30 days after  
25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

APPROVED AS TO FORM:  
DAVID CHIU, City Attorney

By: /s/ Giulia Gualco-Nelson  
GIULIA GUALCO-NELSON  
Deputy City Attorney

n:\legana\as2023\2300246\01673607.docx



# PLANNING COMMISSION DRAFT MOTION

**HEARING DATE:** July 27, 2023

**Record No.:** 2022-001407CUA  
**Project Address:** 2700 45<sup>th</sup> Avenue  
**Zoning:** Neighborhood Commercial, Small Scale (NC-2) Zoning District  
100-A Height and Bulk District  
**Cultural District:** Sunset Chinese Cultural District  
**Block/Lot:** 2513 / 026  
**Project Sponsor:** Dane Bunton  
Studio BANAA  
118 Precita Avenue  
San Francisco, CA 94110  
**Property Owner:** United Irish Cultural Center Inc.  
San Francisco, CA 94116  
**Staff Contact:** Gabriela Pantoja – (628) 652-7380  
Gabriela.Pantoja@sfgov.org

ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 249.96 AND 303 TO ALLOW THE DEMOLITION OF A TWO-STORY, COMMUNITY FACILITY AND NEW CONSTRUCTION OF A SIX-STORY-OVER-BASEMENT, 91-FT TALL, MIXED-USE BUILDING (APPROXIMATELY 129,538 SSQUARE FEET) OPERATED BY THE UNITED IRISH CULTURAL CENTER THAT CONTAINS PUBLIC AND PRIVATE COMMUNITY FACILITIES, RESTAURANT, BAR, OFFICE, NIGHTTIME ENTERTAINMENT, AND INSTRUCTIONAL LAND USES, 54 OFF-STREET PARKING SPACES, TWO CAR SHARE SPACES, 42 CLASS 1 AND 44 CLASS 2 BICYCLE PARKING SPACES LOCATED AT 2700 45<sup>TH</sup> AVENUE, BLOCK 2513 LOT 026 WITHIN THE NC-2 (NEIGHBORHOOD COMMERCIAL, SMALL SCALE) ZONING DISTRICT, WAWONA STREET AND 45<sup>TH</sup> AVENUE CULTURAL CENTER SPECIAL USE DISTRICT, AND 100-A HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMNETAL QUALITY ACT.

## PREAMBLE

On February 18, 2022, Dane Bunton of Studio BANAA (hereinafter "Project Sponsor") filed Application No. 2022-001407CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to allow the demolition of a two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses, 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. (hereinafter "Project") at 2700 45<sup>th</sup> Avenue, Block 2513 Lot 026 (hereinafter "Project Site").

, as set forth in the Memorandum dated July 17, 2023, The Project is consistent with the adopted zoning controls in the Balboa Park Station Area Plan and was encompassed within the analysis contained in the EIR. Since the EIR was finalized, there have been no substantive changes to the Balboa Park Station Area Plan and no substantive changes in circumstances that would require major revisions to the EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this Project, including the Balboa Park Station Area Plan EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

On July 17, 2023, the Department determined that the Project did not require further environmental review under Section 15183.3 of the CEQA Guidelines, as set forth in the Streamlined Review for Infill Projects and contained in the Application file.

The Streamlined Review for Infill Projects document concludes that the proposed project at 2700 45<sup>th</sup> Avenue: (1) is eligible for an infill streamlining exemption; (2) the effects of the infill project were analyzed in the Housing Element 2022 Update EIR and applicable mitigation measures from the EIR have been incorporated into the proposed project (through adoption of a Mitigation Monitoring and Reporting Program); (3) the proposed project would not cause new specific effects that were not already addressed in the Housing Element EIR; and (4) there is no substantial new information that shows that the adverse environmental effects of the infill project are more significant than described in the prior EIR. Therefore, no further environmental review is required for the project and the Streamlined Review for Infill Projects document comprises the full and complete CEQA evaluation necessary for the proposed project.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program ("MMRP") setting forth mitigation measures that were identified in the Housing Element EIR that are applicable to the Project. These mitigation measures are set forth in their entirety in the MMRP attached to the Motion as "EXHIBIT D."

On July 27, 2023, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2022-001407CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2022-001407CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The 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 the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2022-001407CUA, subject to the conditions contained in “EXHIBIT B” of this motion, based on the following findings:

## 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:

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The proposal is 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) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses. The proposed building will contain 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. The Project will improve the pedestrian walkways with new ADA curb ramps, a new bulbout at the intersection of Wawona St. and 45th Ave., ADA passenger loading zones, street trees, and Class 2 bicycle parking spaces. A total of three signs will be erected at the site.
- 3. Site Description and Present Use.** The subject property is an approximately 16,250 square foot irregular shaped lot located on the west side of 45<sup>th</sup> Avenue, between Wawona Street and Sloat Boulevard. The lot at maximum measures 132 feet 6 inches in depth and 125 feet in width and is developed with a two-story L-shaped building. Developed in 1974, the building is approximately 21,263 square feet in size and is composed of a library, store, restaurant, bar, member's lounge, office, ballroom, and social hall. A surface parking lot is located at the east section of the subject property and contains 12 off-street parking spaces. Since its opening in 1975, the "United Irish Cultural Center" has occupied the existing building and served the Irish community in San Francisco and the greater Bay Area.
- 4. Surrounding Properties and Neighborhood.** The subject property is located within the Neighborhood Commercial, Small Scale (NC-2) Zoning District, 100-A Height and Bulk District, and Coastal Zone area. The property is located within the Parkside neighborhood, adjacent to the Lakeshore neighborhood. The immediate neighborhood's context is predominantly mixed in character with one-to-three story residential and commercial developments. Immediately to the south of the subject property is a vacant parking lot and a one-story restaurant, Java Beach Café, to the east are four three-story multi-unit residential buildings, and to the southeast is a two-story motel. Across the street of the subject property is 2700 Sloat Blvd., the current home of the Sloat Garden Center. Other zoning districts in the vicinity of the subject property include RH-1 (Residential-House, One-Family), RM-2 (Residential-Mixed, Moderate Density), and P (Public) Zoning Districts.

The Project is located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The Sunset Chinese Cultural District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.

- 5. Public Outreach and Comments.** Prior to the submittal of the listed applications, the Project Sponsors 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 Sponsors have

continued to provide community members with Project updates via a monthly newsletter and a dedicated website. Over 200 community members have already expressed support for the proposed development including Cub Scout Pack 0108, The Kennelly and Michael Dillon Schools of Irish Dance, SF Connaught Social and Athletic Club, and District 4 Board of Supervisor, Joel Engardio. To date, the Department has not received any correspondence in opposition of the Project.

**6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Use.** Pursuant to Planning Code Section 249.96, Wawona St. and 45<sup>th</sup> Ave. Cultural Center Special Use District, General Office, Institutional Uses, Retail Sales and Service Uses, and Nighttime Entertainment are principally permitted at all floors.

*The Project will comply with this requirement. The Project proposes the construction of a six-story-over-basement, mixed-use building (United Irish Cultural Center) that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses.*

- B. **Floor Area Ratio.** Planning Code Section 124 permits a Floor Area Ratio (FAR) of 2.5 to 1 for non-residential uses within the NC-2 Zoning District.

*The proposed development will have an FAR of 6.7. The Project seeks an exception via a Conditional Use Authorization pursuant to the proposed Wawona St. and 45<sup>th</sup> Ave. Cultural Center Special Use District (Section 249.96), which allows a maximum FAR of 7.0 to 1 with a Conditional Use.*

- C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard at the second story and above for a depth equal to 25 percent of the total depth of the lot, but in no case less than 15 feet within the NC-2 Zoning District.

*The Project will provide a 15-foot rear yard at the third story and above. The Project seeks an exception via a Conditional Use Authorization pursuant to the proposed Wawona St. and 45<sup>th</sup> Ave. Cultural Center Special Use District (Section 249.96).*

- D. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The Project will comply with this requirement. The proposed mixed-use building will contain an active use, as defined by Section 145.1(b)(2), within the first 25 feet in depth of the subject building along both street frontages (45<sup>th</sup> Avenue and Wawona Street), ground to floor ceiling heights of at minimum 14 feet in height, a garage opening no greater than 15 feet in width, and transparent windows and doors at the ground floor for more than 60 percent of the subject property's street frontage.*

- E. **Off-Street Parking.** Pursuant to Planning Code Section 151, one off-street parking space is permitted for every 2,000 square feet of Occupied Floor Area (OFA) for Private and Public Community Facilities, 1.5 spaces for every 500 square feet of OFA for Office Use and Retail Sales and Service Uses, and 1.5 spaces for every 200 square feet of OFA for Eating and Drinking Uses (i.e. Restaurant and Bar).

*The Project will comply with this requirement. The Planning Code allows up to 118 off-street parking spaces and the Project will provide 54 off-street parking spaces.*

- F. **Off-Street Freight Loading.** Planning Section 152.1 of the Planning Code requires one off-street freight loading space for non-residential uses between 100,001 and 200,000 square feet of occupied floor area.

*The Project will comply with this requirement. One off-street freight loading space will be provided at the garage located at the basement floor.*

- G. **Bicycle Parking.** Planning Code Section 155 states that: one Class 1 bicycle parking space is required for every 7,500 square feet of Occupied Floor Area (OFA) and one Class 2 space for every 750 for Eating and Drinking Uses (i.e. Restaurant and Bar) OFA, one Class 1 bicycle for every 5,000 square feet of OFA and one Class 2 space for every 2,500 square feet of Private and Public Community Facilities OFA, one Class 1 and one Class 2 bicycle parking space for every 5,000 square feet of Office Use OFA.

*The Project will comply with this requirement. A total of 16 Class 1 and 44 Class 2 bicycle parking spaces are required for the Project. The Project will provide a total of 42 Class 1 spaces and 44 Class 2 bicycle parking spaces.*

- H. **Showers Facilities and Lockers.** Pursuant to Planning Code Section 155.4 four showers and 24 lockers are required when the Occupied Floor Area (OFA) exceeds 50,000 square feet for Institutional Uses and Non-Retail Sales and Service Uses.

*The Project is required to provide four showers and 24 lockers for short term use by the tenants or employees of the building. The Project will provide 38 showers and more than 24 lockers to be utilized by the tenants or employees of the building, and thus complies with this requirement.*

- I. **Car Share.** Planning Code Section 166 requires one car share space when providing more than 50 off-street parking spaces plus one for every 50 additional parking spaces.

*The Project will comply with this requirement. The Project will provide 54 off-street parking spaces and two car share spaces.*

- J. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169, 249.46,

and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve 31 percent of a target of 29 points, or 9 points.

*As currently proposed, the Project will achieve its required 9 points through the following TDM measures:*

- Bicycle Parking (Option A)
- Bicycle Repair Station
- Car-share Parking (Option A)
- Delivery Support Amenities
- Multimodal Wayfinding Signage
- Real Time Transportation Displays
- Tailored Transportation Marketing Services (Option B)

- K. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 100-A Height and Bulk District, which limits height at 100 feet.

*The Project will comply with this requirement. The proposed six-story-over-basement building will be approximately 91 feet in height.*

- L. **Bulk.** Planning Code Section 270 requires that properties located with Bulk District “A” above 40 feet in height measure a maximum length of 100 feet and a maximum diagonal length of 125.

*The proposed development will have a maximum length of 130 feet and a maximum diagonal length of 176 for any building massing above 40 feet. The Project seeks an exception from Bulk via a Conditional Use Authorization pursuant to the proposed Wawona St. and 45<sup>th</sup> Ave. Cultural Center Special Use District (Section 249.96), which allows a maximum length of 130 feet and a maximum diagonal length of 176 feet for any building massing above 40 feet with a Conditional Use.*

- M. **Shadow.** Planning Code Section 295 requires a shadow analysis for projects over 40 feet in height to ensure that new buildings would not cast new shadows on properties that are under the jurisdiction of the San Francisco Recreation and Park Department.

*A shadow analysis report, prepared by Fastcast, was submitted on June 28, 2023, analyzing the potential shadow impacts of a 91-foot-tall Project to properties under the jurisdiction of the Recreation and Parks Department (Record No. 2022-001407SHD). The memorandum concluded that the Project would cast approximately 85,818 square-foot hours of new shadow on San Francisco Zoo, equal to approximately 0.0007% of the TAAS on the Zoo, bringing the estimated total annual shading of the Zoo as a percentage of TAAS to 11.451% (previously at 11.45%).*

*The new shadow resulting from the Project would occur in the Spring and Summer and would be present for an average of 13.4 minutes in the mornings prior to 8:00 A.M. The largest max shadow (based on area) would occur on June 21st at 6:46 A.M and end by 7 A.M. covering an area of 14,449 square feet. The maximum shadow coverage would contribute net new shadow to the northwest corner of the Zoo over a portion of the access road and maintenance area within the Exploration Zone. There would be no net*



*new shadow after 8:00 AM on any date.*

*On July 20, 2023, the full Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by a 91-foot-tall Project would not be adverse to the use of the San Francisco Zoo.*

**7. Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use Authorization. On balance, the project complies with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The Project will develop 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 of all age groups. The Project will provide land uses that are compatible with the already present mixed-use character of the surrounding neighborhood. The surrounding neighborhood includes variety of land uses including residential, restaurant, motel, retail, and the Zoo. The Project will provide a restaurant, bar, and office uses along with a private and public community facility that includes a ballroom, library, gym, classrooms, theater, and art gallery, and restaurant, bar, and administrative office spaces.*

*Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building 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. 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.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The Project will create a new visual focal point to mark the presence of the Irish community in San Francisco and the greater Bay Area. At a building height of 91 feet, six-stories-over-basement, the mixed-use building will be taller than many surrounding buildings in the*

*immediate neighborhood. However, the subject property is located within proximity to a commercial corridor that includes buildings of larger scales and heights including a five-story-over-basement building at 2800 Sloat Blvd. The height of United Irish Cultural Center will be distinctive at an appropriate scale for the neighborhood, in that it will be an iconic, highly visible symbol associated with San Francisco's Irish community.*

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the immediate neighborhood's existing on-street parking availability; the Project site is well served by public transportation. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will be provided along both 45<sup>th</sup> Ave. and Wawona Street.*

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*The proposed use is subject to the standard conditions of approval for restaurants, bars, and entertainment facilities and outlined in Exhibit B, Conditions 27, 30, and 31.*

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

*The Project will improve the pedestrian walkways with new ADA curb ramps, a new bulbout at the intersection of Wawona St. and 45<sup>th</sup> Ave., ADA passenger loading zones, street trees, and Class 2 bicycle parking spaces. Additionally, the Project will appropriately screen all off-street parking spaces. A total of three signs will be erected at the site.*

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

*The Project complies with all relevant requirements and standards of the Planning Code, pending the approval of the Wawona St. and 45<sup>th</sup> Ave. Cultural Center Special Use District (SUD), and is consistent with objectives and policies of the General Plan as detailed below.*

- D. That use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

*The Project is consistent with the stated purposes of NC-2 Zoning District and Wawona St. and 45<sup>th</sup> Ave. Cultural Center SUD Pursuant to the SUD's Planning Code and Zoning Map Amendment Ordinance (File No. 230505), the purpose of this SUD is to facilitate the construction of a modern, state-of-the-art community center that will reactivate the street frontages and beautify the neighborhood. The Project will provide several benefits to the City and the Irish community in San*

*Francisco.*

- 8. General Plan Compliance.** The Project is, on balance, 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.

**URBAN DESIGN ELEMENT**

Objectives and Policies

**OBJECTIVE 3**

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

**POLICY 3.3**

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

**OBJECTIVE 4**

**IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.**

**POLICY 4.12**

Install, promote and maintain landscaping in public and private areas.

**TRANSPORTATION ELEMENT**

Objectives and Policies

**OBJECTIVE 25**

**IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.**

**POLICY 25.2**

Maintain and expand the planting of street trees and the infrastructure to support them.

**POLICY 25.4**

Preserve pedestrian-oriented building frontages

**WESTERN SHORELINE AREA PLAN**

**RICHMOND AND SUNSET RESIDENTIAL NEIGHBORHOODS**

Objectives and Policies

**OBJECTIVE 11**

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

**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.

*On balance, the Project is consistent with the Objectives and Policies of the General Plan and the Western Shoreline Area Plan. The Project will develop 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 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, is a proven manager and operator of a large community facility.*

*The Project 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. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.*

*Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area. The Project 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.*

*Located within proximity to public transportation, the Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the neighborhood's existing on-street parking availability. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will also be provided along both 45th Ave. and Wawona Street.*

**9. Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The Project will not remove or displace an existing neighborhood serving retail uses. The Project site is currently and will continue to be occupied by a community facility (United Irish Cultural Center). The Project will, however, enhance and provide neighborhood serving retail use opportunities, job opportunities, and business opportunities to the residents of the neighborhood. Furthermore, the Project will introduce new patrons to the area, and therefore, strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.*

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The Project will conserve and protect the existing housing and neighborhood character, including the cultural and economic diversity of the neighborhood. The Project will maintain and help grow the presence of the United Irish Cultural Center within the Outer Sunset and Parkside neighborhoods by demolishing an existing two-story, community facility building and constructing a six-story-over-basement, mixed-use building with private and public community facilities, bar, restaurant, office, nighttime entertainment, and instructional uses. Additionally, the Project will reinforce and enhance*

*the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.*

*Reflecting the history and aspirations of the Irish community, the proposed building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area while respecting the scale and form of the surrounding neighborhood.*

- C. That the City's supply of affordable housing be preserved and enhanced,

*The Project does not currently possess any existing affordable housing.*

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the immediate neighborhood's existing on-street parking availability; the Project site is well served by public transportation. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will be provided along both 45<sup>th</sup> Ave. and Wawona Street.*

- E. 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 Project will not displace any service or industry sectors due to a commercial office development and will not affect residents' employment and ownership opportunities of industrial and service sector. Rather, the Project will increase the future employment and ownership opportunities. The Project will demolish a two-story, community facility building and construct a much larger mixed-use building that includes private and public community facilities, restaurant, bar, office, nighttime entertainment, and instructional uses.*

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings.*

- H. That our parks and open space and their access to sunlight and vistas be protected from

development.

*The Project will create a new shadow on the San Francisco Zoo which is under the jurisdiction of the Recreation and Park Department. However, the amount of net new shadow cast onto the Zoo as a result of the Project will not be significant or adverse to the enjoyment of the park.*

- 10. First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

*The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.*

- 11.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 12.** The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.



## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Permit Application No. 2022-001407CUA** subject to the following conditions attached hereto as “EXHIBIT B” in general conformance with plans on file, dated July 18, 2023, and stamped “EXHIBIT C”, which is incorporated herein by reference as though fully set forth.

The Planning Commission hereby adopts the MMRP attached hereto as “EXHIBIT D” and incorporated herein as part of this Motion by this reference thereto. All required improvement and mitigation measures identified in the Housing Element EIR and contained in the MMRP are included as Conditions of Approval.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 27, 2023.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSED:

ADOPTED: July 27, 2023

## EXHIBIT B

### Authorization

This authorization is for a conditional use to allow the demolition of an existing two-story, community facility and new construction of a six-story-over-basement, mixed-use building (approximately 129,538 square feet) to be operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses pursuant to Planning Code Sections 249.96, 303, and 330 within the NC-2 District, Wawona Street and 45<sup>th</sup> Avenue Cultural Center Special Use District, and a 100-A Height and Bulk District; in general conformance with plans, dated July 18, 2023, and stamped “EXHIBIT C” included in the docket for Record No. 2022-001407CUA and subject to conditions of approval reviewed and approved by the Commission on July 27, 2023 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 27, 2023 under Motion No. XXXXXX.

### Printing of Conditions of Approval on Plans

The conditions of approval under the “Exhibit B” and “Exhibit D” of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. “Project Sponsor” shall include any subsequent responsible party.

### **Changes and Modifications**

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

# CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

## Performance

- 1. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) become effective. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 2. Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 3. Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) became effective.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 4. Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 5. Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 6. Additional Project Authorization.** The Project must obtain a Coastal Zone Permit, Planning Code Text Amendment Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District at 2700 45th Avenue, Assessor's parcel Block No. 2513, Lot No. 026, and amend Zoning Map No. SU13 to illustrate the Wawona Street And 45th Avenue Cultural Center Special Use District (Board of Supervisor File No. 230505). The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Planning Director, shall apply.

This approval is contingent on, and will be of no further force and effect until the date that the San Francisco Board of Supervisors has approved by resolution approving the Planning Code Text Amendment and Map Amendment.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Design – Compliance at Plan Stage

- 7. Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, [www.sfplanning.org](http://www.sfplanning.org)*

- 8. Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, [www.sfplanning.org](http://www.sfplanning.org)*

- 9. Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sfplanning.org](http://www.sfplanning.org)*

- 10. Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, [www.sfplanning.org](http://www.sfplanning.org)*

- 11. Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, [www.sfplanning.org](http://www.sfplanning.org)*

- 12. Transformer Vault Location.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department in consultation with Public Works shall require the following locations for transformer vault(s) for this project: on the private property within transformer rooms or in underground vaults. The above requirement shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the Planning Department dated January 2, 2019.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, [www.sfpbpublicworks.org](http://www.sfpbpublicworks.org)*

- 13. Noise.** Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, [www.sfplanning.org](http://www.sfplanning.org)*

- 14. Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, [www.sfplanning.org](http://www.sfplanning.org)*

## Parking and Traffic

- 15. Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project

shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

*For information about compliance, contact the TDM Performance Manager at [tdm@sfgov.org](mailto:tdm@sfgov.org) or 628.652.7340, [www.sfplanning.org](http://www.sfplanning.org)*

- 16. Car Share.** Pursuant to Planning Code Section 166, no fewer than one (1) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 17. Bicycle Parking.** Pursuant to Planning Code Section 155, the Project shall provide no fewer than 60 bicycle parking spaces, 16 Class 1 and 44 Class 2 bicycle parking spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at [bikeparking@sfmta.com](mailto:bikeparking@sfmta.com) to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 18. Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than four showers and 24 clothes lockers.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 19. Parking Maximum.** Pursuant to Planning Code Section 151, the Project shall provide no more than 118 off-street parking spaces.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 20. Off-Street Loading.** Pursuant to Planning Code Section 152, the Project will provide one (1) off-street loading

spaces.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 21. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Provisions

- 22. First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

*For information about compliance, contact the First Source Hiring Manager at 415.581.2335, [www.onestopSF.org](http://www.onestopSF.org)*

- 23. Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, [www.sfplanning.org](http://www.sfplanning.org)*

- 24. Jobs-Housing Linkage.** The Project is subject to the Jobs Housing Linkage Fee, as applicable, pursuant to Planning Code Section 413.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, [www.sfplanning.org](http://www.sfplanning.org)*

## Monitoring - After Entitlement

- 25. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 26. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from



interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit B of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 27. Mitigation Measures.** Feasible mitigation measures from the programmatic EIR for the Housing Element EIR that are applicable to the project will be undertaken. These mitigation measures are necessary to avoid potential significant effects of the proposed project and are described in the project specific MMRP attached as Exhibit D. The measures have been agreed to by the project sponsor. Their implementation are conditions of project approval.

For information about compliance, contact Code Enforcement, Planning Department at 628-652-7463, [www.sf-planning.org](http://www.sf-planning.org)

## Operation

- 28. Eating and Drinking Uses.** As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in [Section 102](#), shall be subject to the following conditions:

- A. The business operator shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, [Section 34](#) of the San Francisco Police Code.

*For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, [www.sfpublicworks.org](http://www.sfpublicworks.org).*

- B. When located within an enclosed space, the premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building, and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

*For information about compliance of fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at 415.252.3800, [www.sfdph.org](http://www.sfdph.org).*

*For information about compliance with construction noise requirements, contact the Department of Building Inspection at 628.652.3200, [www.sfdbi.org](http://www.sfdbi.org).*

*For information about compliance with the requirements for amplified sound, including music and television, contact the Police Department at 415.553.0123, [www.sf-police.org](http://www.sf-police.org)*

- C. While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

*For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), [www.baaqmd.gov](http://www.baaqmd.gov) and Code Enforcement, Planning Department at 628.652.7600, [www.sfplanning.org](http://www.sfplanning.org)*

- D. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

*For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, [www.sfpublicworks.org](http://www.sfpublicworks.org)*

- 29. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, [www.sfpublicworks.org](http://www.sfpublicworks.org)*

- 30. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 31. Notices Posted at Bars and Entertainment Venues.** Notices urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to not litter or block driveways in the neighborhood, shall be well-lit and prominently displayed at all entrances to and exits from the establishment.

*For information about compliance, contact the Entertainment Commission, at 415 554-6678, [www.sfgov.org/entertainment](http://www.sfgov.org/entertainment)*

- 32. Other Entertainment.** The Other Entertainment shall be performed within the enclosed building only. The building shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance. Bass and vibrations

shall also be contained within the enclosed structure. The Project Sponsor shall obtain all necessary approvals from the Entertainment Commission prior to operation. The authorized entertainment use shall also comply with all of the conditions imposed by the Entertainment Commission.

*For information about compliance, contact the Entertainment Commission, at 628.652.6030, [www.sfgov.org/entertainment](http://www.sfgov.org/entertainment)*

- 33. Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*



# PLANNING COMMISSION DRAFT MOTION

**HEARING DATE:** July 27, 2023

**Record No.:** 2022-001407CTZ  
**Project Address:** 2700 45<sup>th</sup> Avenue  
**Zoning:** Neighborhood Commercial, Small Scale (NC-2) Zoning District  
100-A Height and Bulk District  
**Cultural District:** Sunset Chinese Cultural District  
**Block/Lot:** 2513 / 026  
**Project Sponsor:** Dane Bunton  
Studio BANAA  
2169 Folsom Street, Suite #106  
San Francisco, CA 94110  
**Property Owner:** United Irish Cultural Center Inc.  
San Francisco, CA 94116  
**Staff Contact:** Gabriela Pantoja – (628) 652-7380  
Gabriela.Pantoja@sfgov.org

ADOPTING FINDINGS RELATING TO THE GRANTING OF A COASTAL ZONE PERMIT PURSUANT TO PLANNING CODE SECTION 330 TO ALLOW THE DEMOLITION OF A TWO-STORY, COMMUNITY FACILITY AND NEW CONSTRUCTION OF A SIX-STORY-OVER-BASEMENT, 91-FT TALL, MIXED-USE BUILDING (APPROXIMATELY 129,538 SSQUARE FEET) OPERATED BY THE UNITED IRISH CULTURAL CENTER THAT CONTAINS PUBLIC AND PRIVATE COMMUNITY FACILITIES, RESTAURANT, BAR, OFFICE, NIGHTTIME ENTERTAINMENT, AND INSTRUCTIONAL LAND USES, 54 OFF-STREET PARKING SPACES, TWO CAR SHARE SPACES, 42 CLASS 1 AND 44 CLASS 2 BICYCLE PARKING SPACES LOCATED AT 2700 45<sup>TH</sup> AVENUE, BLOCK 2513 LOT 026 WITHIN THE NC-2 (NEIGHBORHOOD COMMERCIAL, SMALL SCALE) ZONING DISTRICT, WAWONA STREET AND 45<sup>TH</sup> AVENUE CULTURAL CENTER SPECIAL USE DISTRICT, AND 100-A HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMNETAL QUALITY ACT.

## PREAMBLE

On February 18, 2022, Dane Bunton of Studio BANAA (hereinafter "Project Sponsor") filed Application No. 2022-001407CTZ (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Coastal Permit Zone to allow the demolition of a two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses, 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. (hereinafter "Project") at 2700 45<sup>th</sup> Avenue, Block 2513 Lot 026 (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act ("CEQA") as an Infill Exemption per CEQA Guidelines Section 15183.3.

On July 27, 2023, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Coastal Zone Permit Application No. 2022-001407CTZ.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2022-001407CTZ is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The 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 the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Coastal Zone Permit as requested in Application No. 2022-001407CTZ, subject to the conditions contained in "EXHIBIT B" of this motion, based on the following findings:

## 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:

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The proposal is 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) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses. The proposed building will contain 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. The Project will improve the pedestrian walkways with new ADA curb ramps, a new bulbout at the intersection of Wawona St. and 45th Ave., ADA passenger loading zones, street trees, and Class 2 bicycle parking spaces. A total of three signs will be erected at the site.
- 3. Site Description and Present Use.** The subject property is an approximately 16,250 square foot irregular shaped lot located on the west side of 45<sup>th</sup> Avenue, between Wawona Street and Sloat Boulevard. The lot at maximum measures 132 feet 6 inches in depth and 125 feet in width and is developed with a two-story L-shaped building. Developed in 1974, the building is approximately 21,263 square feet in size and is composed of a library, store, restaurant, bar, member's lounge, office, ballroom, and social hall. A surface parking lot is located at the east section of the subject property and contains 12 off-street parking spaces. Since its opening in 1975, the "United Irish Cultural Center" has occupied the existing building and served the Irish community in San Francisco and the greater Bay Area.
- 4. Surrounding Properties and Neighborhood.** The subject property is located within the Neighborhood Commercial, Small Scale (NC-2) Zoning District, 100-A Height and Bulk District, and Coastal Zone area. The property is located within the Parkside neighborhood, adjacent to the Lakeshore neighborhood. The immediate neighborhood's context is predominantly mixed in character with one-to-three story residential and commercial developments. Immediately to the south of the subject property is a vacant parking lot and a one-story restaurant, Java Beach Café, to the east are four three-story multi-unit residential buildings, and to the southeast is a two-story motel. Across the street of the subject property is 2700 Sloat Blvd., the current home of the Sloat Garden Center. Other zoning districts in the vicinity of the subject property include RH-1 (Residential-House, One-Family), RM-2 (Residential-Mixed, Moderate Density), and P (Public) Zoning Districts.

The Project is located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The Sunset Chinese Cultural District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.

- 5. Public Outreach and Comments.** Prior to the submittal of the listed applications, the Project Sponsors 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 Sponsors have

continued to provide community members with Project updates via a monthly newsletter and a dedicated website. Over 200 community members have already expressed support for the proposed development including Cub Scout Pack 0108, The Kennelly and Michael Dillon Schools of Irish Dance, SF Connaught Social and Athletic Club, and District 4 Board of Supervisor, Joel Engardio. To date, the Department has not received any correspondence in opposition of the Project.

- 6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

Pursuant to Planning Code Section 330, the Project is consistent with the Coastal Zone Permit process and conforms to the requirements and objectives of the San Francisco Local Coastal Program.

- 7. General Plan Compliance.** The Project is, on balance, 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.

**URBAN DESIGN ELEMENT**

Objectives and Policies

**OBJECTIVE 3**

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

POLICY 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

**OBJECTIVE 4**

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

POLICY 4.12

Install, promote and maintain landscaping in public and private areas.

**TRANSPORTATION ELEMENT**

Objectives and Policies

**OBJECTIVE 25**

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

POLICY 25.2

Maintain and expand the planting of street trees and the infrastructure to support them.

POLICY 25.4

Preserve pedestrian-oriented building frontages

**WESTERN SHORELINE AREA PLAN**

**RICHMOND AND SUNSET RESIDENTIAL NEIGHBORHOODS**

Objectives and Policies

**OBJECTIVE 11**

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

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.

*On balance, the Project is consistent with the Objectives and Policies of the General Plan and the Western Shoreline Area Plan. The Project will develop 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 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, is a proven manager and operator of a large community facility.*

*The Project 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. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.*

*Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area. The Project 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.*

*Located within proximity to public transportation, the Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the neighborhood's existing on-street parking availability. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will also be provided along both 45th Ave. and Wawona Street.*

**8. Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The Project will not remove or displace an existing neighborhood serving retail uses. The Project site is currently and will continue to be occupied by a community facility (United Irish Cultural Center). The Project will, however, enhance and provide neighborhood serving retail use opportunities, job opportunities, and business opportunities to the residents of the neighborhood. Furthermore, the Project will introduce new patrons to the area, and therefore, strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.*

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The Project will conserve and protect the existing housing and neighborhood character, including the cultural and economic diversity of the neighborhood. The Project will maintain and help grow the presence of the United Irish Cultural Center within the Outer Sunset and Parkside neighborhoods by demolishing an existing two-story, community facility building and constructing a six-story-over-basement, mixed-use building with private and public community facilities, bar, restaurant, office, nighttime entertainment, and instructional uses. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.*

*Reflecting the history and aspirations of the Irish community, the proposed building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area while respecting the scale and form of the surrounding neighborhood.*

- C. That the City's supply of affordable housing be preserved and enhanced,

*The Project does not currently possess any existing affordable housing.*

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the immediate neighborhood's existing on-street parking availability; the Project site is well served by public transportation. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will be provided along both 45<sup>th</sup> Ave. and Wawona Street.*

- E. 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 Project will not displace any service or industry sectors due to a commercial office development and will not affect residents' employment and ownership opportunities of industrial and service sector. Rather, the Project will increase the future employment and ownership opportunities. The Project will demolish a two-story, community facility building and construct a much larger mixed-use building that includes private and public community facilities, restaurant, bar, office, nighttime entertainment, and instructional uses.*

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings.*

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Project will create a new shadow on the San Francisco Zoo which is under the jurisdiction of the Recreation and Park Department. However, the amount of net new shadow cast onto the Zoo as a result of the Project will not be significant or adverse to the enjoyment of the park.*

9. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
10. The Commission hereby finds that approval of the Coastal Zone Permit would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Coastal Zone Permit Application No. 2022-001407CTZ** subject to the following conditions attached hereto as “EXHIBIT B” in general conformance with plans on file, dated July 18, 2023, and stamped “EXHIBIT C”, which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Coastal Zone Permit to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Ave., Suite 1475, San Francisco, CA 94103.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Coastal Zone Permit to the California Coastal Commission within ten (10) working days after the California Coastal Commission receives notice of final action from the Planning Department pursuant to the provisions of Section 330.9. Appeals to the California Coastal Commission are subject to the aggrieved party provisions in Section 330.2(a). An applicant is required to exhaust local appeals before appealing to the California Coastal Commission. For further information about appeals to the California Coastal Commission, including current fees, contact the North Central Coast District Office at (415) 904 - 5260.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 27, 2023.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSED:

ADOPTED: July 27, 2023

# EXHIBIT B

## Authorization

This authorization is for a conditional use and coastal zone permit to allow the demolition of an existing two-story, community facility and new construction of a six-story-over-basement, mixed-use building (approximately 129,538 square feet) to be operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses pursuant to Planning Code Sections 249.96, 303, and 330 within the NC-2 District, Wawona Street and 45<sup>th</sup> Avenue Cultural Center Special Use District, and a 100-A Height and Bulk District; in general conformance with plans, dated July 18, 2023, and stamped “EXHIBIT C” included in the docket for Record No. 2022-001407CTZ and subject to conditions of approval reviewed and approved by the Commission on July 27, 2023 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

## Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 27, 2023 under Motion No. XXXXXX.

## Printing of Conditions of Approval on Plans

The conditions of approval under the “Exhibit B” of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Coastal Zone Permit and any subsequent amendments or modifications.

## Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. “Project Sponsor” shall include any subsequent responsible party.

## Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Coastal Zone Permit.

# CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

## Performance

- 1. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) become effective. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 2. Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 3. Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) became effective.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 4. Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 5. Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.



*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 6. Additional Project Authorization.** The Project must obtain a Conditional Use Authorization, Planning Code Text Amendment Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District at 2700 45th Avenue, Assessor's parcel Block No. 2513, Lot No. 026, and amend Zoning Map No. SU13 to illustrate the Wawona Street And 45th Avenue Cultural Center Special Use District (Board of Supervisor File No. 230505). The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Planning Director, shall apply.

This approval is contingent on and will be of no further force and effect until the date that the San Francisco Board of Supervisors has approved by resolution approving the Planning Code Text Amendment and Map Amendment.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Parking and Traffic

- 7. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Monitoring - After Entitlement

- 8. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 9. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit B of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*



# PLANNING COMMISSION DRAFT MOTION

**HEARING DATE: JULY 27, 2023**

Case No.: 2022-001407SHD  
Project Address: 2700 45<sup>th</sup> Avenue  
**Zoning:** Neighborhood Commercial, Small Scale (NC-2) Zoning District  
100-A Height and Bulk District  
**Cultural District:** Sunset Chinese Cultural District  
**Block/Lots:** 2513 / 026  
Project Sponsor: Dane Bunton  
Studio BANAA  
2169 Folsom Street, Suite #106  
San Francisco, CA 94110  
**Staff Contact:** Gabriela Pantoja – (628) 652-7380  
[Gabriela.Pantoja@sfgov.org](mailto:Gabriela.Pantoja@sfgov.org)

**ADOPTING FINDINGS WITH THE RECOMMENDATION OF THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW ON SAN FRANCISCO ZOO BY THE PROPOSED PROJECT AT 2700 45<sup>TH</sup> AVENUE WOULD NOT BE ADVERSE TO THE USE OF SAN FRANCISCO ZOO.**

## Preamble

Under Planning Code Section 295, a building permit application for a project exceeding a height of 40 feet cannot be approved if there is any shadow impact on a property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission, upon recommendation from the Recreation and Park Commission, makes a determination that the shadow impact will not be significant or adverse.

On February 7, 1959, the Recreation and Park Commission and the Planning Commission adopted criteria establishing absolute cumulative limits for additional shadows on fourteen parks throughout San Francisco (Planning Commission Resolution No. 11595).

Planning Code Section 295 was adopted in 1985 in response to voter-approved Proposition K, which required Planning Commission disapproval of any structure greater than 40 feet in height that cast a shadow on property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission found the shadow would not be significant. In 1989, the Recreation and Park Commission and Planning Commission jointly adopted

a memorandum which identified quantitative and qualitative criteria for determinations of significant shadows in parks under the jurisdiction of the Recreation and Park Department.

The Proposition K Memorandum established generic criteria for determining a potentially permissible quantitative limit for additional shadows, known as the absolute cumulative limit, for parks not named in the memorandum. San Francisco Zoo was not named in the Proposition K memorandum and, at 100 acres (3,288,181 sq. ft.), is considered a large park which is shadowed less than 20 percent of the time during the year. As such, Proposition K Memorandum recommended that additional shadow of up to one percent could be potentially permitted if the shadow meets the qualitative criteria of the park. The qualitative criteria includes existing shadow profiles, important times of day and seasons in the year associated with the park's use, the size and duration of new shadows, and the public good served by the buildings casting new shadow. Approval of new shadow on San Francisco Zoo would require hearings at the Recreation and Park Commission and the Planning Commission.

The San Francisco Zoo is a 100-acre public zoo and garden located in the southwestern corner of San Francisco, California, in the Lakeshore neighborhood between Lake Merced and the Pacific Ocean along the Great Highway. The SF Zoo is a public institution, managed by the non-profit San Francisco Zoological Society and under the jurisdiction of the Recreation and Parks Department. The official hours of operation are from 10 a.m. to 5 p.m. daily, but special programs that include overnight stays and special evening programs are also offered.

The park contains over 350 species of animals and dozens of enclosures organized around seven major zones including the "Exploration Zone" situated on the northwestern corner of the park and due east of the main entry and exit. Additional zones include the "Outback Trail", "South America" and "Bear Country" along the northern quarter of the site bordering Sloat Boulevard. The "Cat Kingdom", "Primate Discovery Center", and "African Region" make up the southern half of the park. Onsite parking is provided and controlled along the western edge of the Zoo and is accessed from Great Highway.

The proposed Project has the potential to create approximately 85,818 sfh of net new shadow within the Zoo, which represents an increase of approximately 0.007% above the current level, resulting in an increase in the total annual shading from 11.45% to 11.451% of Total Annual Available Sunlight (TAAS). The new shadow resulting from the Project would be present between May and August in the early morning hours and would fall on the northwest section of the Zoo and cast new shadows on the Exploration Zone. The maximum potential impact occurs on the Summer Solstice, June 21 at 6:46 AM, and covers approximately 14,500 square feet of access road and maintenance area of the Exploration Zone's facility and represents 0.44% of the overall Zoo's area.

On May 31, 2023, Dane Bunton of Studio BANAA (hereinafter "Project Sponsor") filed Application No. 022-001407SHD (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Shadow Analysis to allow the demolition of a two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses, 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces (hereinafter "Project") at 2700 45<sup>th</sup> Avenue, Block 2513, Lot 026 (hereinafter "Project Site"). The Project is located within the NC-2 (Neighborhood Commercial, Small Scale) Zoning District, Wawona St. and 45<sup>th</sup> Ave. Cultural Center Special Use District, and 100-A Height and Bulk District.

On an annual basis, the Theoretical Annual Available Sunlight ("TAAS") on San Francisco Zoo is approximately 12,236,637,026 square-foot hours of sunlight. Existing structures in the area cast shadows on San Francisco Zoo that total approximately 1,401,697,678 square-foot hours, or approximately 11.45% of the TAAS.

A shadow analysis report, prepared by Fastcast was submitted May 22, 2023, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Record No. 2022-001407SHD). The memorandum concluded that the Project would cast approximately 85,818 square-foot hours of new shadow on San Francisco Zoo, equal to approximately 0.0007% of the TAAS on San Francisco Zoo, bringing the estimated total annual shading of the Park as a percentage of TAAS to 11.451% (previously at 11.45%).

The Project is exempt from the California Environmental Quality Act ("CEQA") as an Infill Exemption per CEQA Guidelines Section 15183.3.

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2022-001407SHD is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

On July 27, 2023, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Shadow Analysis Application No. 2022-001407SHD.

The 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 the applicant, Department staff, and other interested parties.

## 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:

1. The above recitals are accurate and constitute findings of this Commission.
2. The additional shadow cast by the Project would not be adverse and is not expected to interfere with the use of the Park for the following reasons:
  - a. The magnitude of the additional shadow is well below one percent of TAAS on an annual basis, and amounts to a reasonable and small loss of sunlight for a park in an area intended for increased building heights and residential density.
  - b. When present, the new shadow would occur in the early morning entering the park before 8 AM, prior to the opening of the Zoo to the public, with an average duration of the net new shadow being 13.4 minutes.
  - c. Shading from the Project would be over a portion of the Exploration Zone and northern perimeter edge of the zoo which is accessed only by staff.
  - e. No single location within the park would be in continuous new shadow for longer than 13.4 minutes.

3. **Public Outreach and Comment.** Prior to the submittal of the listed applications, the Project Sponsors 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 Sponsors have continued to provide community members with Project updates via a monthly newsletter and a dedicated website. Over 200 community members have already expressed support for the proposed development including Cub Scout Pack 0108, The Kennelly and Michael Dillon Schools of Irish Dance, SF Connaught Social and Athletic Club, and District 4 Board of Supervisor, Joel Engardio. To date, the Department has not received any correspondence in opposition of the Project.
4. A determination by the Planning Commission and the Recreation and Park Commission to allocate new shadow to the Project does not constitute an approval of the Project.

## Decision

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **DETERMINES**, under Shadow Analysis Application No. 2022-001407SHD that the net new shadow cast by the Project on San Francisco Zoo will not be adverse to the use of San Francisco Zoo.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 27, 2023.

Jonas P. Ionin  
*Commission Secretary*

AYES:

NAYS:

ABSENT:

RECUSED:

ADOPTED: July 27, 2023



# EXHIBIT C

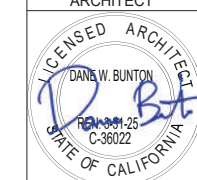
# UNITED IRISH CULTURAL CENTER of SAN FRANCISCO

2700 45TH AVE, SAN FRANCISCO, CA 94116

Studio BANAA  
architecture  
planning  
interiors

2169 FOLSOM STREET, #S106  
SAN FRANCISCO, CA 94110  
[T] (415) 610-8100  
www.studiobanaa.com

PROJECT DESCRIPTION	PROJECT DIRECTORY	VICINITY MAP	LIST OF DRAWINGS	PROPOSED RENDERING																																																																					
<p>THIS PROJECT CONSISTS OF A NEW SIX-STORY 109,384 SQUARE FOOT BUILDING FOR THE UNITED IRISH CULTURAL CENTER OF SAN FRANCISCO.</p> <p>THE BUILDING WILL HOLD A NUMBER OF PROGRAMMATIC USES AND FUNCTIONS, INCLUDING (BY FLOOR): B2 - INDOOR POOL AND AQUATIC CENTER B2 MEZZANINE - STORAGE B1 - PARKING (APPROXIMATELY 52 SPACES) 1ST - LOBBY, DIGITAL GALLERY, EMERALD PUB 2ND - BANQUET HALL / THEATRE, BAR, SCREENING THEATER 2ND FLOOR MEZZANINE - BANQUET / THEATRE SEATING 3RD - DOWLING LIBRARY, IRISH MUSEUM 4TH - ADMINISTRATIVE OFFICES AND CLASSROOMS 5TH - GYM 6TH - RESTAURANT &amp; BAR, ROOF DECK AND GARDEN</p> <p>PROJECT WILL REQUIRE APPROVAL OF A NEW SPECIAL USE DISTRICT AND ZONING MAP AMENDMENT.</p> <p>STRUCTURAL SUMMARY: THE ENTIRE STRUCTURE WILL BE CONSTRUCTED OF CAST-IN-PLACE CONCRETE FLOORS WILL BE POST-TENSIONED. SEISMIC FORCES WILL BE RESISTED BY CONCRETE SHEARWALLS. THE FOUNDATION WILL BE A CONCRETE MAT BEARING ON NATIVE SANDS.</p>	<p><b>OWNER</b> UNITED IRISH CULTURAL CENTER INCORPORATED 2700 45TH AVENUE SAN FRANCISCO, CA 94116 415-461-2700 SIGNATORY: LIAM REIDY, PRESIDENT</p> <p><b>ARCHITECT</b> BUNTON MOUSAVI ARCHITECTURE, d.b.a. "Studio BANAA" 2169 Folsom St., #S106 SAN FRANCISCO, CA 94110 415.314.7386</p> <p><b>PRINCIPAL ARCHITECT</b> NASTARAN MOUSAVI, RA PRINCIPAL ARCHITECT nastaran@studiobanaa.com 415.314.7386</p> <p><b>STRUCTURAL ENGINEER</b> DOLMEN CONSULTING ENGINEERS DIARMUID MACNEILL, PE 2595 MISSION STREET, SUITE 200, SAN FRANCISCO, CA 94110 415-409-9200</p>		<p><b>ARCHITECTURAL</b></p> <ul style="list-style-type: none"> <li>A0.1 PROJECT INFORMATION</li> <li>A0.2 EXISTING SITE &amp; BUILDING PHOTOS</li> <li>A0.3 BUILDING SURVEY</li> <li>A0.4 BUILDING SURVEY</li> <li>A0.5 PROPOSED RENDERINGS</li> <li>A1.0 SITE PLAN - EXISTING/ DEMOLITION</li> <li>A1.1 SITE PLAN - PROPOSED</li> <li>A1.1A SITE PLAN - PROPOSED - WIND SCENARIO 2A</li> <li>A1.1B SITE PLAN - PROPOSED - WIND SCENARIO 2B</li> <li>A1.2 CITY STANDARD SITE DETAILS &amp; TEMPLATES</li> <li>A1.3 CITY STANDARD SITE DETAILS &amp; TEMPLATES</li> <li>A1.10 LANDSCAPING/ STREETScape PLAN</li> <li>A2.0 EXISTING 1ST FLOOR PLAN</li> <li>A2.1 EXISTING 2ND FLOOR PLAN</li> <li>A2.2 EXISTING 3RD FLOOR PLAN</li> <li>A2.3 B2 FLOOR PLAN</li> <li>A2.3A B2 MEZZANINE PLAN</li> <li>A2.4 B1 FLOOR PLAN</li> <li>A2.5 1ST FLOOR PLAN</li> <li>A2.6 2ND FLOOR MEZZANINE PLAN</li> <li>A2.7 3RD FLOOR PLAN</li> <li>A2.8 4TH FLOOR PLAN</li> <li>A2.9 5TH FLOOR PLAN</li> <li>A2.10 6TH FLOOR PLAN</li> <li>A4.0 ROOF PLAN</li> <li>A5.0 EXTERIOR ELEVATIONS - EXISTING</li> <li>AS.1 EXTERIOR ELEVATIONS - EXISTING</li> <li>AS.2 EXTERIOR ELEVATIONS - PROPOSED</li> <li>AS.3 EXTERIOR ELEVATIONS - PROPOSED</li> <li>AS.4 EXTERIOR ELEVATIONS - PROPOSED</li> <li>AS.5 EXTERIOR ELEVATIONS - PROPOSED</li> <li>A6.0 BUILDING SECTIONS</li> <li>A6.1 BUILDING SECTIONS</li> <li>A7.0 WALL SECTIONS</li> <li>A7.1 EXTERIOR DETAILS</li> <li>A9.0 SCHEDULES</li> </ul>	 <p>45TH AVE &amp; WAWONA ST BIRD'S-EYE VIEW</p>																																																																					
CODES AND REGULATIONS																																																																									
<p>USE THE FOLLOWING CODES AND REGULATIONS WITH LATEST AMENDMENTS AND SUPPLEMENTS:</p> <ol style="list-style-type: none"> <li>1. CALIFORNIA CODE OF REGULATIONS (CCR) TITLE 24, 2019             <ul style="list-style-type: none"> <li>A. 2019 BUILDING STANDARDS ADMINISTRATIVE CODE PART 1, TITLE 24 C.C.R.</li> <li>B. 2019 CALIFORNIA BUILDING CODE (CBC) PART 2, TITLE 24 C.C.R.</li> <li>C. ASME A17.1-2013/CSA B44-13 SAFETY CODE FOR ELEVATORS AND ESCALATORS</li> <li>D. 2019 CALIFORNIA REFERENCED STANDARDS CODE, PART 12, TITLE 24 C.C.R.</li> <li>E. TITLE 19 C.C.R., PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS.</li> </ul> </li> <li>2. STRUCTURAL AND SEISMIC REQUIREMENTS: PART 2, TITLE 24 C.C.R.</li> <li>3. ACCESSIBILITY GUIDELINES: CCR TITLE 24, PARTS 2, 3 AND 5 (DSA INTERPRETIVE MANUAL)</li> <li>4. FIRE SAFETY (STATE FIRE MARSHAL):             <ul style="list-style-type: none"> <li>A. 2019 CALIFORNIA FIRE CODE (CFC), PART 9 TITLE 24 C.C.R.</li> <li>B. NFPA 72 NATIONAL FIRE ALARM, 2019 EDITION.</li> <li>C. CCR TITLE 19, CSFM REQUIREMENTS.</li> <li>D. NFPA-13 INSTALLATION OF SPRINKLERS (2019 EDITION)</li> <li>E. NFPA-14 STANDPIPE SYSTEMS (2019 EDITION)</li> <li>F. NFPA-17 DRY CHEMICAL EXTINGUISHING SYSTEMS (2019 EDITION)</li> <li>G. NFPA-17A WET CHEMICAL SYSTEMS (2019 EDITION)</li> <li>H. NFPA 20 STATIONARY PUMPS (2019 EDITION)</li> <li>I. NFPA-24 PRIVATE FIRE MAINS (2019 EDITION)</li> <li>J. NFPA 72 NATIONAL FIRE ALARM CODE (CALIFORNIA AMENDED) (2019 EDITION)</li> <li>(NOTE SEE UL STANDARD 1971 FOR "VISUAL DEVICES")</li> <li>K. NFPA 253 CRITICAL RADIANT FLUX OF FLOOR COVERING SYSTEMS (2020 EDITION)</li> <li>L. NFPA 2001 CLEAN AGENT FIRE EXTINGUISHING SYSTEMS (2019 EDITION) REFERENCE CODE SECTION FOR NFPA STANDARDS - 2019 CBC (SFM) CHAPTER 35</li> </ul> </li> <li>5. ELECTRICAL REQUIREMENTS: 2019 CALIFORNIA ELECTRICAL CODE (CEC), PART 3, TITLE 24 C.C.R.</li> <li>6. MECHANICAL REQUIREMENTS: 2019 CALIFORNIA MECHANICAL CODE (CMC) PART 4, TITLE 24 C.C.R.</li> <li>7. PLUMBING REQUIREMENTS: 2019 CALIFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24 C.C.R.</li> <li>8. 2019 CALIFORNIA ENERGY CODE PART 6, TITLE 24 C.C.R.</li> <li>9. 2019 CALIFORNIA FIRE CODE, PART 9, TITLE 24 C.C.R.</li> <li>10. CONSTRUCTION SAFETY (CAL-OSHA), CCR TITLE 8.</li> <li>11. RULES AND REGULATIONS OF THE LOCAL TELEPHONE COMPANY</li> <li>12. RULES AND REGULATIONS OF THE LOCAL UTILITY COMPANIES</li> </ol> <p>BICYCLE PARKING, SEC. 155.2 RESTAURANT/BAR OFA: 10,882 (REST.) + 1,103 (BAR) = 11,985 11,985/7500 = 1.6 = 2 CLASS 1 SPACES 11,985/750 = 16 CLASS 2 SPACES</p> <p>COMMUNITY FACILITY OFA: 1,852 (PRIVATE) + 83,361 (PUBLIC) = 85,213 65,213/5000 = 13 CLASS 1 SPACES 65,213/2500 = 26 CLASS 2 SPACES</p> <p>OFFICE USE OFA: 8,430 8,430/5000 = 1 CLASS 1 SPACE 8,430/5000 = 2 CLASS 2 SPACES</p> <p><b>TOTAL REQUIRED (FOR PLANNING):</b> <b>16 CLASS 1 SPACES, 42 PROVIDED; 44 CLASS 2 SPACES, 44 PROVIDED</b></p> <p>OFF-STREET FREIGHT LOADING SPACES, SEC. 152 TOTAL RETAIL SALES SERVICE OFA (ALL RESTAURANTS-ALL BARS-IRISH SHOPPE AND CAFE): 13,781 SF (&gt;10,000 = 60,000) NUMBER OF OFF-STREET FREIGHT LOADING SPACES REQUIRED: 1</p> <p>ALL OTHER OFA: 70,559.19 (&lt;100,000) NUMBER OF OFF-STREET FREIGHT LOADING SPACES REQUIRED: 0</p>	<h3 style="text-align: center;">BUILDING DATA</h3> <p>PROJECT ADDRESS: 2700 45TH AVE, SAN FRANCISCO, CA 94116 PARCEL # (BLOCK/LOT): 2513/026 YEAR BUILT: 1975</p> <p>ZONING: NC-2 (NEIGHBORHOOD COMMERCIAL - SMALL SCALE)</p> <p>HEIGHT/BULK: 100-A THE APPLICABLE BULK LIMITS SHALL BE A MAXIMUM LENGTH OF 140' FEET AND A MAXIMUM DIAGONAL OF 180' FEET, APPLYING AT A HEIGHT OF 40' AND ABOVE. LONGEST PROPERTY LINE = 132'-6" (SEE 1/A.1.1) DIAGONAL = 174'-1" (SEE 1/A.2.11)</p> <p>TOTAL PARCEL AREA: 16,250 SF BUILDING USE (EXISTING): CULTURAL CENTER BUILDING USE (PROPOSED): CULTURAL CENTER FLOOR AREA RATIO (EXISTING): 1.32 FLOOR AREA RATIO (PROPOSED): <math>\frac{109,384 \text{ SF}^*}{16,250 \text{ SF}} = 6.73</math> *ABOVE GRADE FLOORS + SUBTERRANEAN USES NOT PARKING OR MECHANICAL</p> <p>BUILDING HEIGHT (EXISTING): 21'-0" (T.O. HIGHEST FLOOR), 35'-0" (T.O. ROOF) BUILDING HEIGHT (PROPOSED): 91'-0" (T.O. ROOF PER SAN FRANCISCO PLANNING CODE SEC. 260(a)(1)(c)), 96'-0" (T.O. PARAPET) HEIGHT FROM LOWEST LEVEL OF FIRE DEPARTMENT ACCESS TO T.O. HIGHEST OCCUPIED FLOOR PER SFBIC 403: 74'-1" 1/2"</p> <p>EXISTING BUILDING AREA: 21,263 GROSS SQFT PROPOSED BUILDING AREA: 109,384 GROSS SQFT EXISTING # OF STORIES: 3 PROPOSED # OF STORIES: 6 STORIES EXISTING # OF STORIES BELOW GRADE: 0 PROPOSED # OF STORIES BELOW GRADE: 2 OCCUPANCY TYPE (EXISTING): A-3 OCCUPANCY TYPE (PROPOSED): A-3 CONSTRUCTION TYPE (EXISTING): V-B, NOT SPRINKLERED CONSTRUCTION TYPE (PROPOSED): I-B, FULLY SPRINKLERED ALLOWABLE AREA: IB, UL (UNLIMITED)</p> <p><u>ESTIMATED EXCAVATION VOLUME</u> GROSS FLOOR AREA (SINGLE FLOOR, SUBTERRANEAN): 16250.06 FT DEPTH (B.O. MAT SLAB TO T.O. FIRST FLOOR): 34.33 FT VOLUME: 20661.65036 CUBIC YD</p> <p>KIDDIE POOL MAT SLAB VOLUME (31.48(W) * 33.08(L) * 3(D)): 3124.0752 CUBIC FT 115.7064899 CUBIC YD</p> <p>LAP POOL + MAT SLAB VOLUME (46(W) * 77(L) * 6(D)): 21252 CUBIC FT 787.11111 CUBIC YD</p> <p><b>TOTAL SUBTERRANEAN VOLUME: 21564.46796 CUBIC YD</b></p>																																																																								
<h3 style="text-align: center;">PROJECT SUMMARY TABLE</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>EXISTING</th> <th>PROPOSED</th> </tr> </thead> <tbody> <tr> <td>RESIDENTIAL</td> <td>0 SF</td> <td>0 SF</td> </tr> <tr> <td>COMMERCIAL/RETAIL</td> <td>21,263 SF*</td> <td>100,554 SF*</td> </tr> <tr> <td>OFFICE</td> <td>0 SF</td> <td>8,830 SF</td> </tr> <tr> <td>BICYCLE PARKING</td> <td>0 SF</td> <td>1039 SF</td> </tr> <tr> <td>USABLE OPEN SPACE</td> <td>0 SF</td> <td>6,057 SF</td> </tr> <tr> <td>TOTAL ROOF AREA</td> <td>0 SF</td> <td>13,707 SF</td> </tr> <tr> <td>LIVING ROOF AREA</td> <td>0 SF</td> <td>1,328 SF</td> </tr> <tr> <td>SOLAR READY ZONE</td> <td>0 SF</td> <td>3,915 SF</td> </tr> <tr> <td>MARKET RATE, AFFORDABLE, OR OTHER DWELLING UNITS</td> <td>0 SF</td> <td>0 SF</td> </tr> </tbody> </table> <p>*BUILDING OPERATES AS A 501c-3 NON-PROFIT</p>						EXISTING	PROPOSED	RESIDENTIAL	0 SF	0 SF	COMMERCIAL/RETAIL	21,263 SF*	100,554 SF*	OFFICE	0 SF	8,830 SF	BICYCLE PARKING	0 SF	1039 SF	USABLE OPEN SPACE	0 SF	6,057 SF	TOTAL ROOF AREA	0 SF	13,707 SF	LIVING ROOF AREA	0 SF	1,328 SF	SOLAR READY ZONE	0 SF	3,915 SF	MARKET RATE, AFFORDABLE, OR OTHER DWELLING UNITS	0 SF	0 SF																																							
	EXISTING	PROPOSED																																																																							
RESIDENTIAL	0 SF	0 SF																																																																							
COMMERCIAL/RETAIL	21,263 SF*	100,554 SF*																																																																							
OFFICE	0 SF	8,830 SF																																																																							
BICYCLE PARKING	0 SF	1039 SF																																																																							
USABLE OPEN SPACE	0 SF	6,057 SF																																																																							
TOTAL ROOF AREA	0 SF	13,707 SF																																																																							
LIVING ROOF AREA	0 SF	1,328 SF																																																																							
SOLAR READY ZONE	0 SF	3,915 SF																																																																							
MARKET RATE, AFFORDABLE, OR OTHER DWELLING UNITS	0 SF	0 SF																																																																							
<h3 style="text-align: center;">TDM MEASURES</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NAME</th> <th>OPTION</th> <th>REQUIREMENT</th> <th>PROPOSED</th> <th>DWG REF</th> <th>POINTS</th> <th>NOTES</th> </tr> </thead> <tbody> <tr> <td rowspan="2">ACTIVE-2</td> <td rowspan="2">A</td> <td>- 16 CLASS 1 SPACES PER PLANNING</td> <td>- 42 CLASS 1 SPACES PROVIDED</td> <td>1 / A2.4</td> <td rowspan="2">1</td> <td rowspan="2">"BICYCLE PARKING COUNT" / A2.4 / A2.5</td> </tr> <tr> <td>- 44 CLASS 2 SPACES PER PLANNING</td> <td>- 44 CLASS 2 SPACES PROVIDED</td> <td>1 / A2.3</td> </tr> <tr> <td rowspan="2">ACTIVE-3</td> <td rowspan="2"></td> <td>1 SHOWER AND 6 LOCKERS</td> <td>- LEVEL B2: 19 SHOWERS, 50 LOCKERS - LEVEL 5: 19 SHOWERS, 19 LOCKERS</td> <td>1 / A2.3 1 / A2.10</td> <td rowspan="2">1</td> <td>PROPOSED SHOWER/LOCKER COUNTS EXCLUDE MEMBERS-ONLY FACILITIES</td> </tr> <tr> <td>BICYCLE REPAIR STATION</td> <td>BICYCLE REPAIR STATION IS PROVIDED WITHIN SECURE BIKE CAGE ON LEVEL B1, NEAR CLASS 1 BICYCLE PARKING</td> <td>1 / A2.4</td> </tr> <tr> <td>CSHARE-1</td> <td>A</td> <td>PROVIDE 1 CAR-SHARE SPACE MIN</td> <td>2 CAR-SHARE SPACES PROVIDED PER PLANNING</td> <td>1 / A2.4</td> <td>1</td> <td></td> </tr> <tr> <td>DELIVERY-1</td> <td></td> <td>DELIVERY SUPPORTIVE AMENITIES</td> <td>DELIVERY STORAGE LOCKERS TO BE PROVIDED IN VESTIBULE 278, UNDER THE STAIR.</td> <td>1 / A2.5</td> <td>1</td> <td></td> </tr> <tr> <td>INFO-1</td> <td></td> <td>MULTIMODAL WAYFINDING SIGNAGE</td> <td>LARGE INTERACTIVE SCREEN IS PROVIDED IN THE LOBBY FOR INFORMATION</td> <td>1 / A2.5 "INTERIOR - LOBBY, GALLERY, RETAIL, INTERACTIVE SIGN" / A0.5</td> <td>1</td> <td></td> </tr> <tr> <td>INFO-2</td> <td></td> <td>REAL-TIME TRANSPORTATION INFORMATION DISPLAYS</td> <td>LARGE INTERACTIVE SCREEN IS PROVIDED IN THE LOBBY OFFERING REAL-TIME TRANSPORTATION INFORMATION</td> <td>1 / A2.5 "INTERIOR - LOBBY, GALLERY, RETAIL, INTERACTIVE SIGN" / A0.5</td> <td>1</td> <td></td> </tr> <tr> <td>INFO-3</td> <td>B</td> <td>PROVIDE PROMOTIONS/ WELCOME PACKETS &amp; A REQUEST FOR COMMITMENT TO TRY NEW TRANSPORTATION OPTIONS.</td> <td>OWNER TO PROVIDE REQUIRED PROMOTIONS/ PACKETS TO AND REQUEST FOR COMMITMENT FROM EMPLOYEES.</td> <td></td> <td>2</td> <td></td> </tr> <tr> <td>TOTAL PNTS</td> <td></td> <td></td> <td></td> <td></td> <td>9</td> <td></td> </tr> </tbody> </table>					NAME	OPTION	REQUIREMENT	PROPOSED	DWG REF	POINTS	NOTES	ACTIVE-2	A	- 16 CLASS 1 SPACES PER PLANNING	- 42 CLASS 1 SPACES PROVIDED	1 / A2.4	1	"BICYCLE PARKING COUNT" / A2.4 / A2.5	- 44 CLASS 2 SPACES PER PLANNING	- 44 CLASS 2 SPACES PROVIDED	1 / A2.3	ACTIVE-3		1 SHOWER AND 6 LOCKERS	- LEVEL B2: 19 SHOWERS, 50 LOCKERS - LEVEL 5: 19 SHOWERS, 19 LOCKERS	1 / A2.3 1 / A2.10	1	PROPOSED SHOWER/LOCKER COUNTS EXCLUDE MEMBERS-ONLY FACILITIES	BICYCLE REPAIR STATION	BICYCLE REPAIR STATION IS PROVIDED WITHIN SECURE BIKE CAGE ON LEVEL B1, NEAR CLASS 1 BICYCLE PARKING	1 / A2.4	CSHARE-1	A	PROVIDE 1 CAR-SHARE SPACE MIN	2 CAR-SHARE SPACES PROVIDED PER PLANNING	1 / A2.4	1		DELIVERY-1		DELIVERY SUPPORTIVE AMENITIES	DELIVERY STORAGE LOCKERS TO BE PROVIDED IN VESTIBULE 278, UNDER THE STAIR.	1 / A2.5	1		INFO-1		MULTIMODAL WAYFINDING SIGNAGE	LARGE INTERACTIVE SCREEN IS PROVIDED IN THE LOBBY FOR INFORMATION	1 / A2.5 "INTERIOR - LOBBY, GALLERY, RETAIL, INTERACTIVE SIGN" / A0.5	1		INFO-2		REAL-TIME TRANSPORTATION INFORMATION DISPLAYS	LARGE INTERACTIVE SCREEN IS PROVIDED IN THE LOBBY OFFERING REAL-TIME TRANSPORTATION INFORMATION	1 / A2.5 "INTERIOR - LOBBY, GALLERY, RETAIL, INTERACTIVE SIGN" / A0.5	1		INFO-3	B	PROVIDE PROMOTIONS/ WELCOME PACKETS & A REQUEST FOR COMMITMENT TO TRY NEW TRANSPORTATION OPTIONS.	OWNER TO PROVIDE REQUIRED PROMOTIONS/ PACKETS TO AND REQUEST FOR COMMITMENT FROM EMPLOYEES.		2		TOTAL PNTS					9	
NAME	OPTION	REQUIREMENT	PROPOSED	DWG REF	POINTS	NOTES																																																																			
ACTIVE-2	A	- 16 CLASS 1 SPACES PER PLANNING	- 42 CLASS 1 SPACES PROVIDED	1 / A2.4	1	"BICYCLE PARKING COUNT" / A2.4 / A2.5																																																																			
		- 44 CLASS 2 SPACES PER PLANNING	- 44 CLASS 2 SPACES PROVIDED	1 / A2.3																																																																					
ACTIVE-3		1 SHOWER AND 6 LOCKERS	- LEVEL B2: 19 SHOWERS, 50 LOCKERS - LEVEL 5: 19 SHOWERS, 19 LOCKERS	1 / A2.3 1 / A2.10	1	PROPOSED SHOWER/LOCKER COUNTS EXCLUDE MEMBERS-ONLY FACILITIES																																																																			
		BICYCLE REPAIR STATION	BICYCLE REPAIR STATION IS PROVIDED WITHIN SECURE BIKE CAGE ON LEVEL B1, NEAR CLASS 1 BICYCLE PARKING	1 / A2.4																																																																					
CSHARE-1	A	PROVIDE 1 CAR-SHARE SPACE MIN	2 CAR-SHARE SPACES PROVIDED PER PLANNING	1 / A2.4	1																																																																				
DELIVERY-1		DELIVERY SUPPORTIVE AMENITIES	DELIVERY STORAGE LOCKERS TO BE PROVIDED IN VESTIBULE 278, UNDER THE STAIR.	1 / A2.5	1																																																																				
INFO-1		MULTIMODAL WAYFINDING SIGNAGE	LARGE INTERACTIVE SCREEN IS PROVIDED IN THE LOBBY FOR INFORMATION	1 / A2.5 "INTERIOR - LOBBY, GALLERY, RETAIL, INTERACTIVE SIGN" / A0.5	1																																																																				
INFO-2		REAL-TIME TRANSPORTATION INFORMATION DISPLAYS	LARGE INTERACTIVE SCREEN IS PROVIDED IN THE LOBBY OFFERING REAL-TIME TRANSPORTATION INFORMATION	1 / A2.5 "INTERIOR - LOBBY, GALLERY, RETAIL, INTERACTIVE SIGN" / A0.5	1																																																																				
INFO-3	B	PROVIDE PROMOTIONS/ WELCOME PACKETS & A REQUEST FOR COMMITMENT TO TRY NEW TRANSPORTATION OPTIONS.	OWNER TO PROVIDE REQUIRED PROMOTIONS/ PACKETS TO AND REQUEST FOR COMMITMENT FROM EMPLOYEES.		2																																																																				
TOTAL PNTS					9																																																																				
<h3 style="text-align: center;">SQUARE FOOTAGE MATRIX - BY PROGRAM</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>PROGRAM</th> <th>LOCATION (FLOOR)</th> <th>GROSS SQUARE FOOTAGE</th> <th>OCCUPIED FLOOR AREA</th> </tr> </thead> <tbody> <tr> <td>RESTAURANT</td> <td>1ST, 5TH, 6TH</td> <td>13,804 SF</td> <td>10,882 SF</td> </tr> <tr> <td>PRIVATE COMMUNITY FACILITY</td> <td>6TH</td> <td>2,590 SF</td> <td>1,852 SF</td> </tr> <tr> <td>PUBLIC COMMUNITY FACILITY</td> <td>ALL</td> <td>91,291 SF</td> <td>63,361 SF</td> </tr> <tr> <td>INSTRUCTIONAL SERVICE</td> <td>4TH</td> <td>3,849 SF</td> <td>3,794 SF</td> </tr> <tr> <td>BAR</td> <td>2ND</td> <td>1,236 SF</td> <td>1,103 SF</td> </tr> <tr> <td>OFFICE</td> <td>4TH</td> <td>8,831 SF</td> <td>8,430 SF</td> </tr> <tr> <td><b>TOTAL</b></td> <td></td> <td><b>121,601 SF</b></td> <td><b>89,422 SF</b></td> </tr> </tbody> </table>					PROGRAM	LOCATION (FLOOR)	GROSS SQUARE FOOTAGE	OCCUPIED FLOOR AREA	RESTAURANT	1ST, 5TH, 6TH	13,804 SF	10,882 SF	PRIVATE COMMUNITY FACILITY	6TH	2,590 SF	1,852 SF	PUBLIC COMMUNITY FACILITY	ALL	91,291 SF	63,361 SF	INSTRUCTIONAL SERVICE	4TH	3,849 SF	3,794 SF	BAR	2ND	1,236 SF	1,103 SF	OFFICE	4TH	8,831 SF	8,430 SF	<b>TOTAL</b>		<b>121,601 SF</b>	<b>89,422 SF</b>																																					
PROGRAM	LOCATION (FLOOR)	GROSS SQUARE FOOTAGE	OCCUPIED FLOOR AREA																																																																						
RESTAURANT	1ST, 5TH, 6TH	13,804 SF	10,882 SF																																																																						
PRIVATE COMMUNITY FACILITY	6TH	2,590 SF	1,852 SF																																																																						
PUBLIC COMMUNITY FACILITY	ALL	91,291 SF	63,361 SF																																																																						
INSTRUCTIONAL SERVICE	4TH	3,849 SF	3,794 SF																																																																						
BAR	2ND	1,236 SF	1,103 SF																																																																						
OFFICE	4TH	8,831 SF	8,430 SF																																																																						
<b>TOTAL</b>		<b>121,601 SF</b>	<b>89,422 SF</b>																																																																						
<h3 style="text-align: center;">SQUARE FOOTAGE MATRIX - BY FLOOR</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>FLOOR</th> <th>SQUARE FOOTAGE (GROSS)</th> <th>GSF (INCL. PARKING &amp; MECH.)</th> <th>OCCUPANCY</th> </tr> </thead> <tbody> <tr> <td>B2</td> <td>15,744 SF</td> <td>16,250 SF</td> <td>A-3</td> </tr> <tr> <td>B2 MEZZANINE</td> <td>1,138 SF</td> <td>6,707 SF</td> <td>S-2</td> </tr> <tr> <td>B1</td> <td>2,468 SF</td> <td>16,250 SF</td> <td>S-2</td> </tr> <tr> <td>1ST</td> <td>14,406 SF</td> <td>14,473 SF</td> <td>A-2, A-3</td> </tr> <tr> <td>2ND</td> <td>13,646 SF</td> <td>13,680 SF</td> <td>A-2</td> </tr> <tr> <td>2ND FLOOR MEZZANINE</td> <td>8,739 SF</td> <td>8,795 SF</td> <td>A-2</td> </tr> <tr> <td>3RD</td> <td>14,248 SF</td> <td>14,283 SF</td> <td>A-3</td> </tr> <tr> <td>4TH</td> <td>14,686 SF</td> <td>14,721 SF</td> <td>B</td> </tr> <tr> <td>5TH</td> <td>14,429 SF</td> <td>14,464 SF</td> <td>A-2, A-3</td> </tr> <tr> <td>6TH</td> <td>9,880 SF</td> <td>9,915 SF</td> <td>A-2</td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>109,384 SF</b></td> <td><b>129,538 SF</b></td> <td><b>A-3 (PRIMARY OCCUPANCY)</b></td> </tr> </tbody> </table>					FLOOR	SQUARE FOOTAGE (GROSS)	GSF (INCL. PARKING & MECH.)	OCCUPANCY	B2	15,744 SF	16,250 SF	A-3	B2 MEZZANINE	1,138 SF	6,707 SF	S-2	B1	2,468 SF	16,250 SF	S-2	1ST	14,406 SF	14,473 SF	A-2, A-3	2ND	13,646 SF	13,680 SF	A-2	2ND FLOOR MEZZANINE	8,739 SF	8,795 SF	A-2	3RD	14,248 SF	14,283 SF	A-3	4TH	14,686 SF	14,721 SF	B	5TH	14,429 SF	14,464 SF	A-2, A-3	6TH	9,880 SF	9,915 SF	A-2	<b>TOTAL</b>	<b>109,384 SF</b>	<b>129,538 SF</b>	<b>A-3 (PRIMARY OCCUPANCY)</b>																					
FLOOR	SQUARE FOOTAGE (GROSS)	GSF (INCL. PARKING & MECH.)	OCCUPANCY																																																																						
B2	15,744 SF	16,250 SF	A-3																																																																						
B2 MEZZANINE	1,138 SF	6,707 SF	S-2																																																																						
B1	2,468 SF	16,250 SF	S-2																																																																						
1ST	14,406 SF	14,473 SF	A-2, A-3																																																																						
2ND	13,646 SF	13,680 SF	A-2																																																																						
2ND FLOOR MEZZANINE	8,739 SF	8,795 SF	A-2																																																																						
3RD	14,248 SF	14,283 SF	A-3																																																																						
4TH	14,686 SF	14,721 SF	B																																																																						
5TH	14,429 SF	14,464 SF	A-2, A-3																																																																						
6TH	9,880 SF	9,915 SF	A-2																																																																						
<b>TOTAL</b>	<b>109,384 SF</b>	<b>129,538 SF</b>	<b>A-3 (PRIMARY OCCUPANCY)</b>																																																																						

ARCHITECT	ENGINEER
	

GENERAL NOTES

1. This sheet is part of a set and is not to be used alone.
2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022
2	SFMTA COMMENTS	11/26/2022
4	PCL REV 2	7/18/2023

## KEY

### PLANNING APPLICATION

# UNITED IRISH CULTURAL CENTER

2700 45TH AVE.

SAN FRANCISCO, CA 94116

## PROJECT INFORMATION

Date	07/18/2023	Drawing Number	A0.1
Scale		Project Number	20007



# United Irish Cultural Center

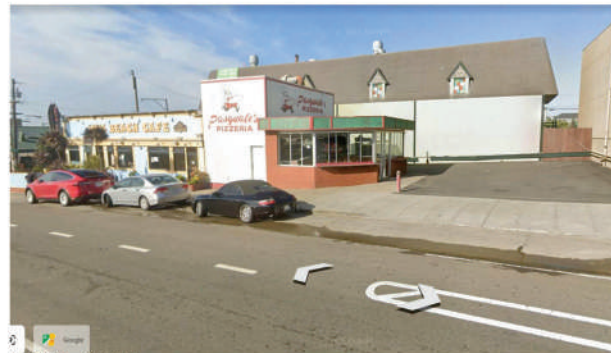
## EXISTING PROPERTY PHOTOS



CORNER 45TH AND WAWONA - NORTH WEST



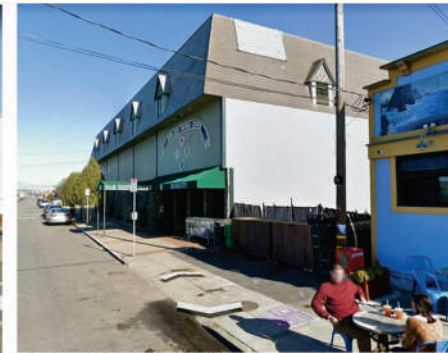
WAWONA - NORTH EAST



SLOAT - SOUTH



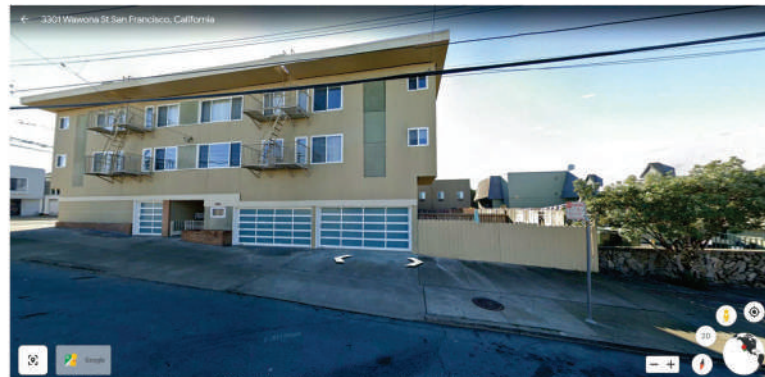
SLOAT & 45TH AVE- SOUTH WEST



45TH AVE- SOUTH WEST

# United Irish Cultural Center

## Adjacent Properties/Neighborhood Photos



North Neighbor - Adjacent (Residential Apartment Building)



North Neighbor - Opposite (Residential homes)



South Neighbor - Adjacent (Cafe, Restaurant, & Hotel)



West Neighbor - Opposite (Sloat Garden Center / Planned Residential Development)

Studio | BANAA

architecture  
planning  
interiors

2169 FOLSOM STREET, #S106  
SAN FRANCISCO, CA 94110  
[ T ] (415) 610-8100  
www.studiobanaa.com

ARCHITECT	ENGINEER

- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE

### KEY

PLANNING APPLICATION

UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.

SAN FRANCISCO, CA 94116

EXISTING SITE &  
BUILDING PHOTOS

Date

07/18/2023

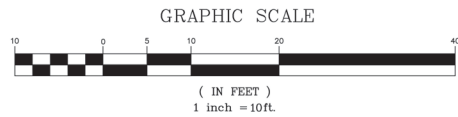
Scale

Project Number

20007

Drawing Number

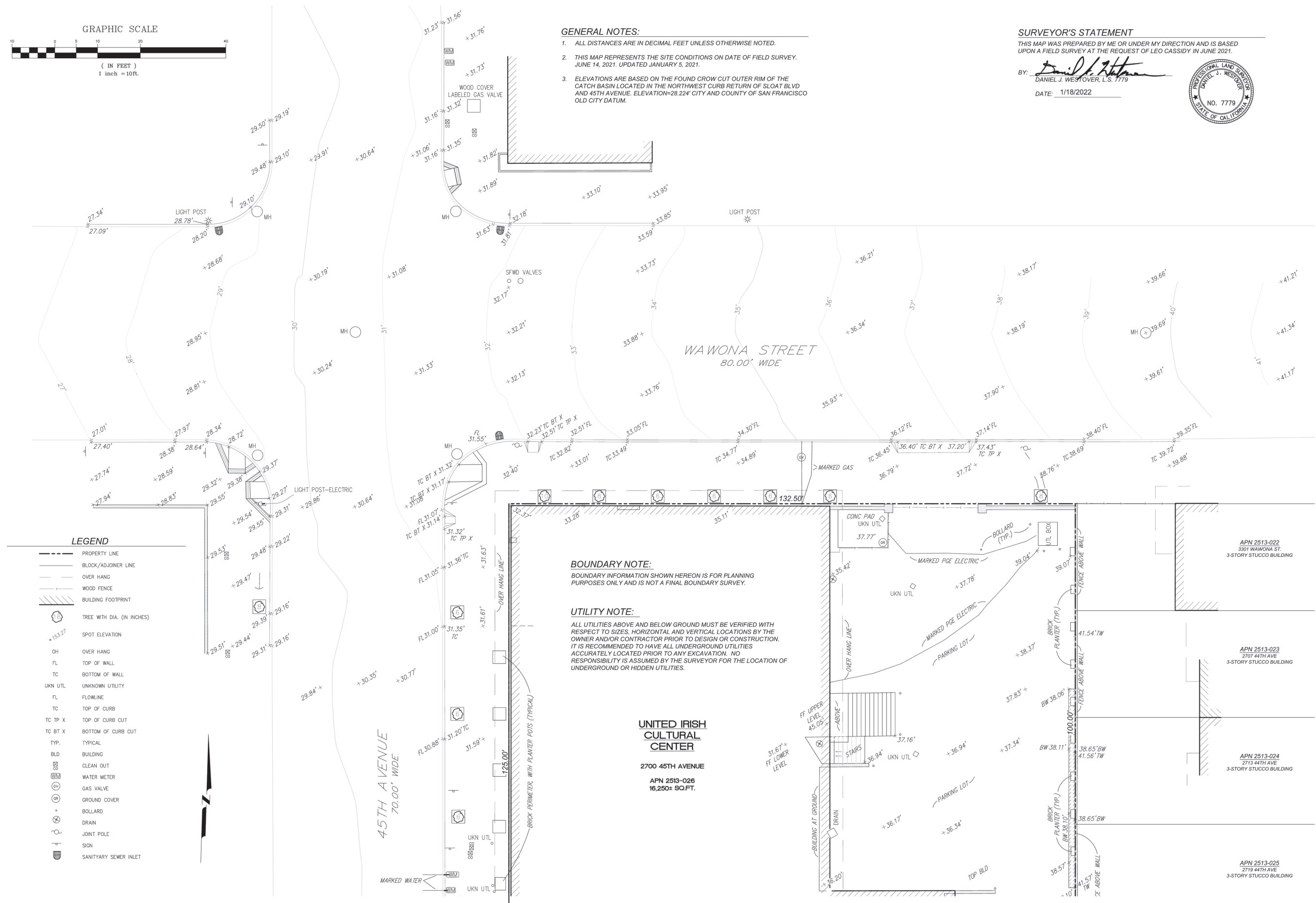
A0.2



**GENERAL NOTES:**

- ALL DISTANCES ARE IN DECIMAL FEET UNLESS OTHERWISE NOTED.
- THIS MAP REPRESENTS THE SITE CONDITIONS ON DATE OF FIELD SURVEY, JUNE 14, 2021, UPDATED JANUARY 5, 2021.
- ELEVATIONS ARE BASED ON THE FOUND CROW CUT OUTER RIM OF THE CATCH BASIN LOCATED IN THE NORTHWEST CURB RETURN OF SLOAT BLVD AND 45TH AVENUE. ELEVATION=28.224' CITY AND COUNTY OF SAN FRANCISCO OLD CITY DATUM.

**SURVEYOR'S STATEMENT**  
 THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY AT THE REQUEST OF LEO CASSIDY IN JUNE 2021.  
 BY: *Daniel J. Westover*  
 DANIEL J. WESTOVER, L.S. 7779  
 DATE: 1/18/2022



**LEGEND**

- PROPERTY LINE
- BLOCK/ADJOINER LINE
- OVER HANG
- WOOD FENCE
- BUILDING FOOTPRINT
- TREE WITH DIA. (N INCHES)
- SPOT ELEVATION
- OH OVER HANG
- FL TOP OF WALL
- TC BOTTOM OF WALL
- UKN UTL UNKNOWN UTILITY
- FL FLOWLINE
- TC TOP OF CURB
- TC TP X TOP OF CURB CUT
- TC BT X BOTTOM OF CURB CUT
- TYP. TYPICAL
- BLD BUILDING
- CLEAN OUT
- WATER METER
- GAS VALVE
- GROUND COVER
- BOLLARD
- DRAIN
- JOINT POLE
- SIGN
- SANITARY SEWER INLET

**BOUNDARY NOTE:**  
 BOUNDARY INFORMATION SHOWN HEREON IS FOR PLANNING PURPOSES ONLY AND IS NOT A FINAL BOUNDARY SURVEY.

**UTILITY NOTE:**  
 ALL UTILITIES ABOVE AND BELOW GROUND MUST BE VERIFIED WITH RESPECT TO SIZES, HORIZONTAL AND VERTICAL LOCATIONS BY THE OWNER AND/OR CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION. IT IS RECOMMENDED TO HAVE ALL UNDERGROUND UTILITIES ACCURATELY LOCATED PRIOR TO ANY EXCAVATION. NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR THE LOCATION OF UNDERGROUND OR HIDDEN UTILITIES.

**UNITED IRISH CULTURAL CENTER**  
 2700 45TH AVENUE  
 APN 2513-026  
 16,250± SQ.FT.

336 CLAREMONT BLVD. STE 1  
 SAN FRANCISCO, CA 94127  
 (415) 242-5400  
 www.westoversurveying.com

**WS Westover Surveying**

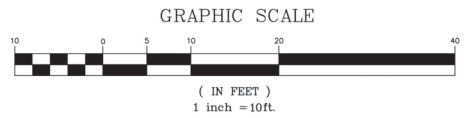
NO.	DATE	COMMENTS	JOB NO.
1	1/6/2022	ADD ROAD, RAMP AND UTIL. INFORMATION	21046

DRAWN BY: AM  
 CHECKED BY: DJW  
 DATE: 1/6/2022  
 SCALE: 1"=10'

**SITE SURVEY**

2700 45TH AVENUE  
 APN 2513-026  
 SAN FRANCISCO, CALIFORNIA

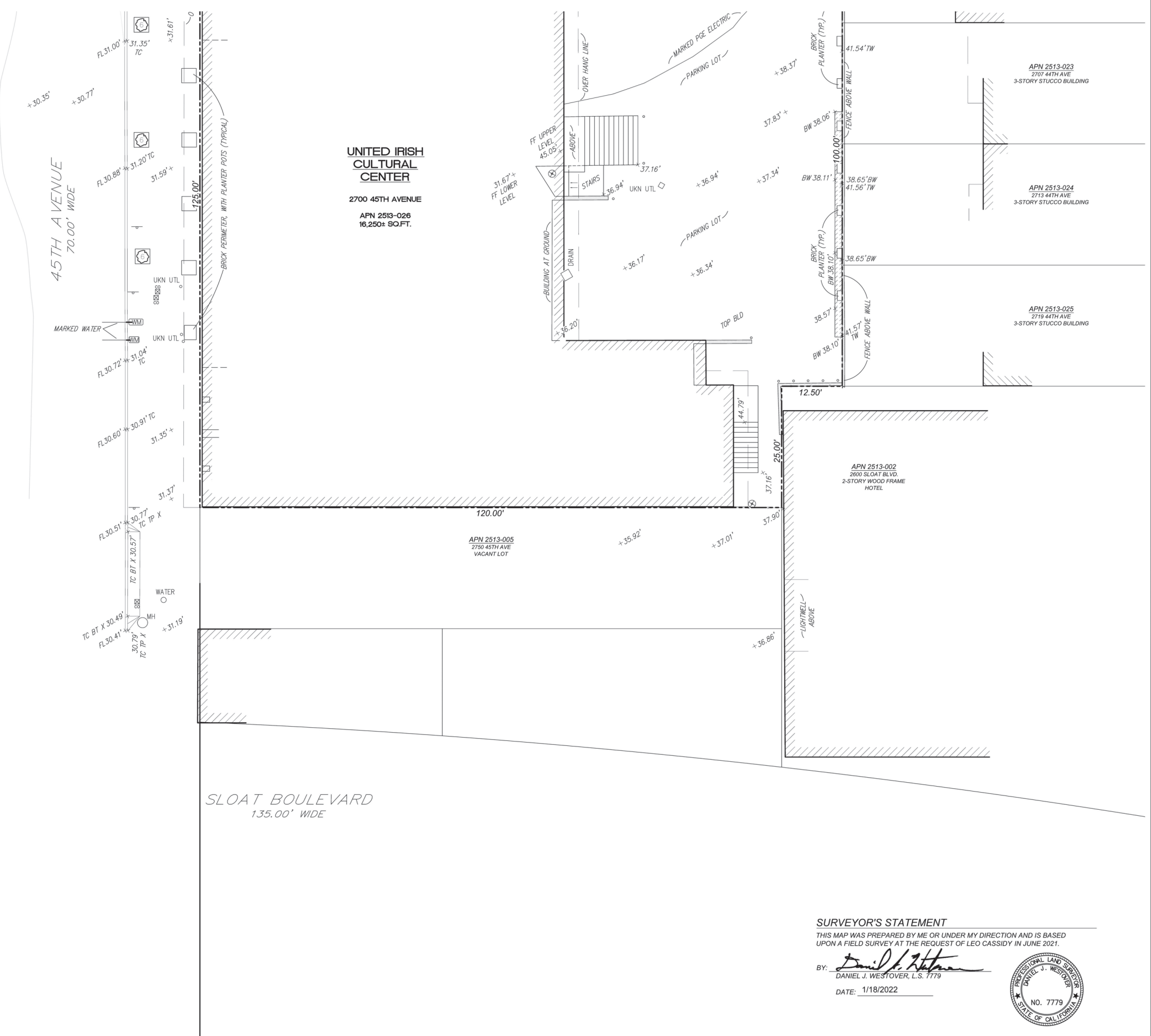
**SHEET**  
 1 OF 2



**LEGEND**

---	PROPERTY LINE
---	BLOCK/ADJOINER LINE
---	OVER HANG
---	WOOD FENCE
---	BUILDING FOOTPRINT
⊙	TREE WITH DIA. (IN INCHES)
+	SPOT ELEVATION
OH	OVER HANG
FL	TOP OF WALL
TC	BOTTOM OF WALL
UKN UTL	UNKNOWN UTILITY
FL	FLOWLINE
TC	TOP OF CURB
TC TP X	TOP OF CURB CUT
TC BT X	BOTTOM OF CURB CUT
TYP.	TYPICAL
BLD	BUILDING
CO	CLEAN OUT
WM	WATER METER
⊙	GAS VALVE
⊙	GROUND COVER
+	BOLLARD
⊙	DRAIN
⊙	JOINT POLE
+	SIGN
+	SANITARY SEWER INLET

- GENERAL NOTES:**
- ALL DISTANCES ARE IN DECIMAL FEET UNLESS OTHERWISE NOTED.
  - THIS MAP REPRESENTS THE SITE CONDITIONS ON DATE OF FIELD SURVEY. JUNE 14, 2021.
  - ELEVATIONS ARE BASED ON THE FOUND CROW CUT OUTER RIM OF THE CATCH BASIN LOCATED IN THE NORTHWEST CURB RETURN OF SLOAT BLVD AND 45TH AVENUE. ELEVATION=28.224' CITY AND COUNTY OF SAN FRANCISCO OLD CITY DATUM.
- BOUNDARY NOTE:**  
BOUNDARY INFORMATION SHOWN HEREON IS FOR PLANNING PURPOSES ONLY AND IS NOT A FINAL BOUNDARY SURVEY.
- UTILITY NOTE:**  
ALL UTILITIES ABOVE AND BELOW GROUND MUST BE VERIFIED WITH RESPECT TO SIZES, HORIZONTAL AND VERTICAL LOCATIONS BY THE OWNER AND/OR CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION. IT IS RECOMMENDED TO HAVE ALL UNDERGROUND UTILITIES ACCURATELY LOCATED PRIOR TO ANY EXCAVATION. NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR THE LOCATION OF UNDERGROUND OR HIDDEN UTILITIES.



**UNITED IRISH CULTURAL CENTER**  
2700 45TH AVENUE  
APN 2513-026  
16,250± SQ.FT.

**SURVEYOR'S STATEMENT**  
THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY AT THE REQUEST OF LEO CASSIDY IN JUNE 2021.

BY: *Daniel J. Westover*  
DANIEL J. WESTOVER, L.S. 7779  
DATE: 1/18/2022



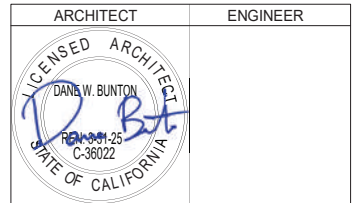
**W S Westover Surveying**  
336 CLAREMONT BLVD. STE 1  
SAN FRANCISCO, CA 94127  
(415) 242-5400  
www.westoversurveying.com

NO.	1
DATE	1/6/2022
COMMENTS	ADD ROAD, RAMP AND UTIL. INFORMATION
JOB NO.	21046

DRAWN BY: AM  
CHECKED BY: DJW  
DATE: 6/28/2021  
SCALE: 1"=10'

**SITE SURVEY**  
2700 45TH AVENUE  
APN 2513-026  
SAN FRANCISCO, CALIFORNIA

**SHEET**  
2 OF 2



GENERAL NOTES

1. This sheet is part of a set and is not to be used alone.
2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

KEY

PLANNING APPLICATION

UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.

SAN FRANCISCO, CA 94116

PROPOSED  
RENDERINGS



45TH AVE & SLOAT BLVD



45TH AVE & WAWONA ST



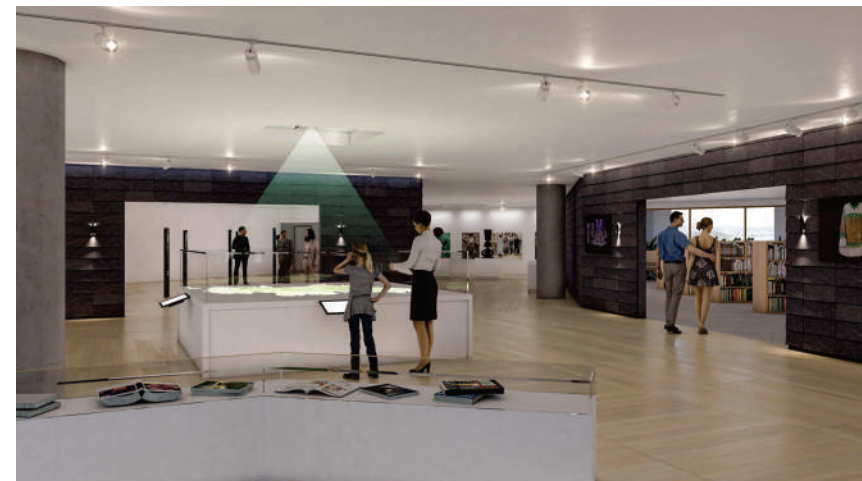
WAWONA ST



INTERIOR - LOBBY



INTERIOR - LOBBY, GALLERY, RETAIL, INTERACTIVE SIGN



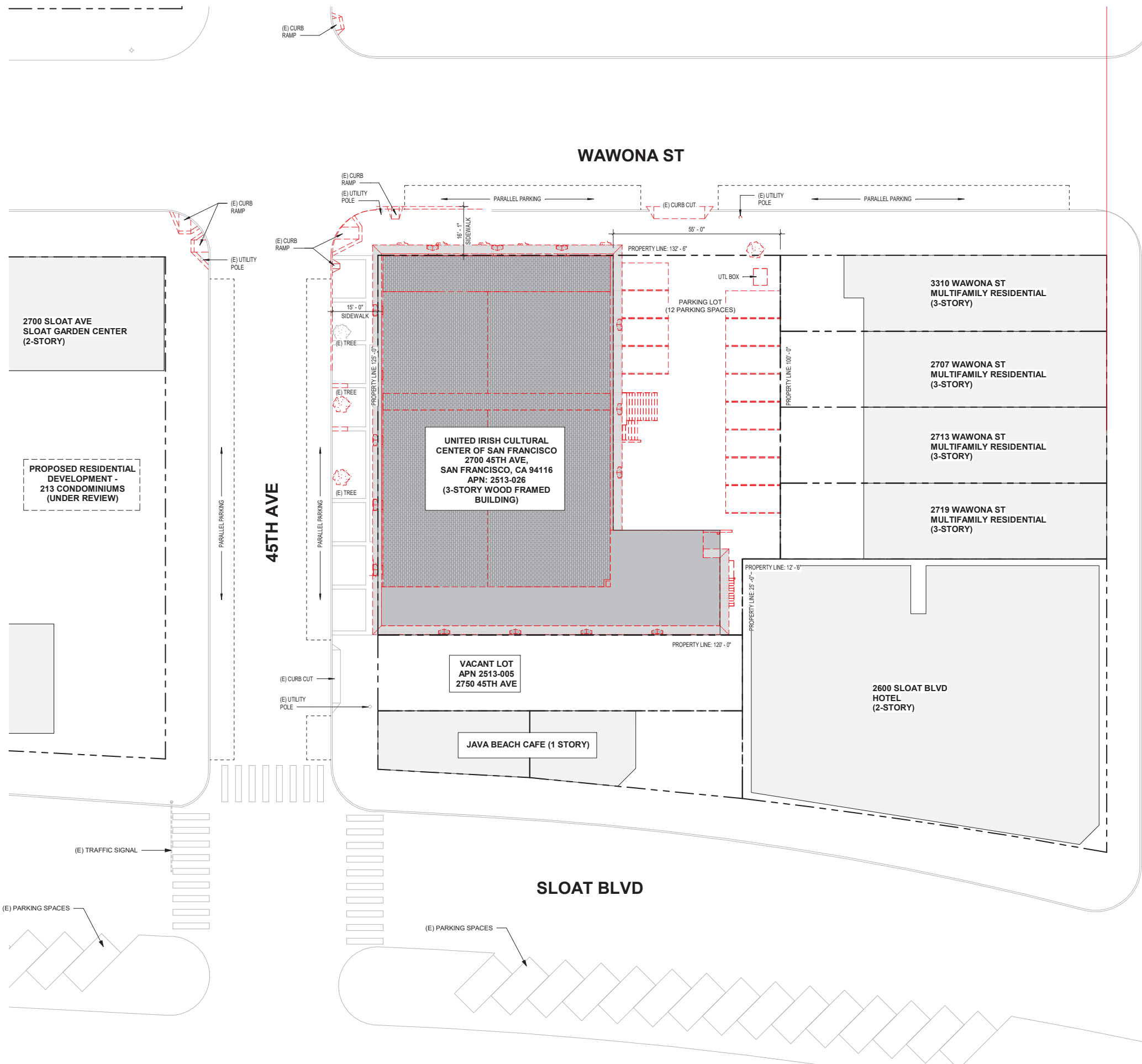
INTERIOR - MUSEUM, LIBRARY



INTERIOR - READING ROOM, MUSEUM



INTERIOR - MUSEUM



**GENERAL NOTES**

- THIS PROJECT IS LOCATED IN DOWNTOWN PARKING EXEMPT DISTRICT.
- 2019 SFBC TABLE 601 TYPES OF CONSTRUCTION: TYPE IB
- 2019 SFBC TABLE 602, FIRE RESISTANCE RATING REQUIREMENTS FOR NON-BEARING EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE 'X' (ASSEMBLY OCCUPANCY):  
 $X < 5' = 1 \text{ HOUR}$   
 $5' \leq X < 10' = 1 \text{ HOUR}$   
 $10' \leq X < 30' = 1 \text{ HOUR}$   
 $X \geq 30' = 0 \text{ HOURS}$
- 2019 SFBC TABLE 705.6, MAX AREA OF EXTERIOR WALL OPENINGS (UNPROTECTED, SPRINKLERED PER 903.3.1.1). SEE TABLE BELOW:

FACADE	STORY (ABOVE GRADE)	FSD	ALLOWABLE AREA	ACTUAL AREA
NORTH (WAWONA ST)	1	>30'	NO LIMIT	N/A
	2	>30'	NO LIMIT	N/A
	3	>30'	NO LIMIT	N/A
	4	>30'	NO LIMIT	N/A
	5	>30'	NO LIMIT	N/A
	6	>30'	NO LIMIT	N/A
SOUTH	1 (TYP)	0'	NOT PERMITTED	NONE
	1 (SETBACK)	15'-0" - 17'-8"	75%	71%
	2 (TYP)	0'	NOT PERMITTED	NONE
	2 (SETBACK)	16'-5" - 22'-10"	75%	100%
	3	0'	NOT PERMITTED	NONE
	3 (SETBACK)	3'-0"	15%	15%
	3 (SETBACK)	16'-5" - 22'-10"	75%	100%
	4	0'	NOT PERMITTED	NONE
	4 (SETBACK)	3'-0"	15%	22%
	4 (SETBACK)	9'-2"	25%	92%
	5	0'	NOT PERMITTED	NONE
	5 (SETBACK)	4'-6"	15%	20%
5 (SETBACK)	9'-2"	25%	92%	
EAST	6	0'	NOT PERMITTED	NONE
	6 (SETBACK)	6'-1"	25%	16%
	6 (SETBACK)	25'-0"	NO LIMIT	N/A
	1	0'	NOT PERMITTED	NONE
	2	0'	NOT PERMITTED	NONE
	3	15'-0"	45%	41%
WEST (45TH ST)	4	15'-0"	45%	34%
	5	15'-0"	45%	27%
	6	15'-0"	45%	14%
	1	>30'	NO LIMIT	N/A
	2	>30'	NO LIMIT	N/A
	3	>30'	NO LIMIT	N/A
4	>30'	NO LIMIT	N/A	
5	>30'	NO LIMIT	N/A	
6	>30'	NO LIMIT	N/A	

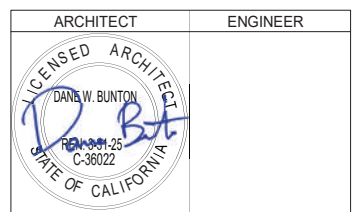
5. POWER FROM UTILITY INTO PROPOSED TRANSFORMER VAULTS TO BE SUBTERRANEAN.

**LEGEND**

	PROPERTY LINE
--	---------------

**Studio BANAA**  
architecture  
planning  
interiors

2169 FOLSOM STREET, #S106  
SAN FRANCISCO, CA 94110  
[T] (415) 610-8100  
www.studiobanaa.com



- GENERAL NOTES**
- This sheet is part of a set and is not to be used alone.
  - This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  - These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  - Copyright Bunton Mousavi Architecture Inc. 2022

**REVISION HISTORY**

NO.	REMARKS	DATE
3	SFMTA COMMENTS	4/13/2023

**KEY**

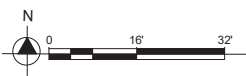
PLANNING APPLICATION

**UNITED IRISH CULTURAL CENTER**

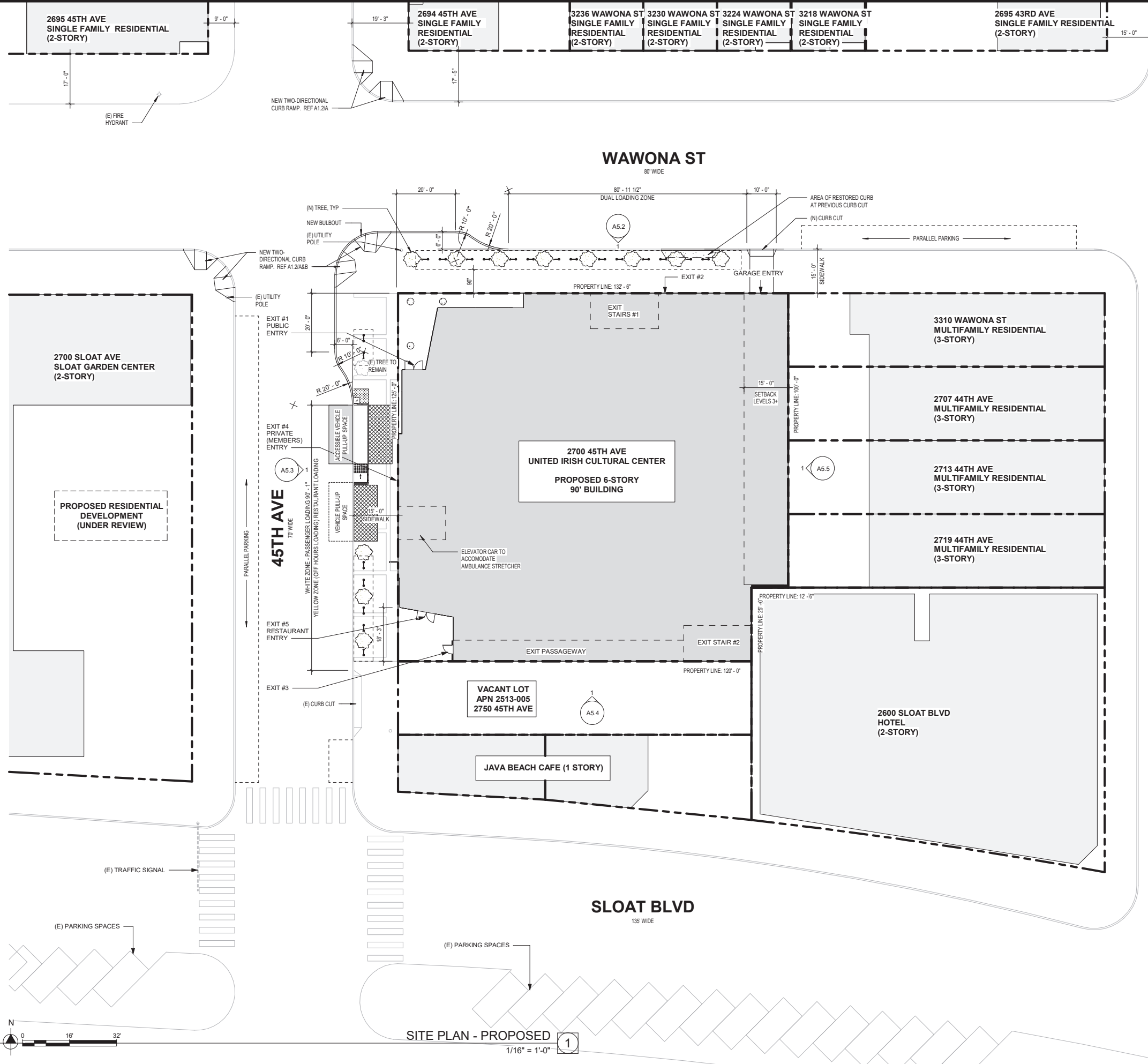
2700 45TH AVE.

SAN FRANCISCO, CA 94116

**SITE PLAN - EXISTING/ DEMOLITION**



**SITE PLAN - DEMO/EXISTING**  
1/16" = 1'-0" 1



**WAWONA ST**

80' WIDE

**SLOAT BLVD**

135' WIDE

**SITE PLAN - PROPOSED**

1/16" = 1'-0"

**GENERAL NOTES**

- THIS PROJECT IS LOCATED IN DOWNTOWN PARKING EXEMPT DISTRICT.
- 2019 SFBC TABLE 601 TYPES OF CONSTRUCTION: TYPE I-B
- 2019 SFBC TABLE 602, FIRE RESISTANCE RATING REQUIREMENTS FOR NON-BEARING EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE "X" (ASSEMBLY OCCUPANCY):  
 X ≤ 9 = 1 HOUR  
 9 ≤ X < 10' = 1 HOUR  
 10' ≤ X < 30' = 1 HOUR  
 X ≥ 30' = 0 HOURS
- 2019 SFBC TABLE 705.8, MAX AREA OF EXTERIOR WALL OPENINGS (UNPROTECTED, SPRINKLERED PER 903.3.1.1). SEE TABLE BELOW:

FACADE	STORY (ABOVE GRADE)	FSD	ALLOWABLE AREA	ACTUAL AREA
NORTH (WAWONA ST)	1	>30'	NO LIMIT	N/A
	2	>30'	NO LIMIT	N/A
	3	>30'	NO LIMIT	N/A
	4	>30'	NO LIMIT	N/A
	5	>30'	NO LIMIT	N/A
	6	>30'	NO LIMIT	N/A
SOUTH	1 (TYP)	0'	NOT PERMITTED	NONE
	1 (SETBACK)	15'-0" - 17'-8"	75%	71%
	2 (TYP)	0'	NOT PERMITTED	NONE
	2 (SETBACK)	16'-5" - 22'-10"	75%	100%
	3	0'	NOT PERMITTED	NONE
	3 (SETBACK)	3'-0"	15%	15%
	3 (SETBACK)	16'-5" - 22'-10"	75%	100%
	4	0'	NOT PERMITTED	NONE
	4 (SETBACK)	3'-0"	15%	22%
	5	0'	NOT PERMITTED	NONE
	5 (SETBACK)	4'-6"	15%	20%
	5 (SETBACK)	9'-2"	25%	92%
EAST	6 (SETBACK)	6'-1"	25%	16%
	6 (SETBACK)	25'-0"	NO LIMIT	N/A
	1	0'	NOT PERMITTED	NONE
	2	0'	NOT PERMITTED	NONE
	3	15'-0"	45%	41%
	4	15'-0"	45%	34%
WEST (45TH ST)	5	15'-0"	45%	27%
	6	15'-0"	45%	14%
	1	>30'	NO LIMIT	N/A
	2	>30'	NO LIMIT	N/A
	3	>30'	NO LIMIT	N/A
	4	>30'	NO LIMIT	N/A
5	>30'	NO LIMIT	N/A	
6	>30'	NO LIMIT	N/A	

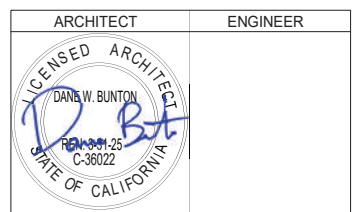
5. POWER FROM UTILITY INTO PROPOSED TRANSFORMER VAULTS TO BE SUBTERRANEAN.

**LEGEND**

---	PROPERTY LINE
-----	---------------

**Studio BANAA**  
 architecture  
 planning  
 interiors

2169 FOLSOM STREET, #S106  
 SAN FRANCISCO, CA 94110  
 [T] (415) 610-8100  
 www.studiobanaa.com



- GENERAL NOTES**
- This sheet is part of a set and is not to be used alone.
  - This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  - These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  - Copyright Bunton Mousavi Architecture Inc. 2022

**REVISION HISTORY**

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022
2	SFMTA COMMENTS	11/26/2022

**KEY**

PLANNING APPLICATION

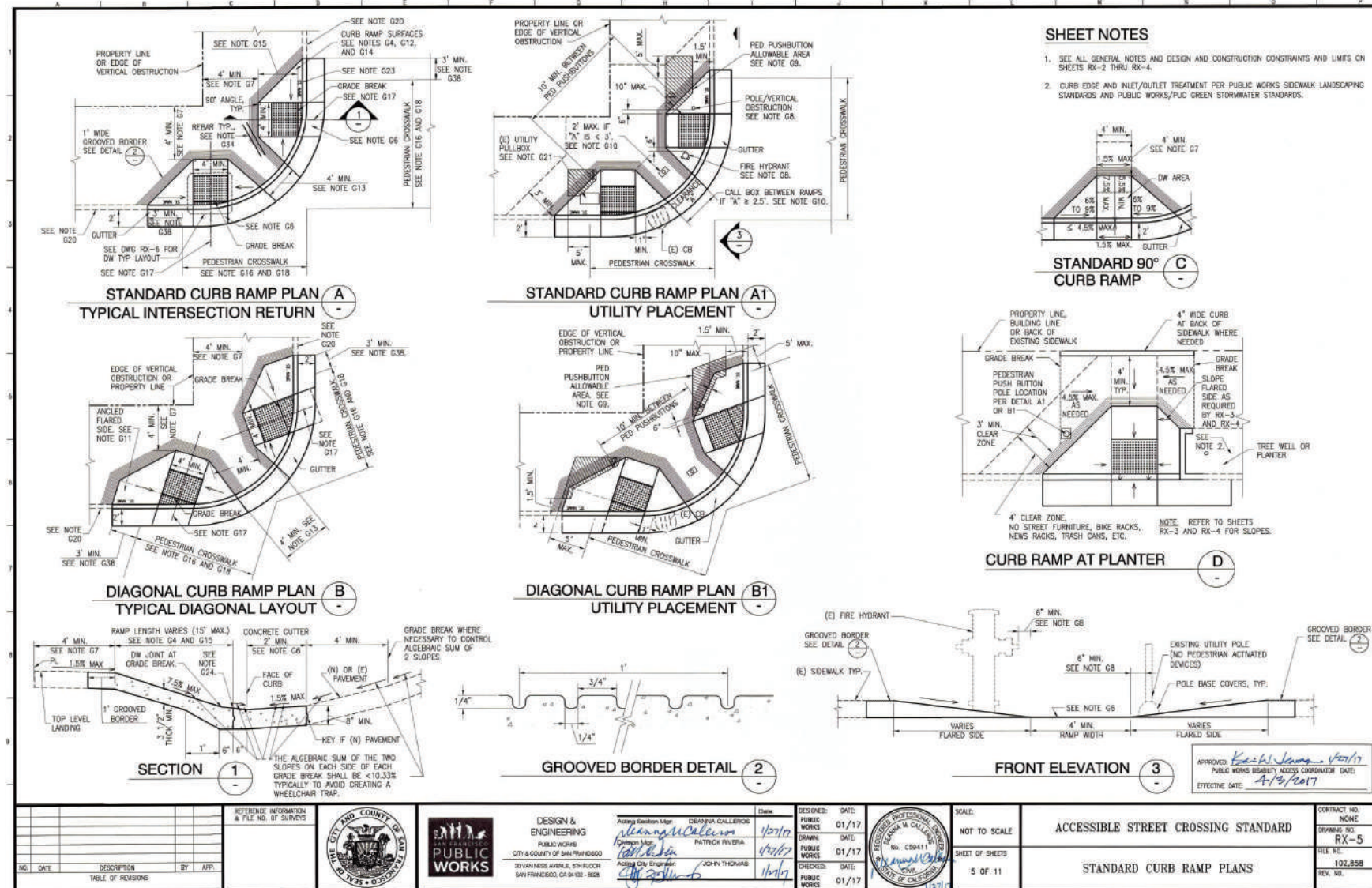
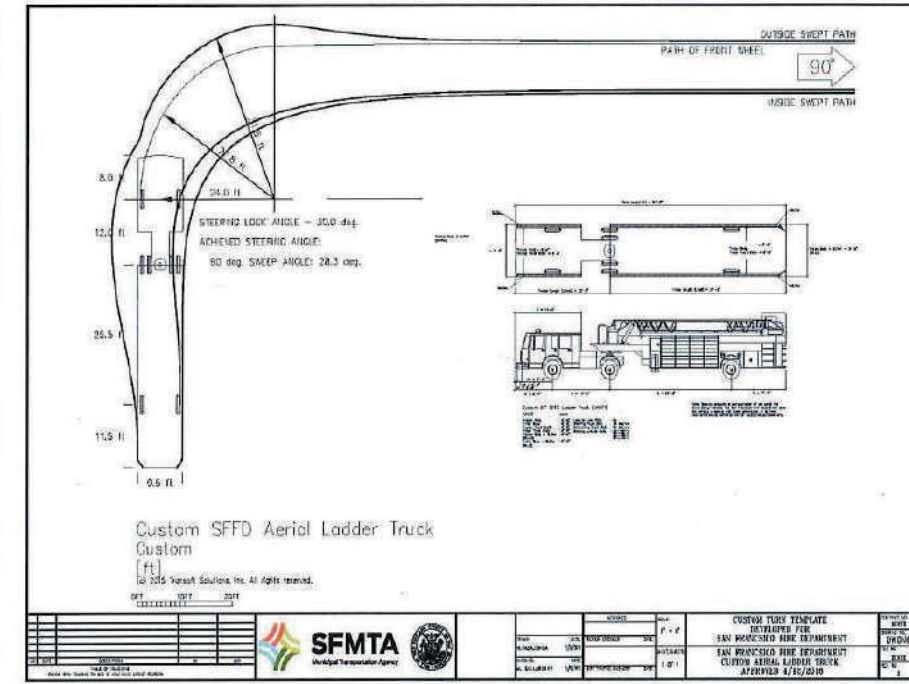
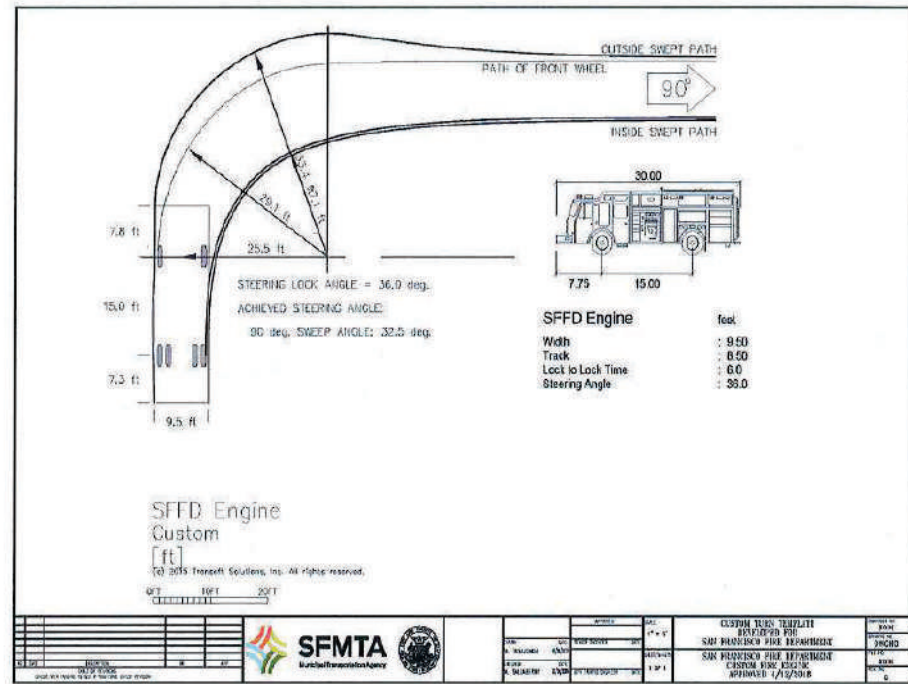
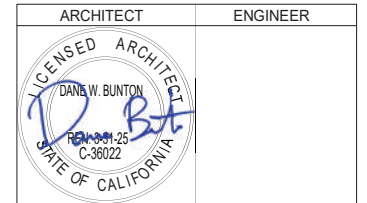
**UNITED IRISH CULTURAL CENTER**

2700 45TH AVE.

SAN FRANCISCO, CA 94116

SITE PLAN - PROPOSED

2169 FOLSOM STREET, #S106  
 SAN FRANCISCO, CA 94110  
 [T] (415) 610-8100  
 www.studiobanaa.com



GENERAL NOTES

- This sheet is part of a set and is not to be used alone.
- This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
- These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
- Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

APPROVED: *[Signature]* 10/17/22  
 PUBLIC WORKS QUALITY ASSURANCE DATE: 4/19/2017  
 EFFECTIVE DATE: 4/19/2017

NO.	DATE	DESCRIPTION	BY	APP.

DESIGN & ENGINEERING	DATE: 01/17	DESIGNED: PUBLIC WORKS	DATE: 01/17
CITY & COUNTY OF SAN FRANCISCO	DATE: 01/17	DRAWN: PUBLIC WORKS	DATE: 01/17
300 WAREHOUSE AVENUE, 15TH FLOOR	DATE: 01/17	CHECKED: PUBLIC WORKS	DATE: 01/17
SAN FRANCISCO, CA 94103 - 4008	DATE: 01/17	DATE: 01/17	DATE: 01/17

SCALE: NOT TO SCALE

SHEET OF SHEETS: 5 OF 11


CONTRACT NO.: NONE

DRAWING NO.: RX-5

FILE NO.: 102\_858

REV. NO.:

2169 FOLSOM STREET, #S106  
 SAN FRANCISCO, CA 94110  
 [ T ] (415) 610-8100  
 www.studiobanaa.com

ARCHITECT	ENGINEER
	

- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022.

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

**KEY**

PLANNING APPLICATION

**UNITED IRISH CULTURAL CENTER**

2700 45TH AVE.

SAN FRANCISCO, CA 94116

**CITY STANDARD SITE DETAILS & TEMPLATES**

Date	07/18/2023	Drawing Number	A1.3
Scale	1/2" = 1'-0"	Project Number	20007

**STANDARD ACCESSIBLE PASSENGER LOADING ZONE RENDERINGS**  
 SIDEWALK WIDTH: 14' MIN. (13' MIN. IN TREASURE ISLAND)



FRONT ISOMETRIC VIEW



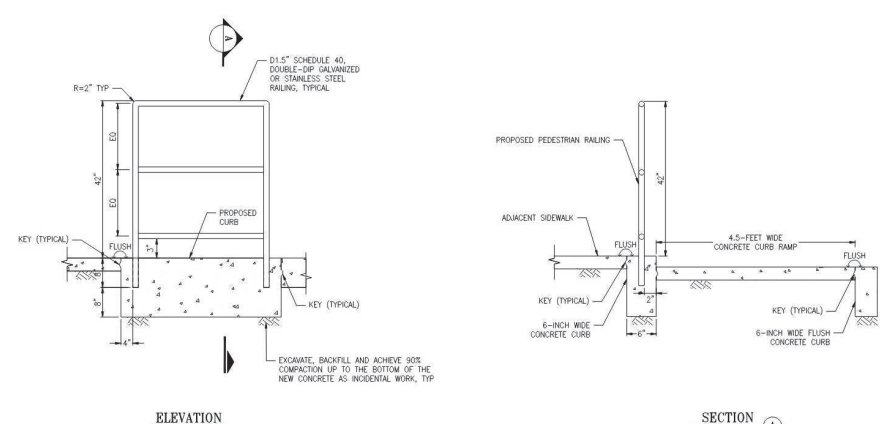
REAR VIEW



TOP VIEW

Not to Scale	Issue Date: 02/25/22	Information Bulletin: MOD-10
Full size printing: 11x17	Revision Date: ---	Sheet #: 10.2 (2 of 4)

**STANDARD ACCESSIBLE PASSENGER LOADING ZONE PEDESTRIAN RAILING DETAIL**



ELEVATION

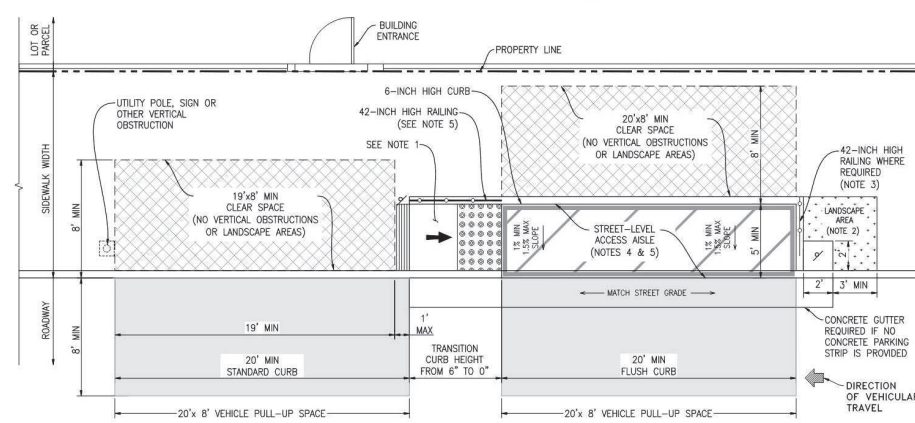
SECTION A

NOTES:

1. ALL EXPOSED CORNERS AND EDGES SHALL BE EASED WITH A RADIUS OF 1/16-INCH.
2. ALL RAILINGS SHALL COMPLY WITH CALIFORNIA BUILDING CODE STRUCTURAL REQUIREMENTS.
3. RAILINGS SHALL BE SET BACK 18" FROM FACE OF CURB.
4. RAILING SHALL BE FULLY FABRICATED PRIOR TO GALVANIZING.

Not to Scale	Issue Date: 02/25/22	Information Bulletin: MOD-10
Full size printing: 11x17	Revision Date: ---	Sheet #: 10.3 (3 of 4)

**STANDARD ACCESSIBLE PASSENGER LOADING ZONE LAYOUT GUIDELINES**  
 SIDEWALK WIDTH: 14' MIN. (13' MIN. IN TREASURE ISLAND)



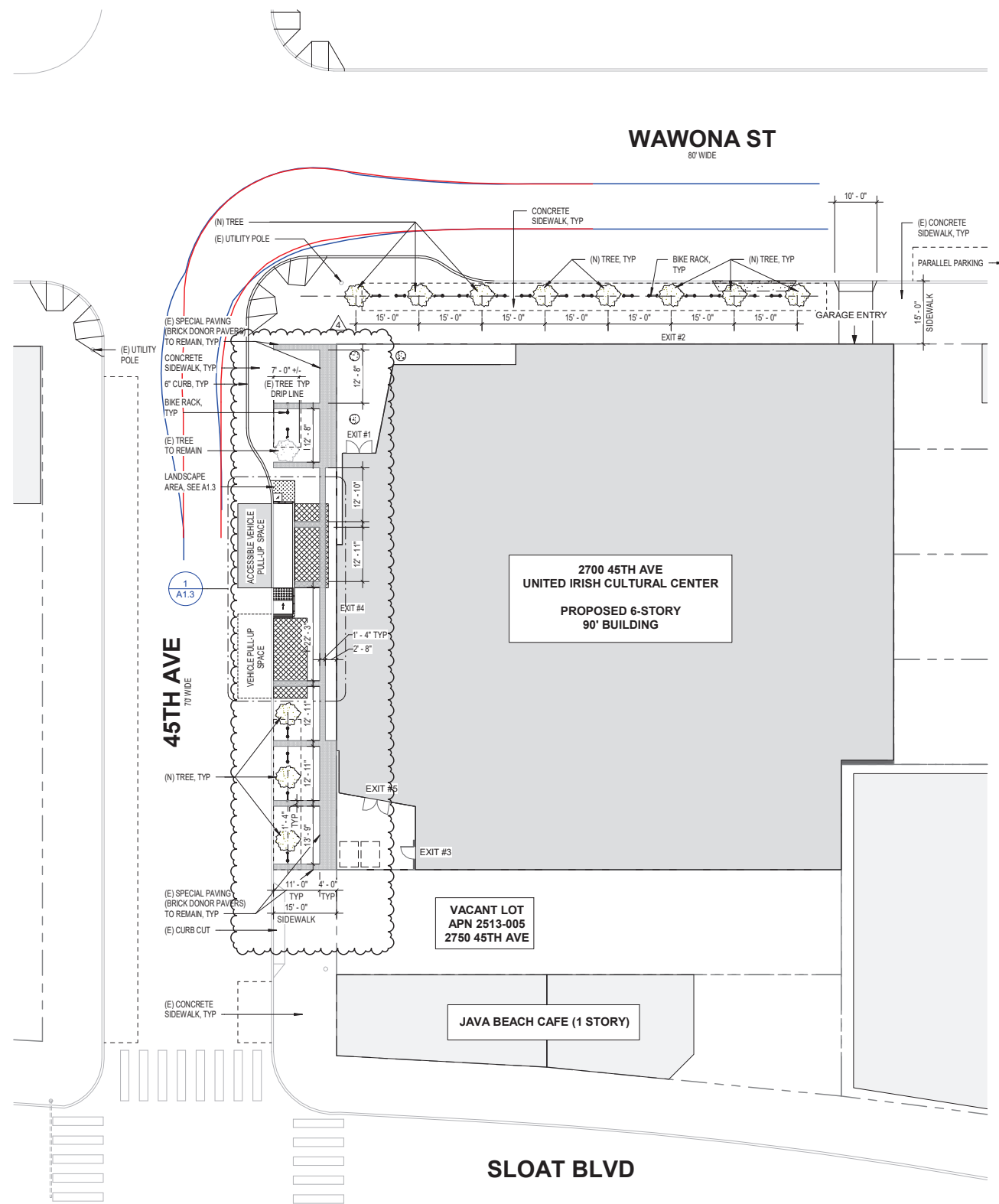
NOTES:

1. CURB RAMP SHALL COMPLY WITH ACCESSIBLE STREET CROSSING STANDARD - STANDARD CURB RAMP PLANS AS REQUIRED BY PUBLIC WORKS ORDER 185854.
2. LANDSCAPE AREA DIMENSIONS & PLACEMENT MAY VARY AND SHALL COMPLY WITH PUBLIC WORKS ORDER 178,831 - PLANTING, MAINTENANCE, AND REMOVAL OF TREES AND LANDSCAPE MATERIALS, PUBLIC WORKS BUREAU OF URBAN FORESTRY (BUF) REQUIREMENTS, AND SF BETTER STREETS PLAN.
3. IF LANDSCAPE AREA IS LESS THAN 5' WIDTH OR OTHERWISE NOT PROVIDED, A RAILING IS REQUIRED ALONG THE CURB ON THE SIDE OF THE STREET LEVEL ACCESS AISLE.
4. STREET LEVEL ACCESS AISLE SHALL BE CONCRETE AND HAVE A MINIMUM THICKNESS OF 6-INCHES.
5. PROJECT SPONSOR IS RESPONSIBLE FOR MAINTENANCE AND REPAIR OF RAILING(S) AND ENSURING STREET-LEVEL ACCESS AISLE IS FREE FROM DEBRIS. MECHANICAL STREET SWEEPERS CANNOT ACCESS THIS AREA.
6. ACCESS AISLES SHALL BE MARKED WITH A PAINTED BORDERLINE AROUND THEIR PERIMETER. THE AREA WITHIN THE BORDERLINES SHALL BE MARKED WITH HATCHED LINES A MAXIMUM OF 36 INCHES ON CENTER IN A COLOR CONTRASTING WITH THAT OF THE ACCESS AISLE SURFACE.
7. VEHICLE PULL-UP SPACES AND ACCESS AISLES SHALL PROVIDE A VERTICAL CLEARANCE OF 114 INCHES.
8. COLOR CURB ZONE EXTENTS AND SIGNAGE SHALL BE DETERMINED BY SPMA COLOR CURB PROGRAM.
9. IF THE STREET-LEVEL ACCESS AISLE SERVES MORE THAN ONE VEHICLE PULL-UP SPACE, A CURB RAMP IS REQUIRED ON BOTH SIDES OF THE ACCESS AISLE.

Not to Scale	Issue Date: 02/25/22	Information Bulletin: MOD-10
Full size printing: 11x17	Revision Date: ---	Sheet #: 10.1 (1 of 4)

Mayor's Office on Disability  
 Information Bulletin MOD-10





**WAWONA ST**  
80' WIDE

**45TH AVE**  
70' WIDE

**2700 45TH AVE**  
**UNITED IRISH CULTURAL CENTER**  
**PROPOSED 6-STORY**  
**90' BUILDING**

**VACANT LOT**  
**APN 2513-005**  
**2750 45TH AVE**

**JAVA BEACH CAFE (1 STORY)**

**SLOAT BLVD**

**LANDSCAPING/ STREETScape PLAN** 1  
1/16" = 1'-0"

**GENERAL NOTES**

1. NEW STREET TREES TO HAVE A MIN TRUNK DIA OF 2" AT 8'-FT OF HEIGHT.
2. MIN TREE SIZE AT PLANTING IS A 24" BOX.
3. TREE BRANCHES THAT EXTEND INTO THE PATH OF TRAVEL MUST MAINTAIN 80" OF VERTICAL CLEARANCE.
4. TREE SPECIES, SIZE, AND SPACING TO BE CONFIRMED WITH BUREAU OF URBAN FORESTRY (BUF) AND ALIGN WITH SF BETTER STREETS PLAN.
5. BIKE RACKS SHOWN ARE THE INVERTED "U" RAIL RACK.
6. REF SHEET A1.2 FOR TURN TEMPLATE DIAGRAMS. TURNING LINWORK IDENTIFIED ON THIS PLAN AS "TURNS".
7. ANY EXCAVATION WITHIN THE DRIFLINE OF TREES WILL REQUIRE A TREE PROTECTION PLAN BY PUBLIC WORKS.

- CUSTOM SFFD ENGINE
- CUSTOM SFFD LADDER

**Studio BANAA**  
architecture  
planning  
interiors

2169 FOLSOM STREET, #S106  
SAN FRANCISCO, CA 94110  
[T] (415) 610-8100  
www.studiobanaa.com

ARCHITECT	ENGINEER

- GENERAL NOTES**
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022
2	SFMTA COMMENTS	11/26/2022
3	SFMTA COMMENTS	4/13/2023
4	PCL REV 2	7/18/2023

**KEY**

PLANNING APPLICATION

**UNITED IRISH CULTURAL CENTER**

2700 45TH AVE.

SAN FRANCISCO, CA 94116

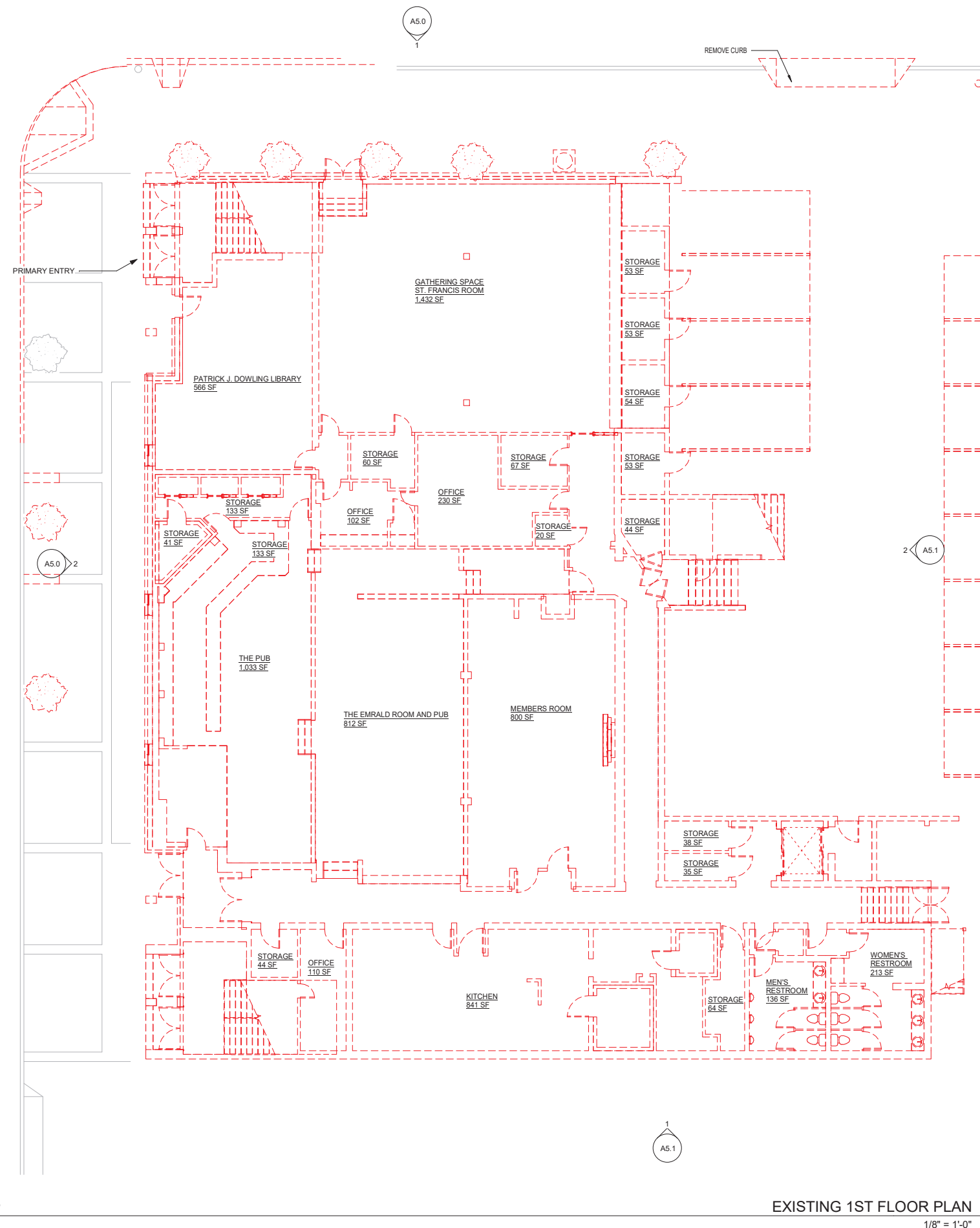
LANDSCAPING/  
STREETScape PLAN

Date  
07/18/2023

Scale  
1/16" = 1'-0"

Project Number  
20007

Drawing Number  
**A1.10**



ARCHITECT	ENGINEER

- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

**KEY**

PLANNING APPLICATION


**UNITED IRISH  
CULTURAL CENTER**

2700 45TH AVE.  
SAN FRANCISCO, CA 94116

**EXISTING 1ST FLOOR  
PLAN**

Date 07/18/2023	Drawing Number <b>A2.0</b>
Scale 1/8" = 1'-0"	Project Number 20007

EXISTING 1ST FLOOR PLAN 1  
1/8" = 1'-0"

ARCHITECT	ENGINEER
	

- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

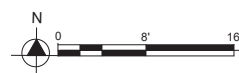
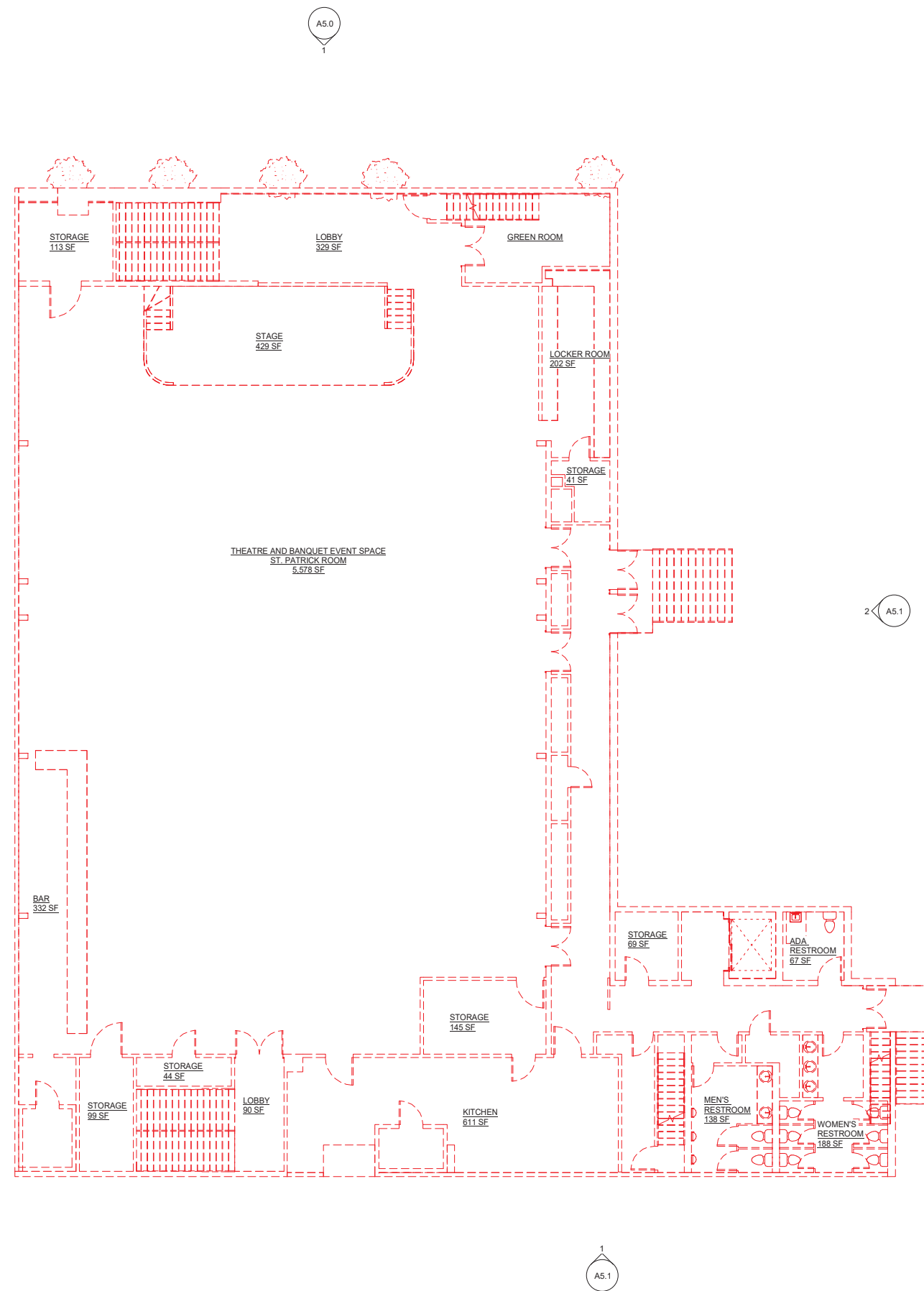
**KEY**

PLANNING APPLICATION


**UNITED IRISH  
CULTURAL CENTER**

2700 45TH AVE.  
SAN FRANCISCO, CA 94116

**EXISTING 2ND FLOOR  
PLAN**



EXISTING SECOND FLOOR PLAN 1  
1/8" = 1'-0"

ARCHITECT	ENGINEER
	

- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

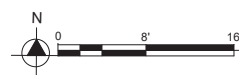
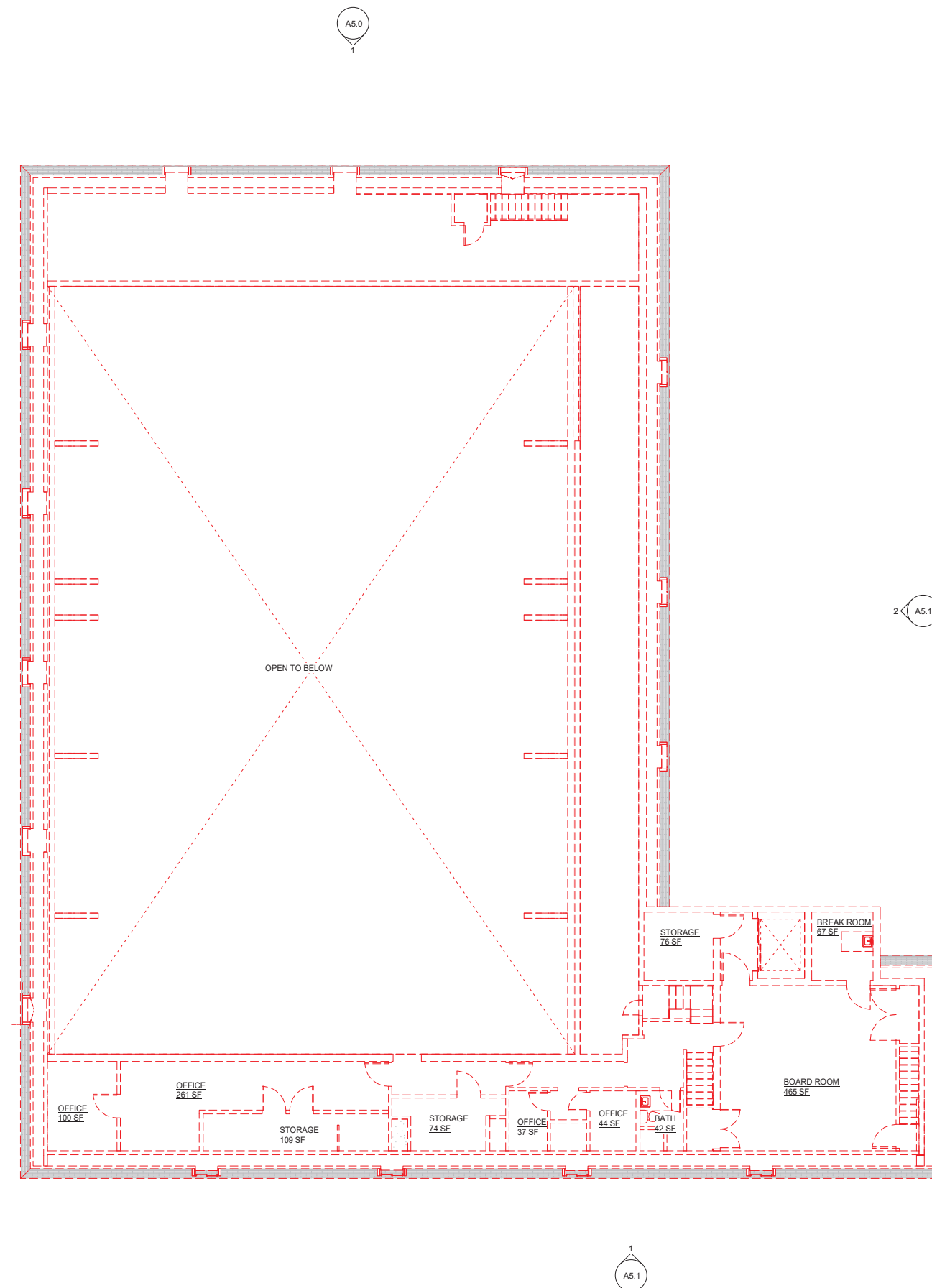
**KEY**

PLANNING APPLICATION

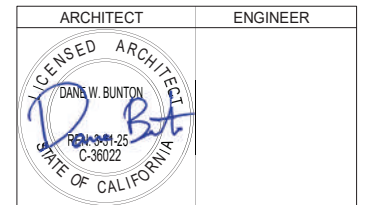
**UNITED IRISH  
CULTURAL CENTER**

2700 45TH AVE.  
SAN FRANCISCO, CA 94116

**EXISTING 3RD FLOOR  
PLAN**



EXISTING 3RD FLOOR PLAN 1  
1/8" = 1'-0"



GENERAL NOTES

1. This sheet is part of a set and is not to be used alone.
2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE

KEY

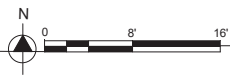
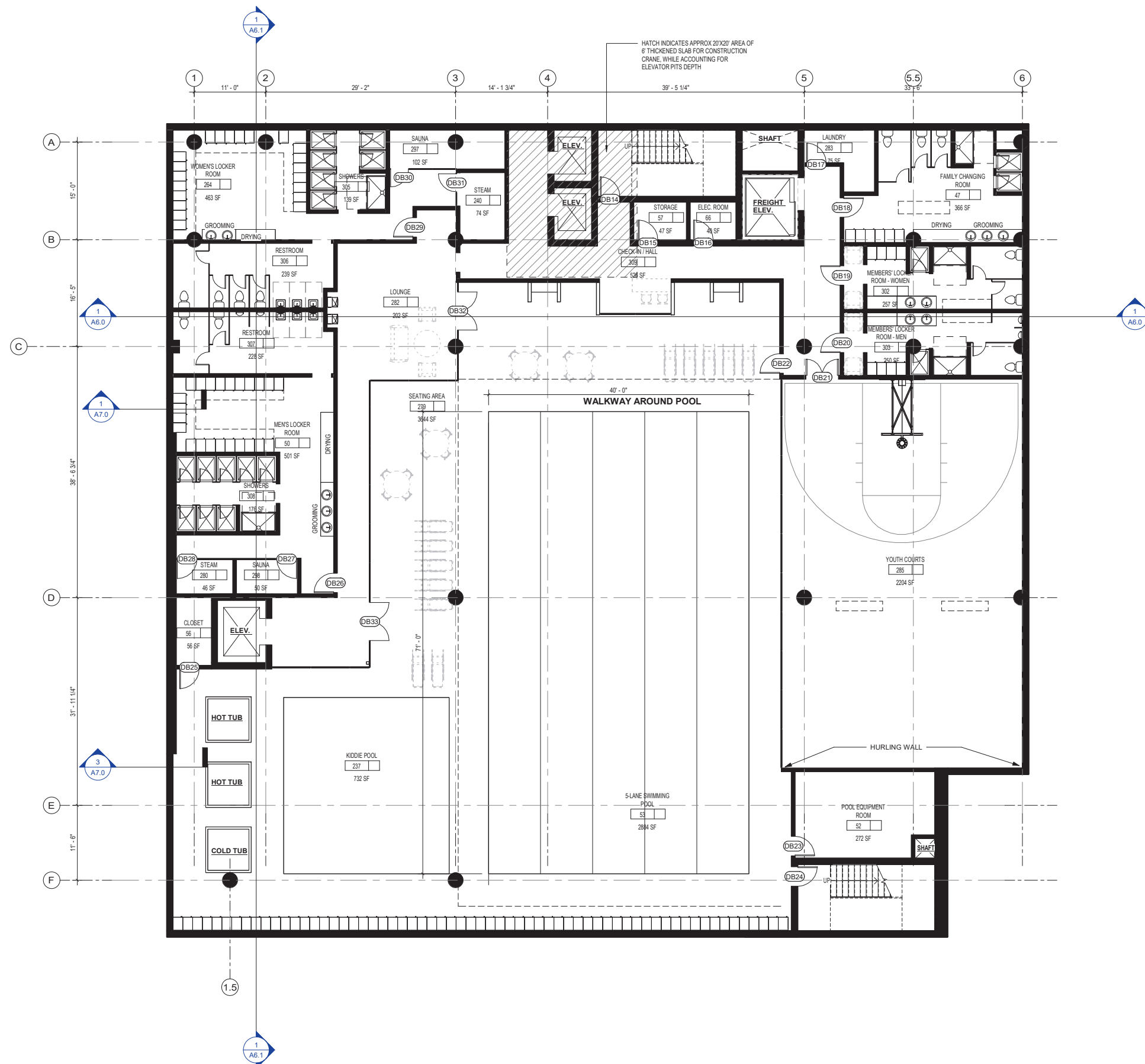
PLANNING APPLICATION

UNITED IRISH  
CULTURAL CENTER

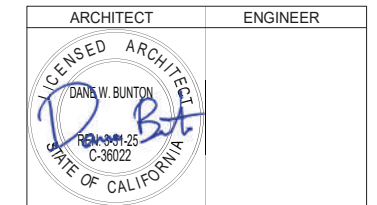
2700 45TH AVE.

SAN FRANCISCO, CA 94116

B2 FLOOR PLAN



B2 FLOOR PLAN 1  
1/8" = 1'-0"



- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE

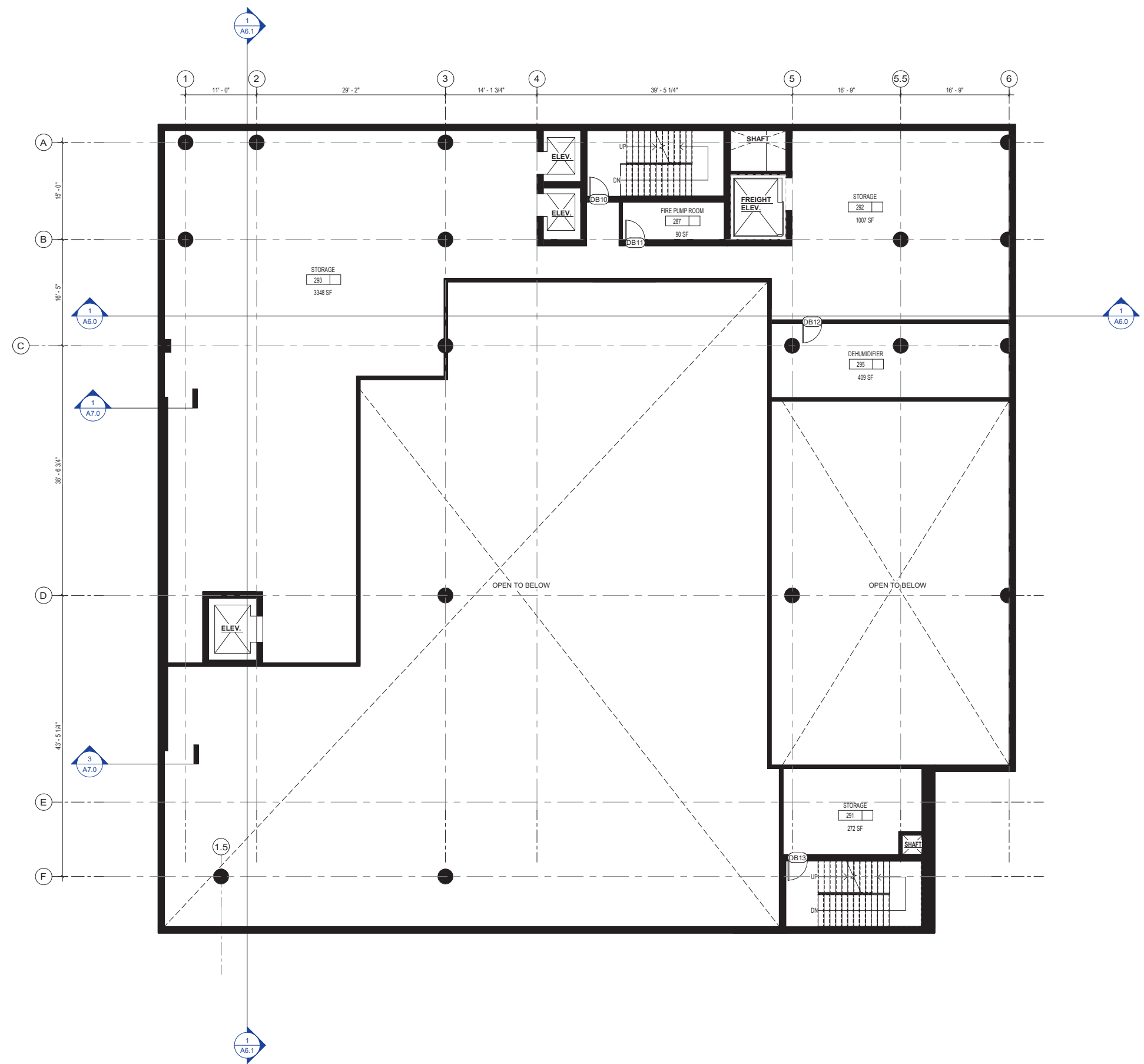
KEY

PLANNING APPLICATION

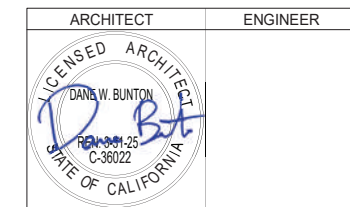
UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.  
SAN FRANCISCO, CA 94116

B2 MEZZANINE PLAN



B2 FLOOR MEZZANINE PLAN 1  
1/8" = 1'-0"



- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022
4	PCL REV 2	7/18/2023

KEY

PLANNING APPLICATION

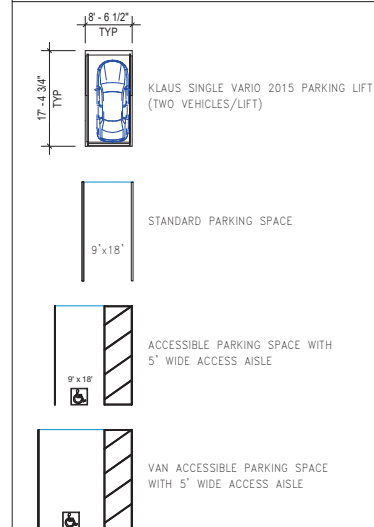
UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.

SAN FRANCISCO, CA 94116

B1 FLOOR PLAN

LEGEND



BICYCLE PARKING COUNT

RESTAURANT/BAR OFA:  
10,882 (REST.) + 1,103 (BAR) = 11,985  
11,985/7500 = 1.6 = 2 CLASS 1 SPACES  
11,985/750 = 16 CLASS 2 SPACES

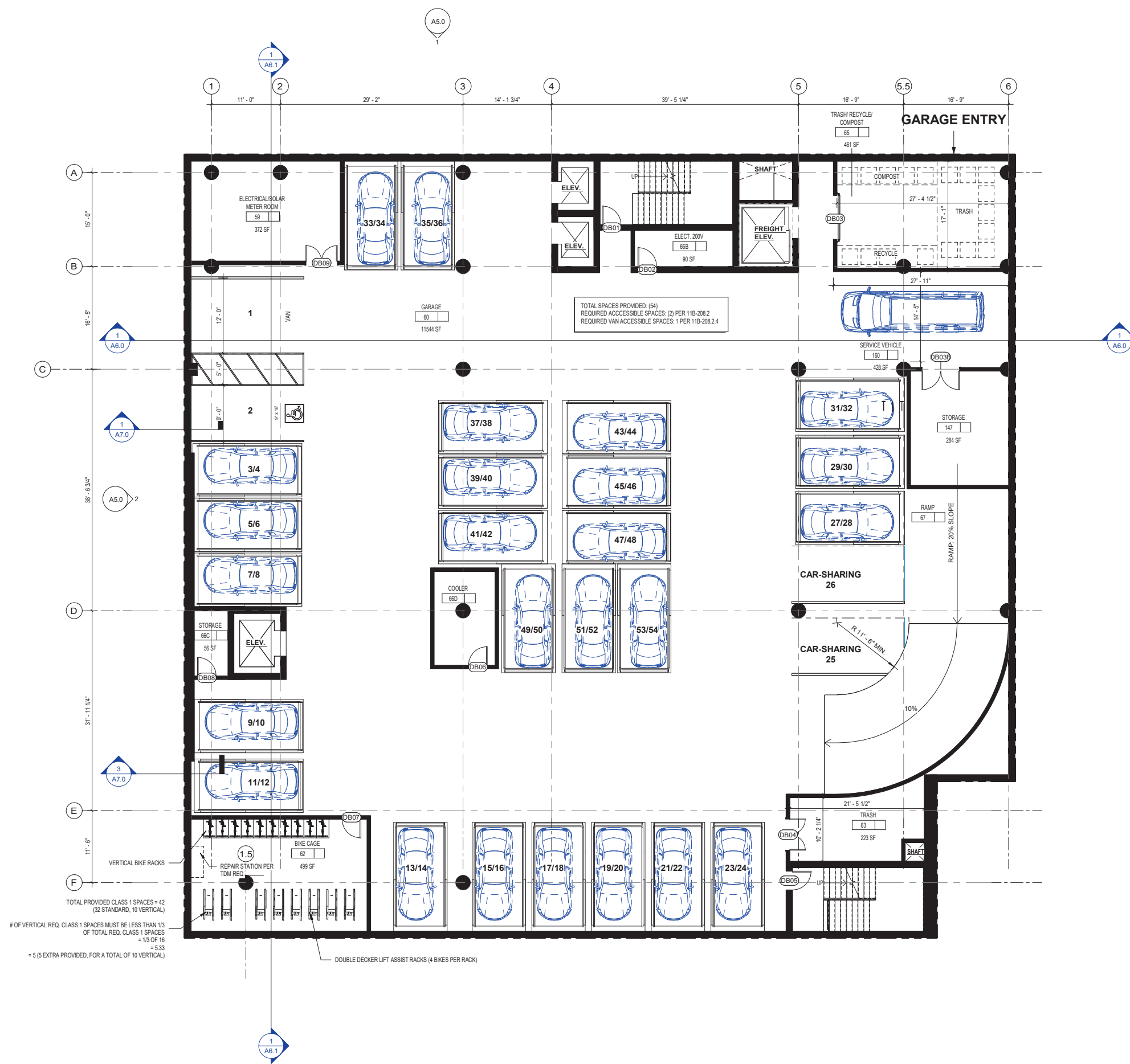
COMMUNITY FACILITY OFA:  
1,852 (PRIVATE) + 63,361 (PUBLIC) = 65,213  
65,213/5000 = 13 CLASS 1 SPACES  
65,213/2500 = 26 CLASS 2 SPACES

OFFICE USE OFA:  
8,430  
8,430/5000 = 1 CLASS 1 SPACE  
8,430/5000 = 2 CLASS 2 SPACES

**TOTAL REQUIRED (FOR PLANNING):**  
16 CLASS 1 SPACES, 42 PROVIDED  
44 CLASS 2 SPACES, 44 PROVIDED

PARKING COUNT

TOTAL SPACES PROVIDED: (54)  
REQUIRED ACCESSIBLE SPACES: (2) PER 11B-208.2  
REQUIRED VAN ACCESSIBLE SPACES: 1 PER 11B-208.2.4

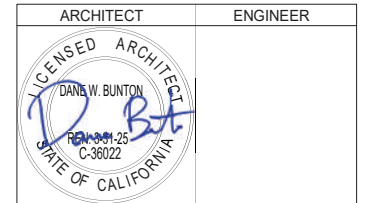


TOTAL PROVIDED CLASS 1 SPACES = 42  
(32 STANDARD, 10 VERTICAL)

# OF VERTICAL REQ. CLASS 1 SPACES MUST BE LESS THAN 1/3 OF TOTAL REQ. CLASS 1 SPACES  
= 1/3 OF 16  
= 5.33  
= 5 (5 EXTRA PROVIDED, FOR A TOTAL OF 10 VERTICAL)

DOUBLE DECKER LIFT ASSIST RACKS (4 BIKES PER RACK)

B1 FLOOR PLAN 1  
1/8" = 1'-0"



- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

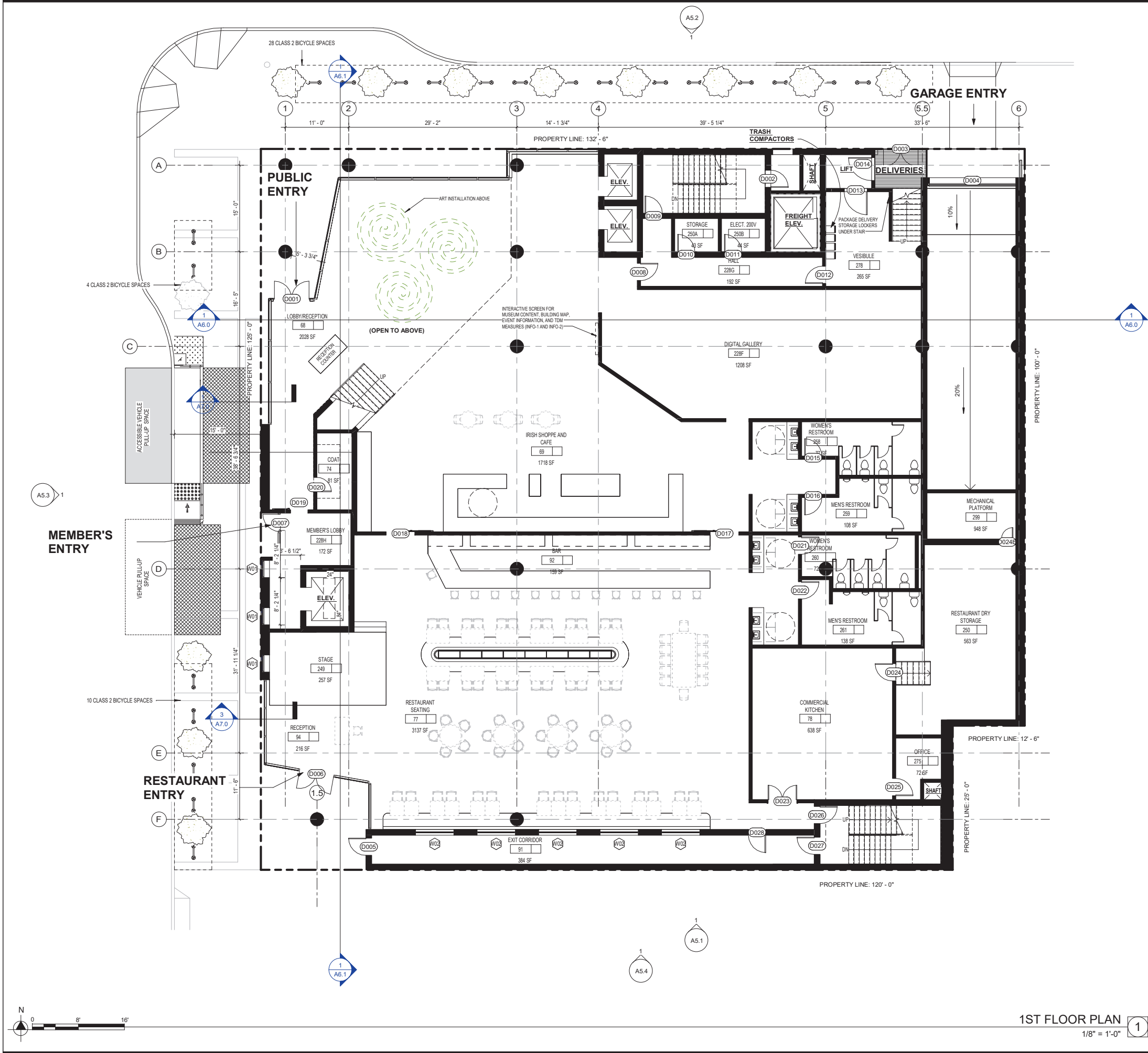
**KEY**

PLANNING APPLICATION

**UNITED IRISH  
CULTURAL CENTER**

2700 45TH AVE.  
SAN FRANCISCO, CA 94116

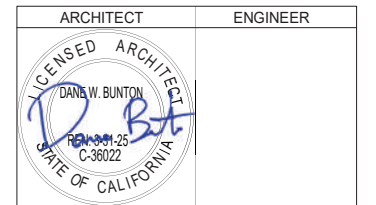
**1ST FLOOR PLAN**



1ST FLOOR PLAN 1  
1/8" = 1'-0"



2169 FOLSOM STREET, #S106  
 SAN FRANCISCO, CA 94110  
 [ T ] (415) 610-8100  
 www.studiobanaa.com



- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

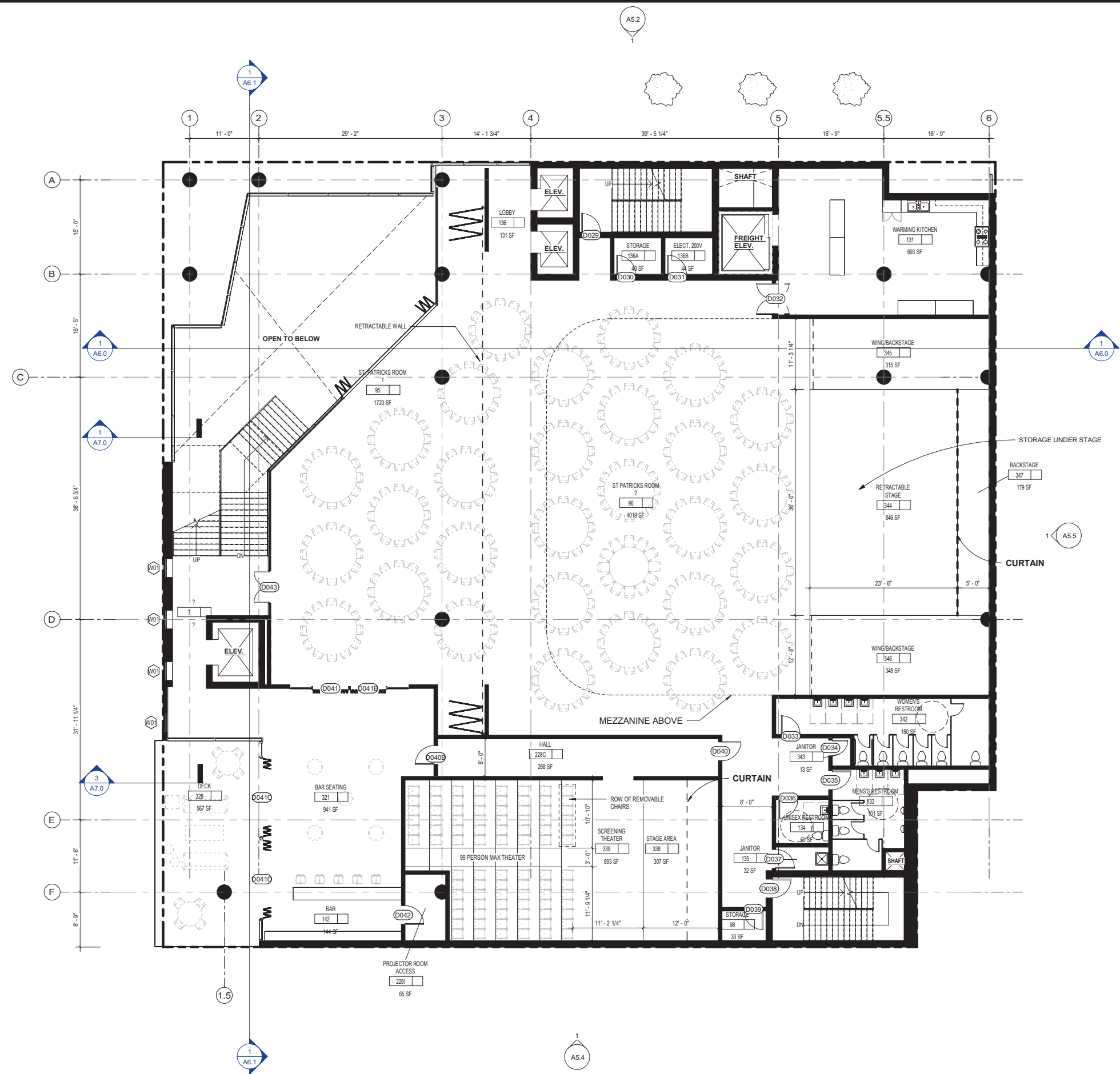
KEY

PLANNING APPLICATION

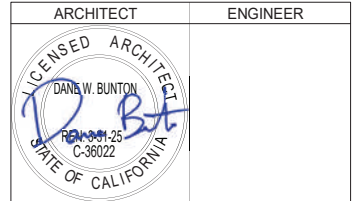
UNITED IRISH  
 CULTURAL CENTER

2700 45TH AVE.  
 SAN FRANCISCO, CA 94116

2ND FLOOR PLAN



2ND FLOOR PLAN 1  
 1/8" = 1'-0"



- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

**KEY**

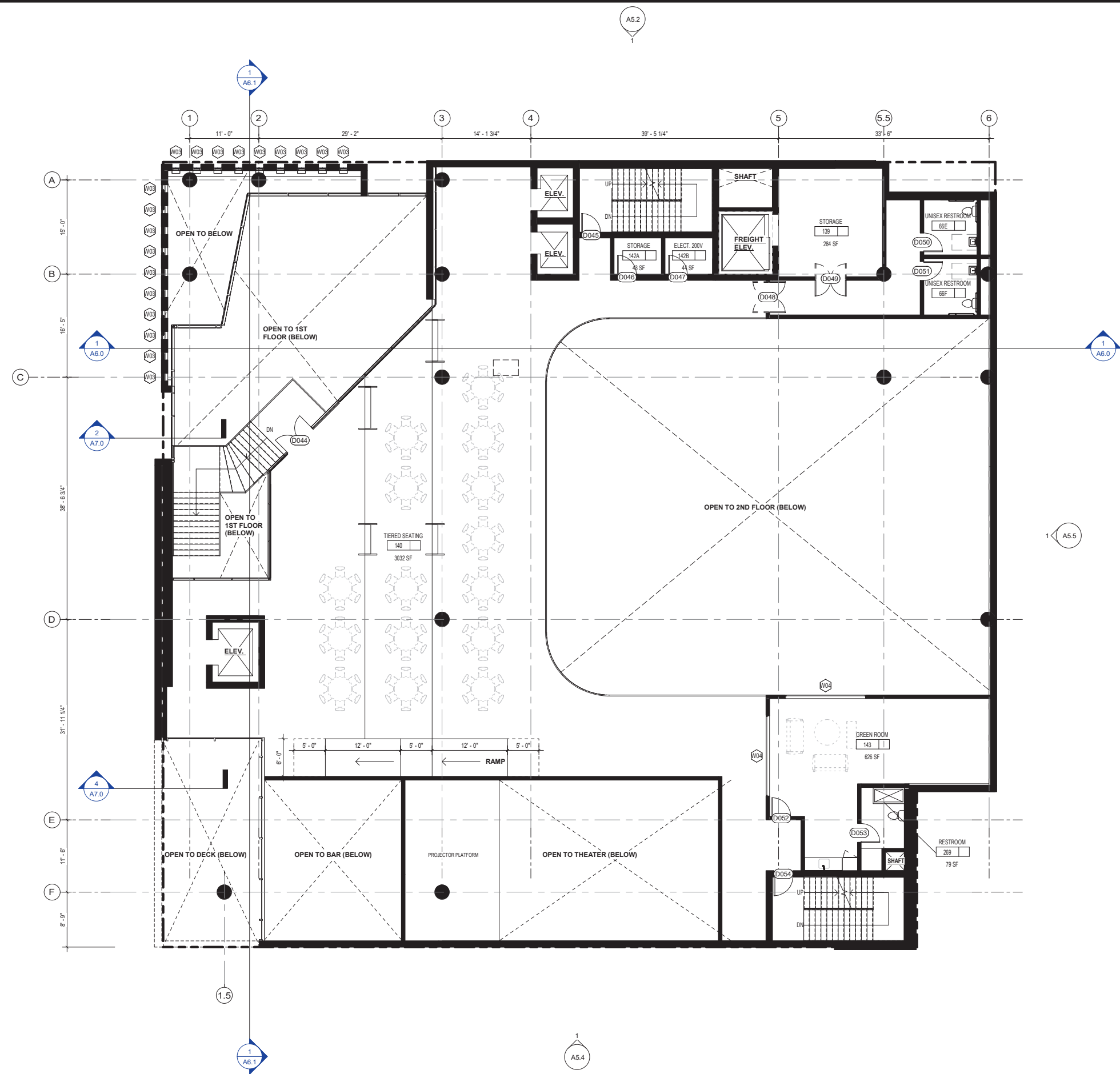
PLANNING APPLICATION

**UNITED IRISH  
CULTURAL CENTER**

2700 45TH AVE.  
SAN FRANCISCO, CA 94116

**2ND FLOOR MEZZANINE  
PLAN**

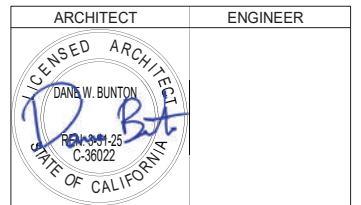
Date	07/18/2023	Drawing Number	A2.7
Scale	1/8" = 1'-0"	Project Number	20007



A5.3 1



2ND FLOOR MEZZANINE PLAN 1  
1/8" = 1'-0"



GENERAL NOTES

1. This sheet is part of a set and is not to be used alone.
2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

KEY

PLANNING APPLICATION

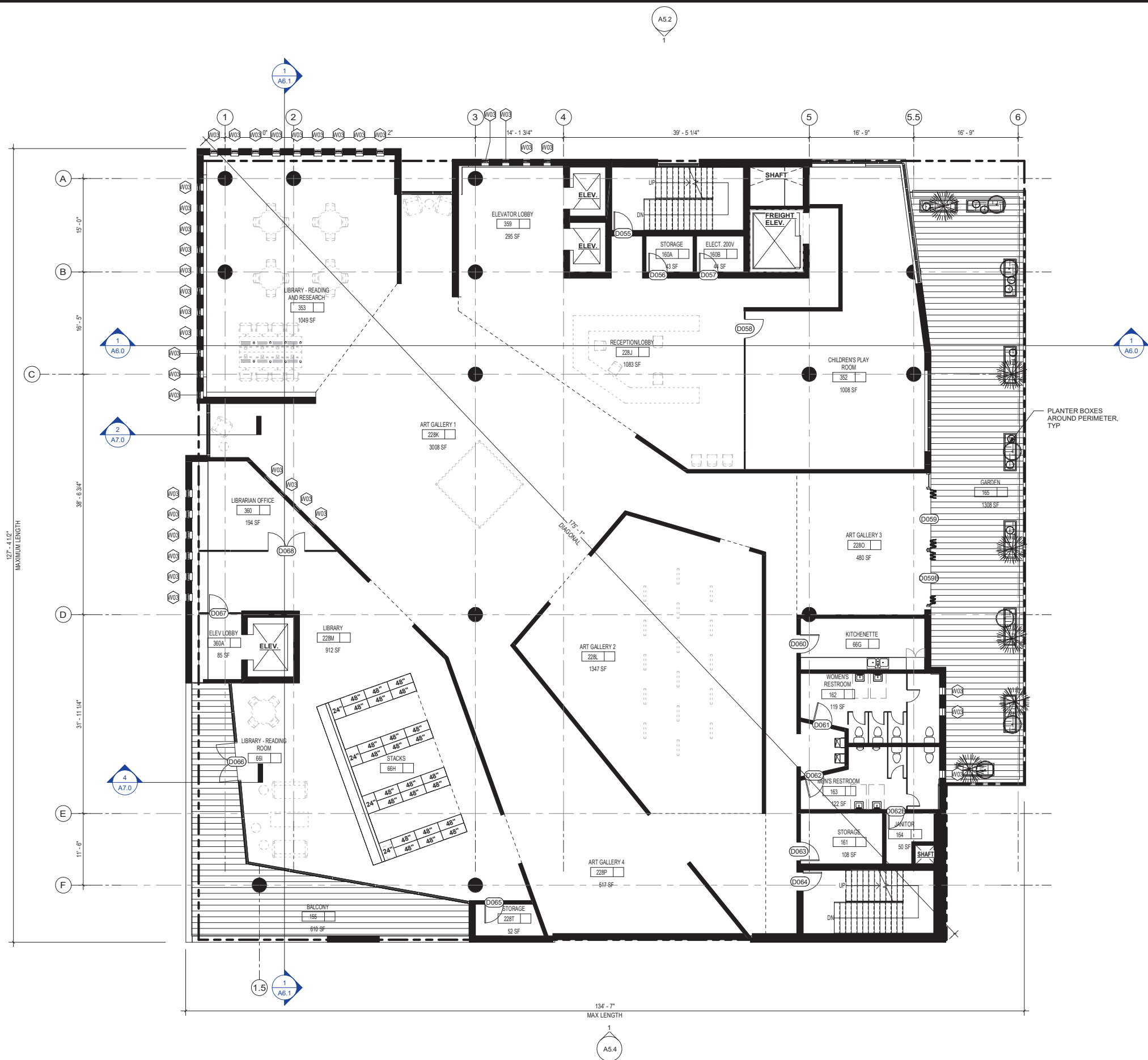
UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.

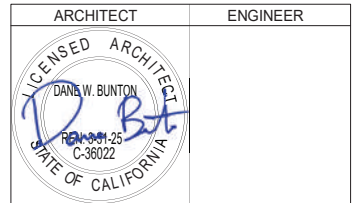
SAN FRANCISCO, CA 94116

3RD FLOOR PLAN

Date	07/18/2023	Drawing Number	A2.8
Scale	1/8" = 1'-0"	Project Number	20007



3RD FLOOR PLAN 1  
1/8" = 1'-0"



- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

**KEY**

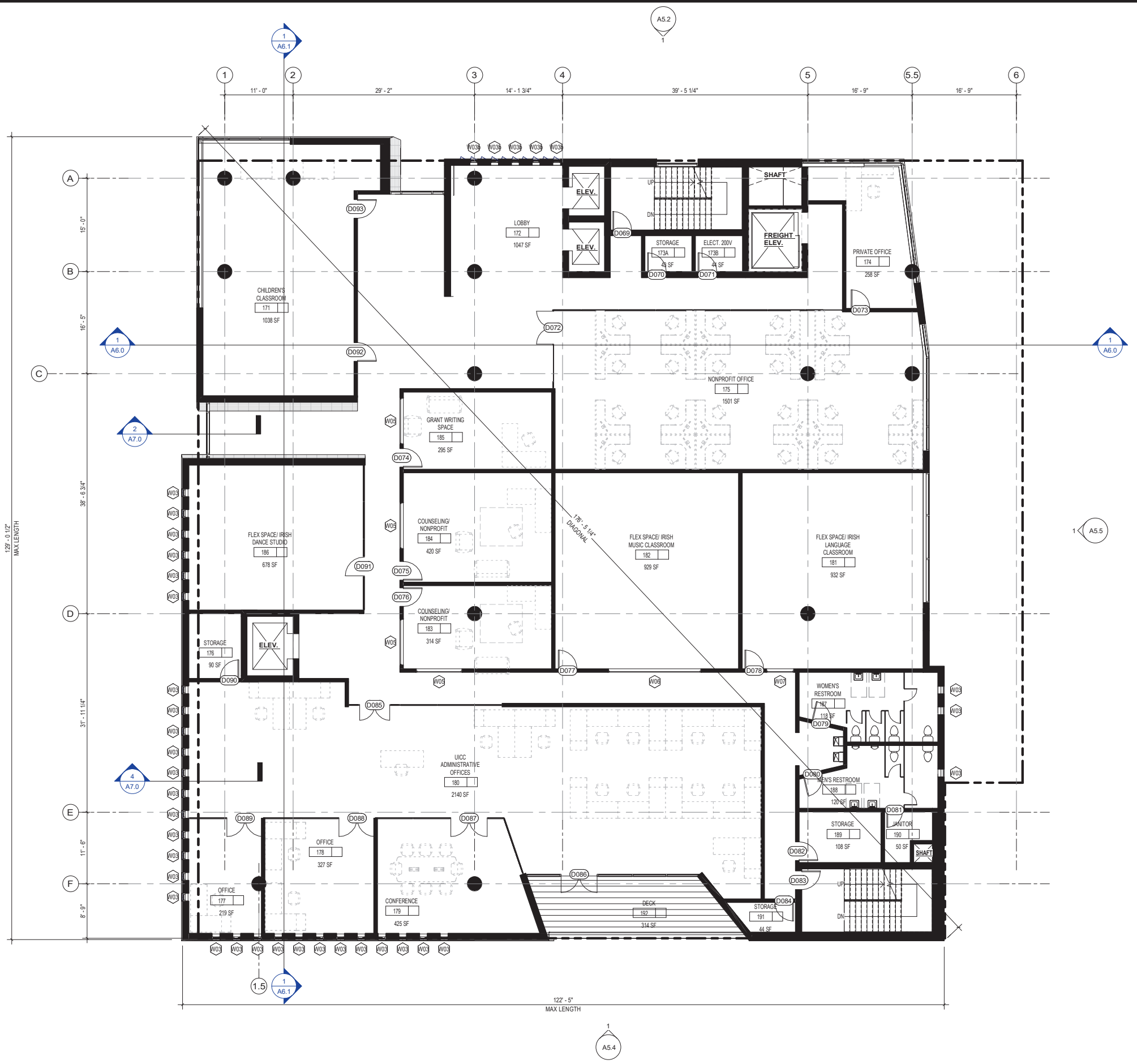
PLANNING APPLICATION

**UNITED IRISH  
CULTURAL CENTER**

2700 45TH AVE.  
SAN FRANCISCO, CA 94116

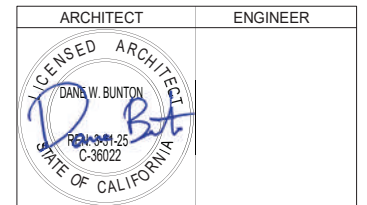
**4TH FLOOR PLAN**

Date	07/18/2023	Drawing Number	A2.9
Scale	1/8" = 1'-0"	Project Number	20007



4TH FLOOR PLAN 1  
1/8" = 1'-0"

2169 FOLSOM STREET, #S106  
 SAN FRANCISCO, CA 94110  
 [T] (415) 610-8100  
 www.studiobanaa.com



GENERAL NOTES  
 1. This sheet is part of a set and is not to be used alone.  
 2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.  
 3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.  
 4. Copyright Bunton Mousavi Architecture Inc. 2022.

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

**KEY**

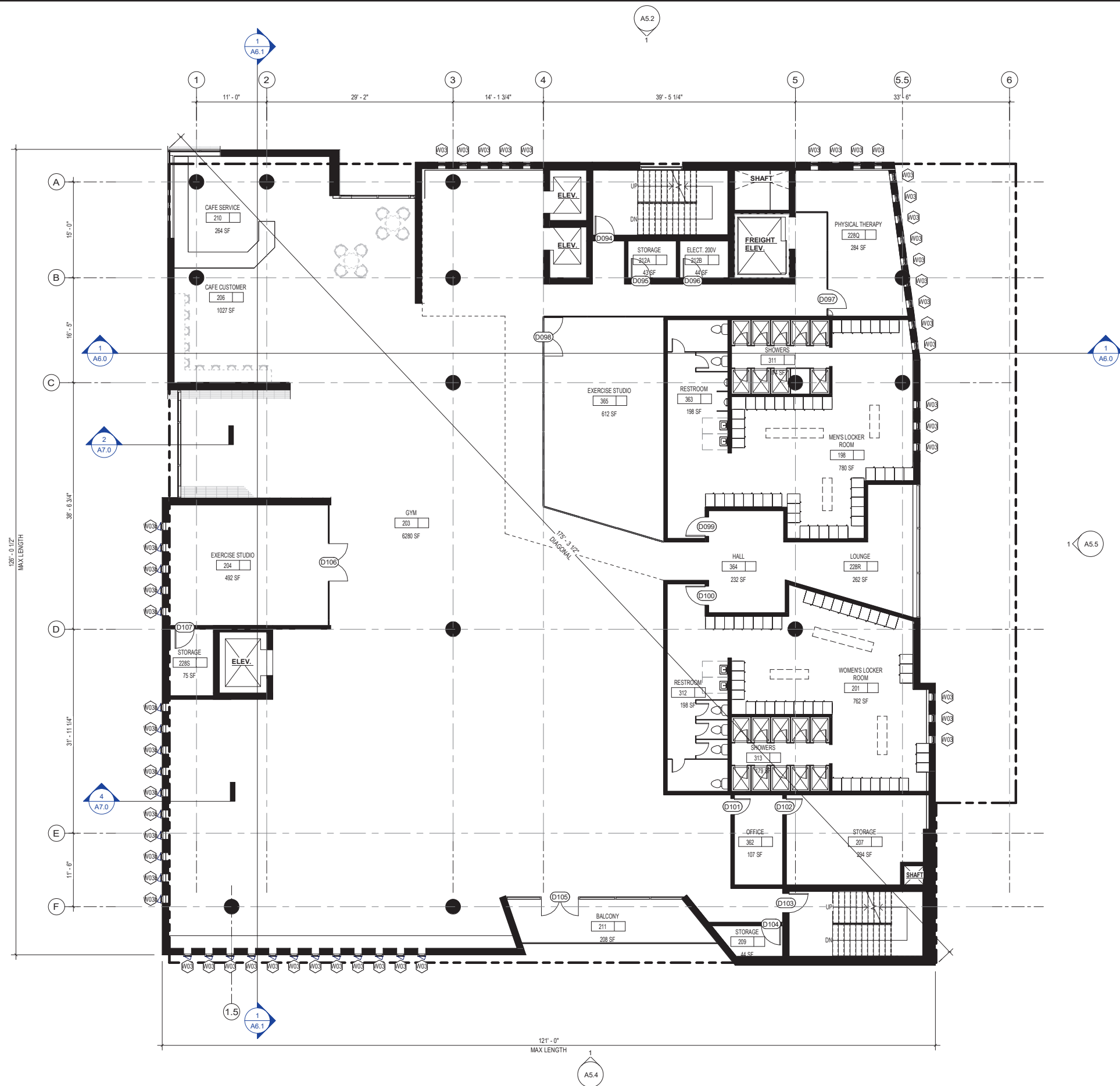
PLANNING APPLICATION

**UNITED IRISH  
 CULTURAL CENTER**

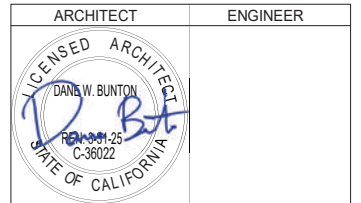
2700 45TH AVE.  
 SAN FRANCISCO, CA 94116

**5TH FLOOR PLAN**

Date: 07/18/2023  
 Scale: 1/8" = 1'-0"  
 Project Number: 20007  
 Drawing Number: **A2.10**



**5TH FLOOR PLAN** 1  
 1/8" = 1'-0"



- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022
4	PCL REV 2	7/18/2023

KEY

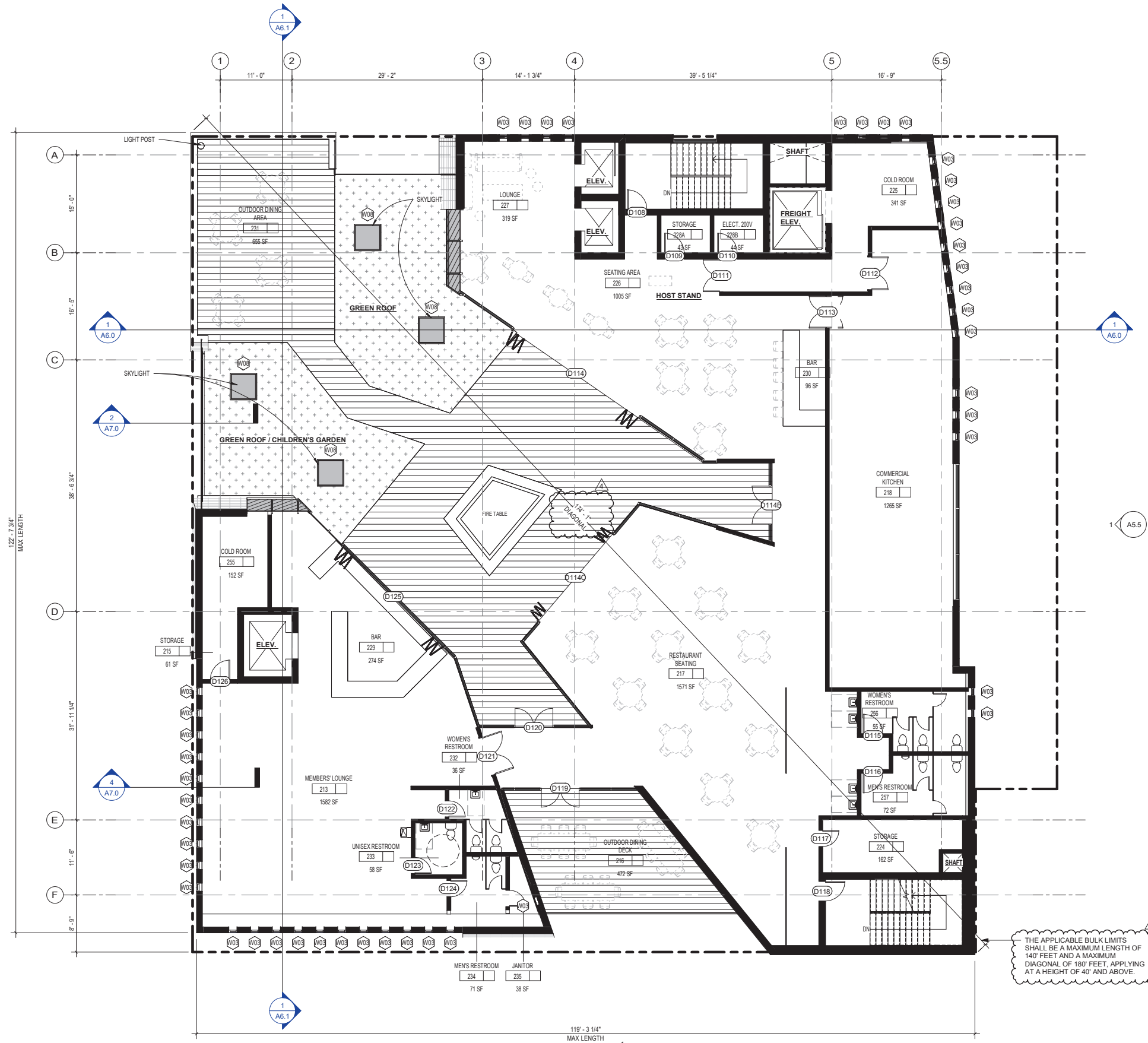
PLANNING APPLICATION

UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.

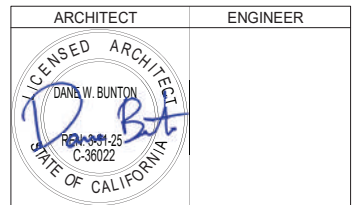
SAN FRANCISCO, CA 94116

6TH FLOOR PLAN



6TH FLOOR PLAN 1  
1/8" = 1'-0"





- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

KEY

PLANNING APPLICATION

UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.

SAN FRANCISCO, CA 94116

ROOF PLAN

Date

07/18/2023

Scale

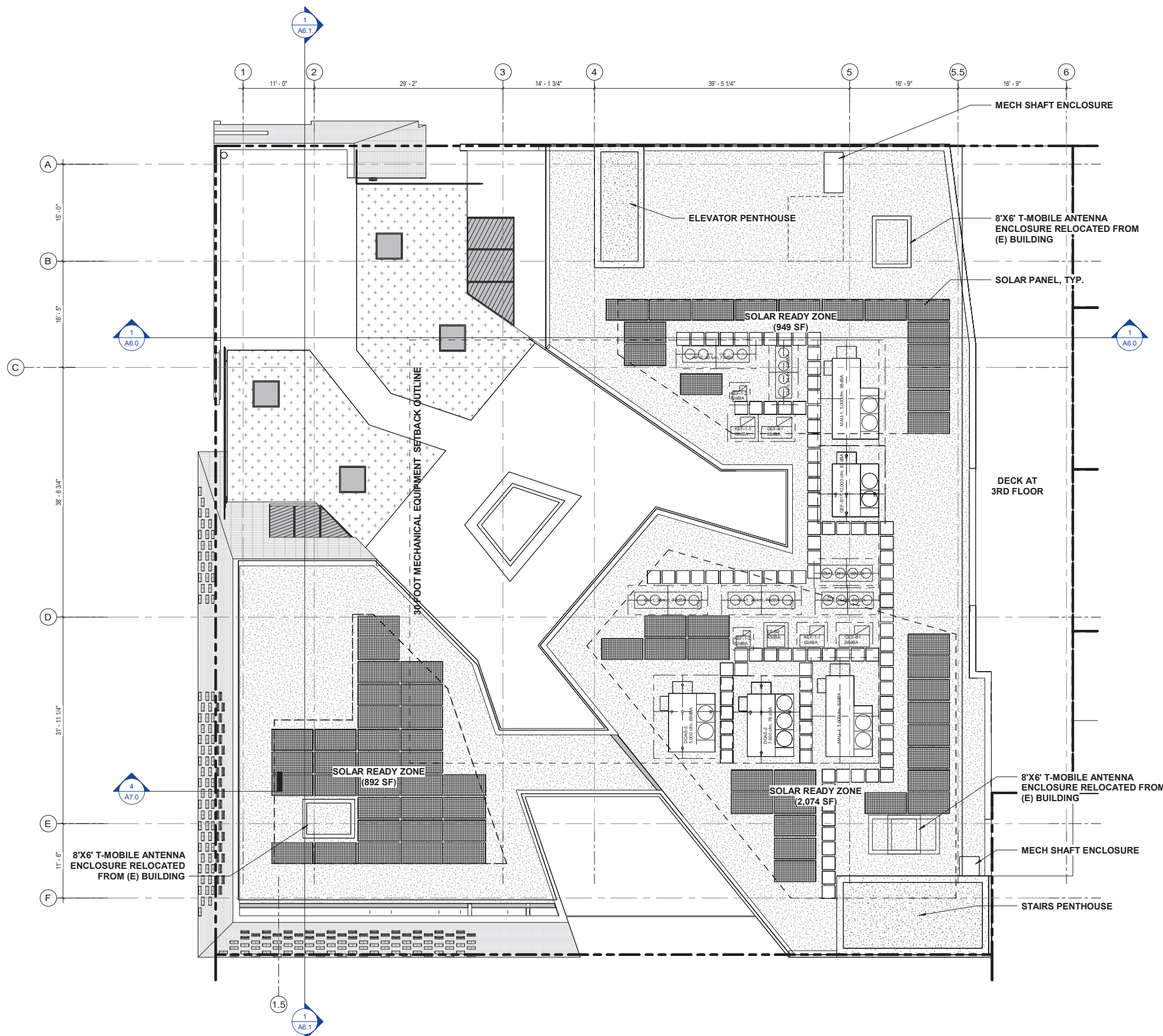
As indicated

Project Number

20007








Drawing Number

A4.0

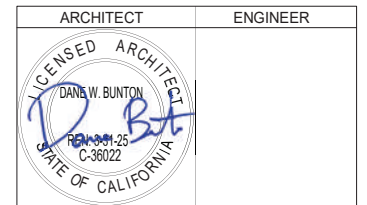


ROOF PLAN 1  
1/8" = 1'-0"

LEGEND

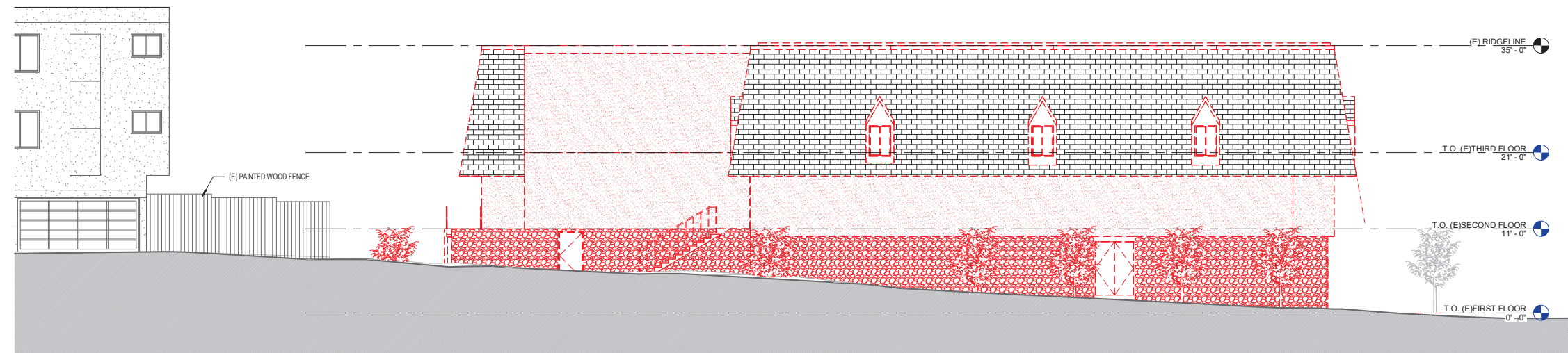
	PRIMARY ROOF DRAIN
	SECONDARY (OVERFLOW) SCUPPER
	TPO ROOF CRICKET (CRICKETS FRAMED TO SLOPE TOWARDS DRAINS)
	TPO ROOFING
	SPOT ELEVATION
	SLOPE ARROW
	MECHANICAL UNIT, SEE MECHANICAL DRAWINGS FOR LOCATION





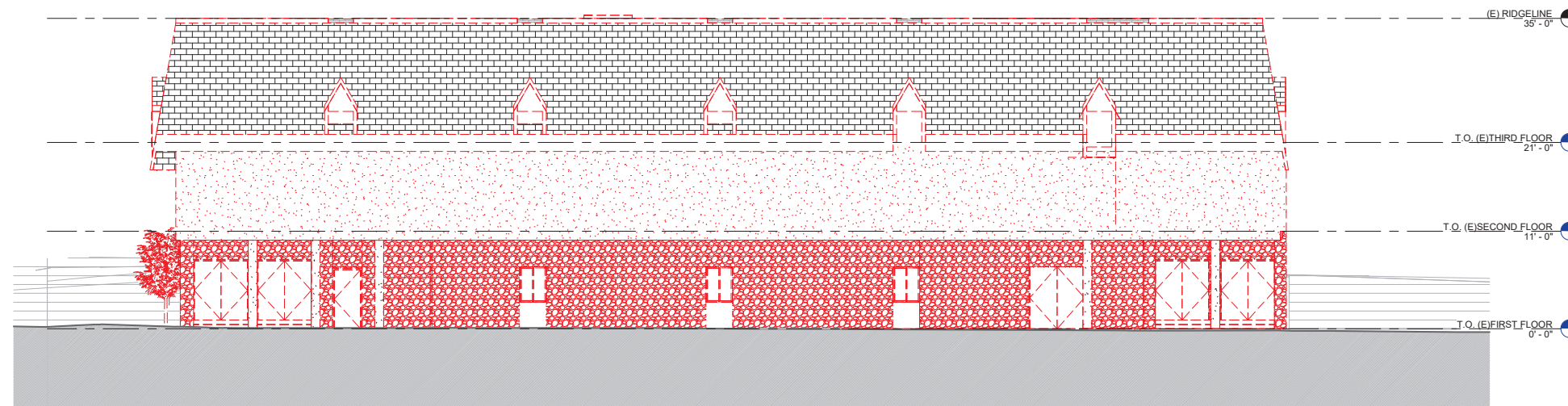
- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022



NORTH ELEVATION - EXISTING 1  
1/8" = 1'-0"

LEGEND	
	(E) STUCCO
	(E) STONE
	(E) ROOFING



WEST ELEVATION - EXISTING 2  
1/8" = 1'-0"

KEY

PLANNING APPLICATION


UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.

SAN FRANCISCO, CA 94116

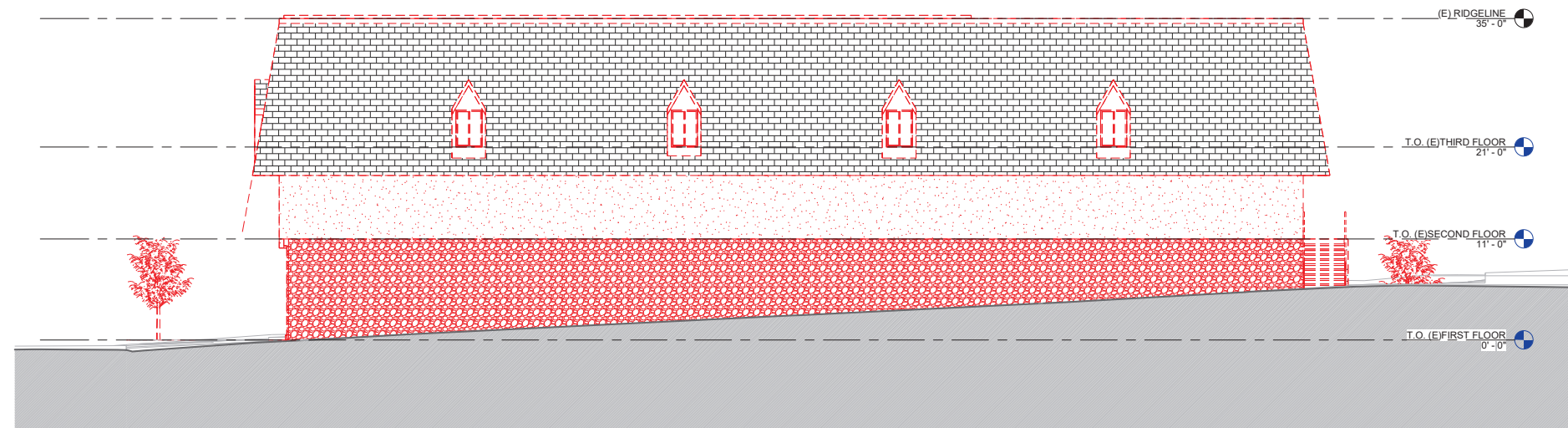
EXTERIOR ELEVATIONS -  
EXISTING






ARCHITECT	ENGINEER
	

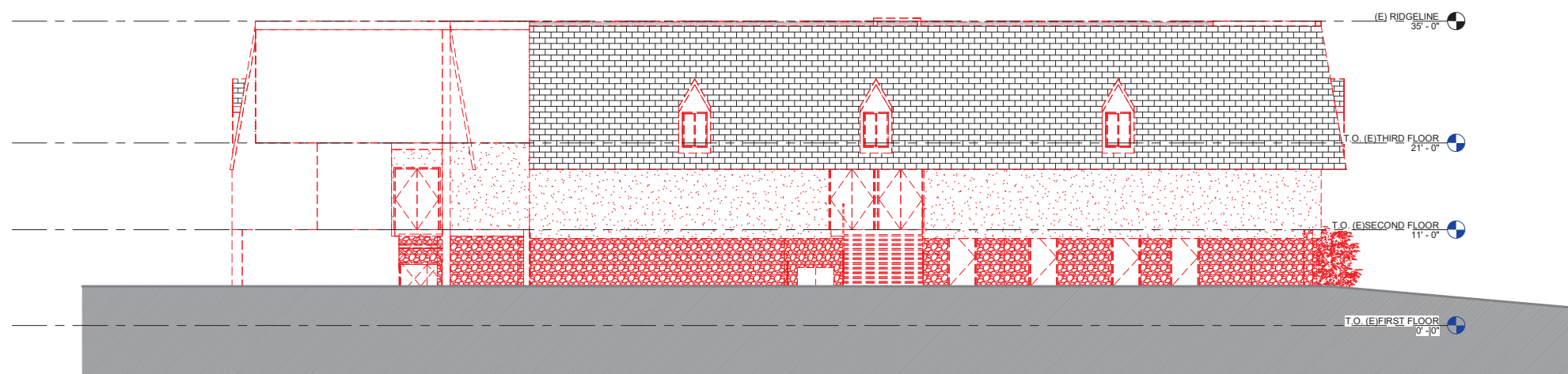
- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022



SOUTH ELEVATION - EXISTING 1  
1/8" = 1'-0"

LEGEND	
	(E) STUCCO
	(E) STONE
	(E) ROOFING



EAST ELEVATION - EXISTING 2  
1/8" = 1'-0"

KEY

PLANNING APPLICATION

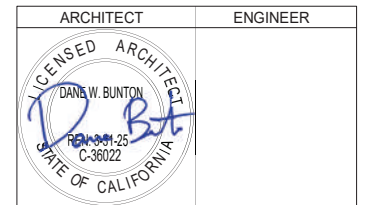
UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.

SAN FRANCISCO, CA 94116

EXTERIOR ELEVATIONS -  
EXISTING

Date	Drawing Number
07/18/2023	A5.1
Scale	Project Number
As indicated	20007



- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022.

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022
4	PCL REV 2	7/18/2023

KEY

PLANNING APPLICATION

UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.

SAN FRANCISCO, CA 94116

EXTERIOR ELEVATIONS -  
PROPOSED

Date

07/18/2023

Scale

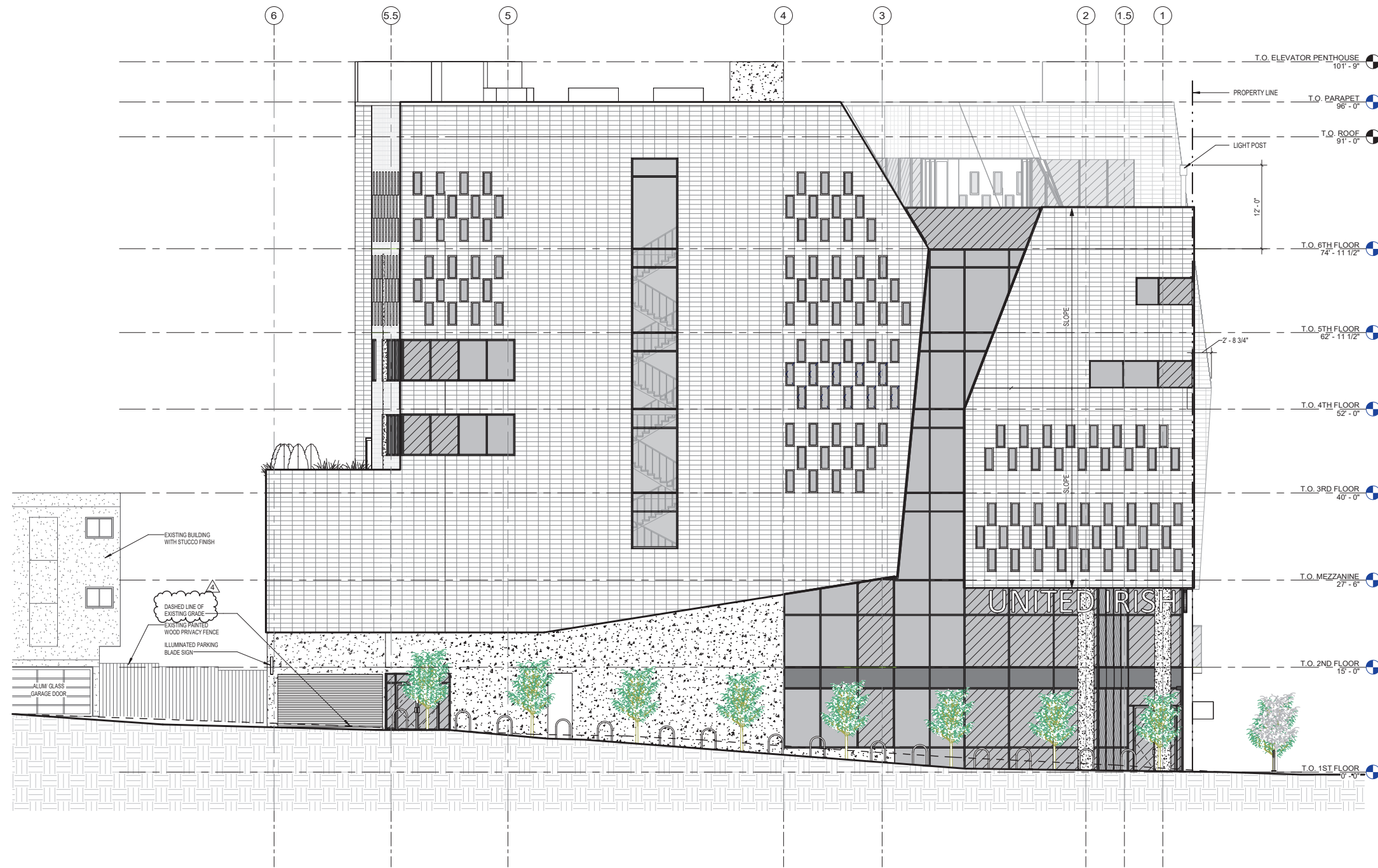
As indicated

Project Number

20007

Drawing Number

A5.2



**LEGEND**

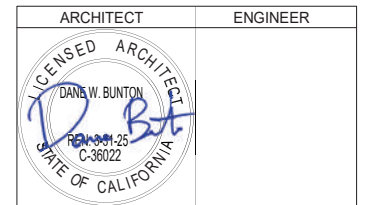
- GLASS
- MURAL
- CONCRETE
- DIGITAL SCREEN
- SLATE TILE RAINSCREEN SYSTEM

BIRD COLLISION ZONE FROM GRADE TO 60 FEET ABOVE GRADE PER STANDARDS FOR BIRD-SAFE BUILDINGS. GLAZING WITHIN ZONE TO RECEIVE FILM TO REFLECT UV LIGHT OR FRITTED GLAZING. SOUTH FACADE WITHIN 300' OF SAN FRANCISCO ZOO.

GLAZING AREA SUBJECT TO "FEATURE RELATED" HAZARD REQUIREMENTS PER STANDARDS FOR BIRD-SAFE BUILDINGS. GLAZING WITHIN ZONE TO RECEIVE FILM TO REFLECT UV LIGHT OR FRITTED GLAZING.

NORTH ELEVATION - PROPOSED 1  
1/8" = 1'-0"

PLANNING CODE SEC. 145.1(c)(6)  
**FIRST FLOOR FENESTRATION CALCULATION:**  
STREET FRONTAGE (WAWONA/ 45TH AVE)  
TOTAL SQUARE FEET OF FRONTAGES WITH ACTIVE USES,  
GROUND LEVEL: 2,482 SF X 0.60 = 1,490 SF MIN REQ'D  
FENESTRATED SQUARE FEET. PROVIDED = 1,618 SF



- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022
2	SFMTA COMMENTS	11/26/2022
4	PCL REV 2	7/18/2023

KEY

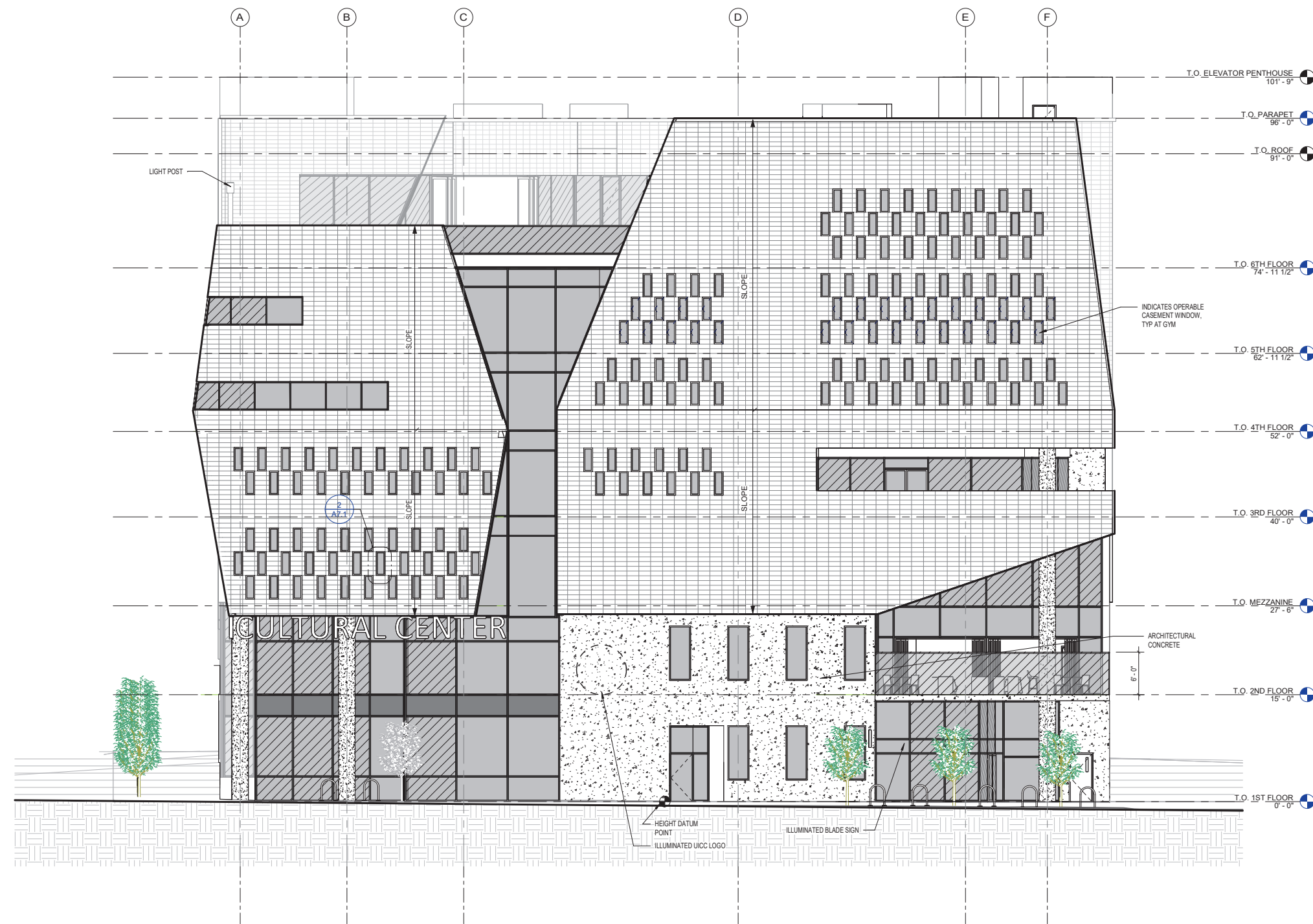
PLANNING APPLICATION

UNITED IRISH  
CULTURAL CENTER






2700 45TH AVE.

SAN FRANCISCO, CA 94116

EXTERIOR ELEVATIONS -  
PROPOSED



LEGEND

-  GLASS
-  MURAL
-  CONCRETE
-  DIGITAL SCREEN
-  SLATE TILE RAINSCREEN SYSTEM

BIRD COLLISION ZONE FROM GRADE TO 60 FEET ABOVE GRADE PER STANDARDS FOR BIRD-SAFE BUILDINGS. GLAZING WITHIN ZONE TO RECEIVE FILM TO REFLECT UV LIGHT OR FRITTED GLAZING. SOUTH FACADE WITHIN 300' OF SAN FRANCISCO ZOO.

GLAZING AREA SUBJECT TO "FEATURE RELATED" HAZARD REQUIREMENTS PER STANDARDS FOR BIRD-SAFE BUILDINGS. GLAZING WITHIN ZONE TO RECEIVE FILM TO REFLECT UV LIGHT OR FRITTED GLAZING.

WEST ELEVATION - PROPOSED

1/8" = 1'-0" 1

PLANNING CODE SEC. 145.1(c)(6)  
**FIRST FLOOR FENESTRATION CALCULATION:**  
STREET FRONTAGE (WAWONA / 45TH AVE)  
TOTAL SQUARE FEET OF FRONTAGES WITH ACTIVE USES,  
GROUND LEVEL: 2,482 SF X 0.60 = 1,490 SF MIN REQ'D  
FENESTRATED SQUARE FEET. PROVIDED = 1,618 SF

Date

07/18/2023

Scale

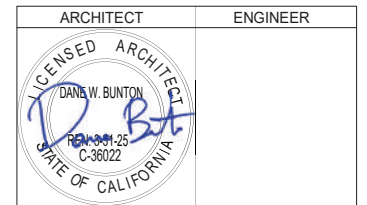
As indicated

Project Number

20007

Drawing Number

A5.3



- GENERAL NOTES
- This sheet is part of a set and is not to be used alone.
  - This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  - These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  - Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022
2	SFMTA COMMENTS	11/26/2022
4	PCL REV 2	7/18/2023

KEY

PLANNING APPLICATION

UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.

SAN FRANCISCO, CA 94116

EXTERIOR ELEVATIONS -  
PROPOSED

Date

07/18/2023

Scale

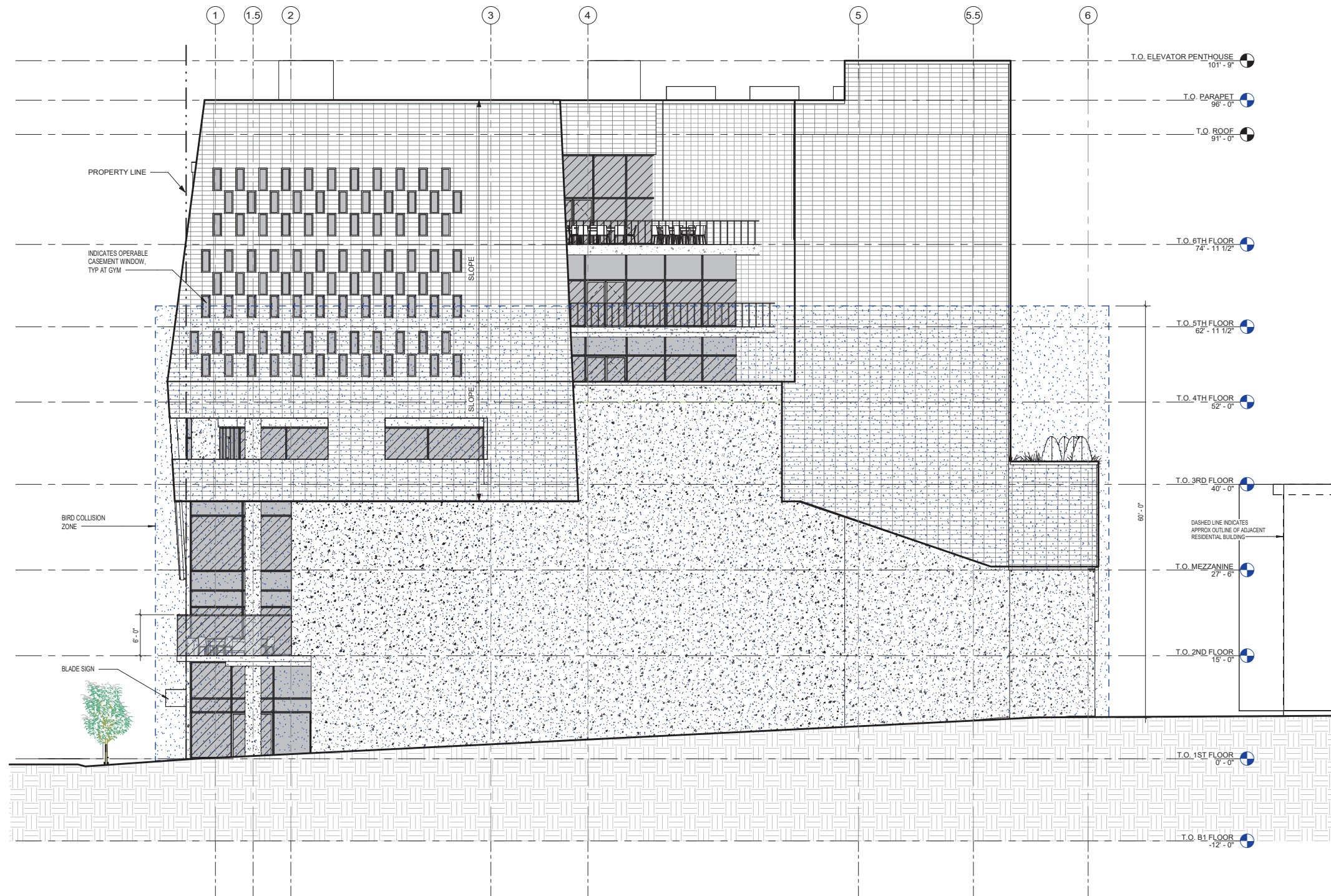
As indicated

Project Number

20007

Drawing Number

A5.4



**LEGEND**


- GLASS
- MURAL
- CONCRETE
- DIGITAL SCREEN
- SLATE TILE RAINSCREEN SYSTEM

BIRD COLLISION ZONE FROM GRADE TO 60 FEET ABOVE GRADE PER STANDARDS FOR BIRD-SAFE BUILDINGS. GLAZING WITHIN ZONE TO RECEIVE FILM TO REFLECT UV LIGHT OR FRITTED GLAZING. SOUTH FACADE WITHIN 300' OF SAN FRANCISCO ZOO.

GLAZING AREA SUBJECT TO "FEATURE RELATED" HAZARD REQUIREMENTS PER STANDARDS FOR BIRD-SAFE BUILDINGS. GLAZING WITHIN ZONE TO RECEIVE FILM TO REFLECT UV LIGHT OR FRITTED GLAZING.

PLANNING CODE SEC. 145.1(c)(6)  
**FIRST FLOOR FENESTRATION CALCULATION:**  
STREET FRONTAGE (WAWONA / 45TH AVE.)  
TOTAL SQUARE FEET OF FRONTAGES WITH ACTIVE USES,  
GROUND LEVEL: 2,482 SF X 0.60 = 1,490 SF MIN REQ'D  
FENESTRATED SQUARE FEET. PROVIDED = 1,618 SF

SOUTH ELEVATION - PROPOSED 1  
1/8" = 1'-0"

ARCHITECT	ENGINEER
	

- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022
4	PCL REV 2	7/18/2023

KEY

PLANNING APPLICATION

UNITED IRISH  
CULTURAL CENTER

2700 45TH AVE.

SAN FRANCISCO, CA 94116

EXTERIOR ELEVATIONS -  
PROPOSED

Date

07/18/2023

Scale

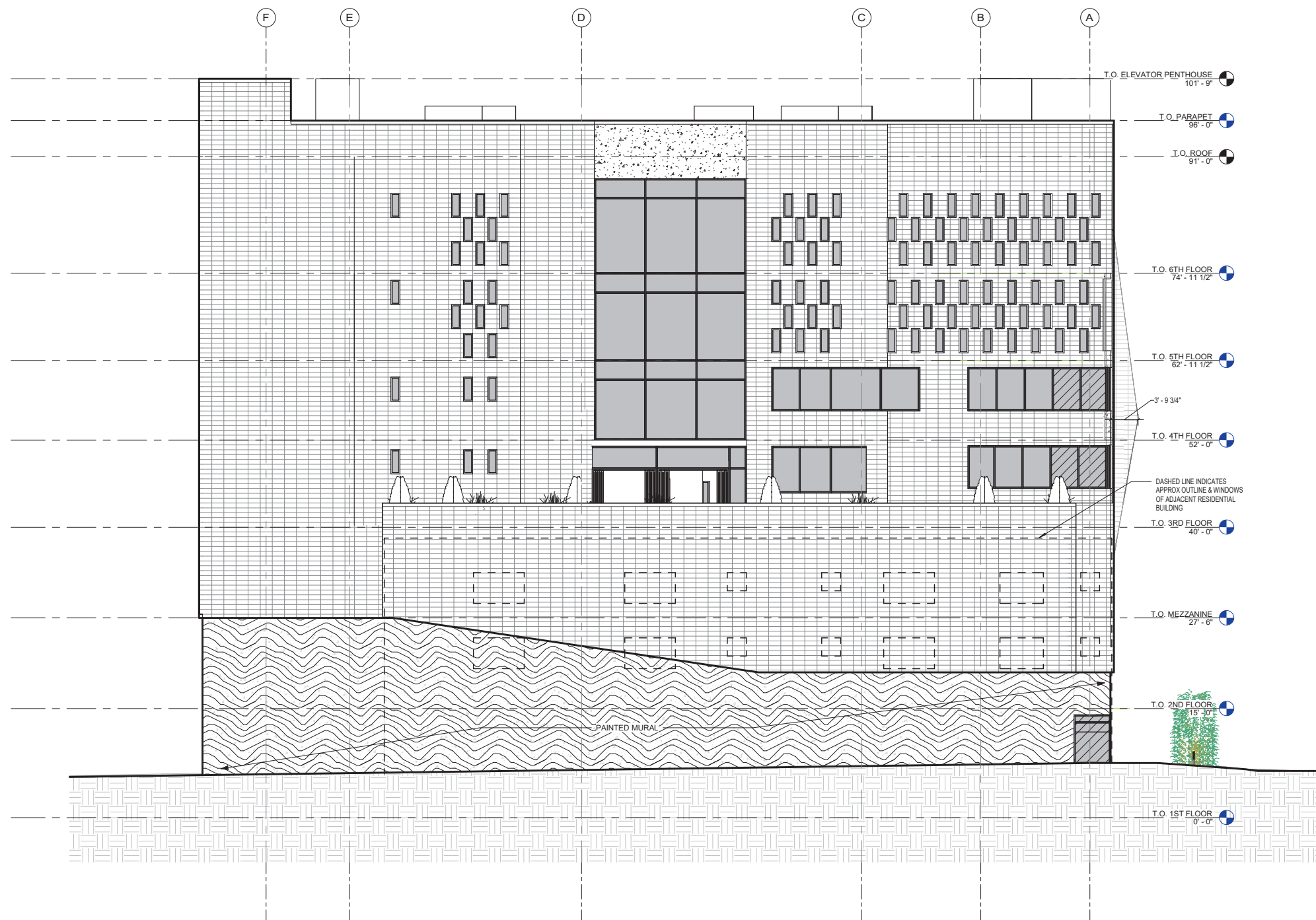
As indicated

Project Number

20007

Drawing Number

A5.5



T.O. ELEVATOR PENTHOUSE  
101'-9"

T.O. PARAPET  
96'-0"

T.O. ROOF  
91'-0"

T.O. 6TH FLOOR  
74'-11 1/2"

T.O. 5TH FLOOR  
82'-11 1/2"

T.O. 4TH FLOOR  
52'-0"

T.O. 3RD FLOOR  
40'-0"

T.O. MEZZANINE  
27'-6"

T.O. 2ND FLOOR  
15'-3 1/2"

T.O. 1ST FLOOR  
0'-0"

3'-9 3/4"

DASHED LINE INDICATES  
APPROX OUTLINE & WINDOWS  
OF ADJACENT RESIDENTIAL  
BUILDING

PAINTED MURAL

EAST ELEVATION - PROPOSED

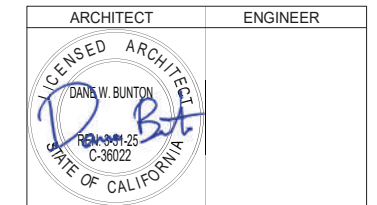
1/8" = 1'-0"

1

PLANNING CODE SEC. 145.1(c)(6)  
**FIRST FLOOR FENESTRATION CALCULATION:**  
STREET FRONTAGE (WAWONA / 45TH AVE)  
TOTAL SQUARE FEET OF FRONTAGES WITH ACTIVE USES,  
GROUND LEVEL: 2,482 SF X 0.60 = 1,490 SF MIN REQ'D  
FENESTRATED SQUARE FEET. PROVIDED = 1,618 SF

**LEGEND**

- GLASS
- MURAL
- CONCRETE
- DIGITAL SCREEN
- SLATE TILE RAINSCREEN SYSTEM
- BIRD COLLISION ZONE FROM GRADE TO 60 FEET ABOVE GRADE PER STANDARDS FOR BIRD-SAFE BUILDINGS. GLAZING WITHIN ZONE TO RECEIVE FILM TO REFLECT UV LIGHT OR FRITTED GLAZING. SOUTH FACADE WITHIN 300' OF SAN FRANCISCO ZOO.
- GLAZING AREA SUBJECT TO "FEATURE RELATED" HAZARD REQUIREMENTS PER STANDARDS FOR BIRD-SAFE BUILDINGS. GLAZING WITHIN ZONE TO RECEIVE FILM TO REFLECT UV LIGHT OR FRITTED GLAZING.



- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
1	PCL REV 1	10/12/2022

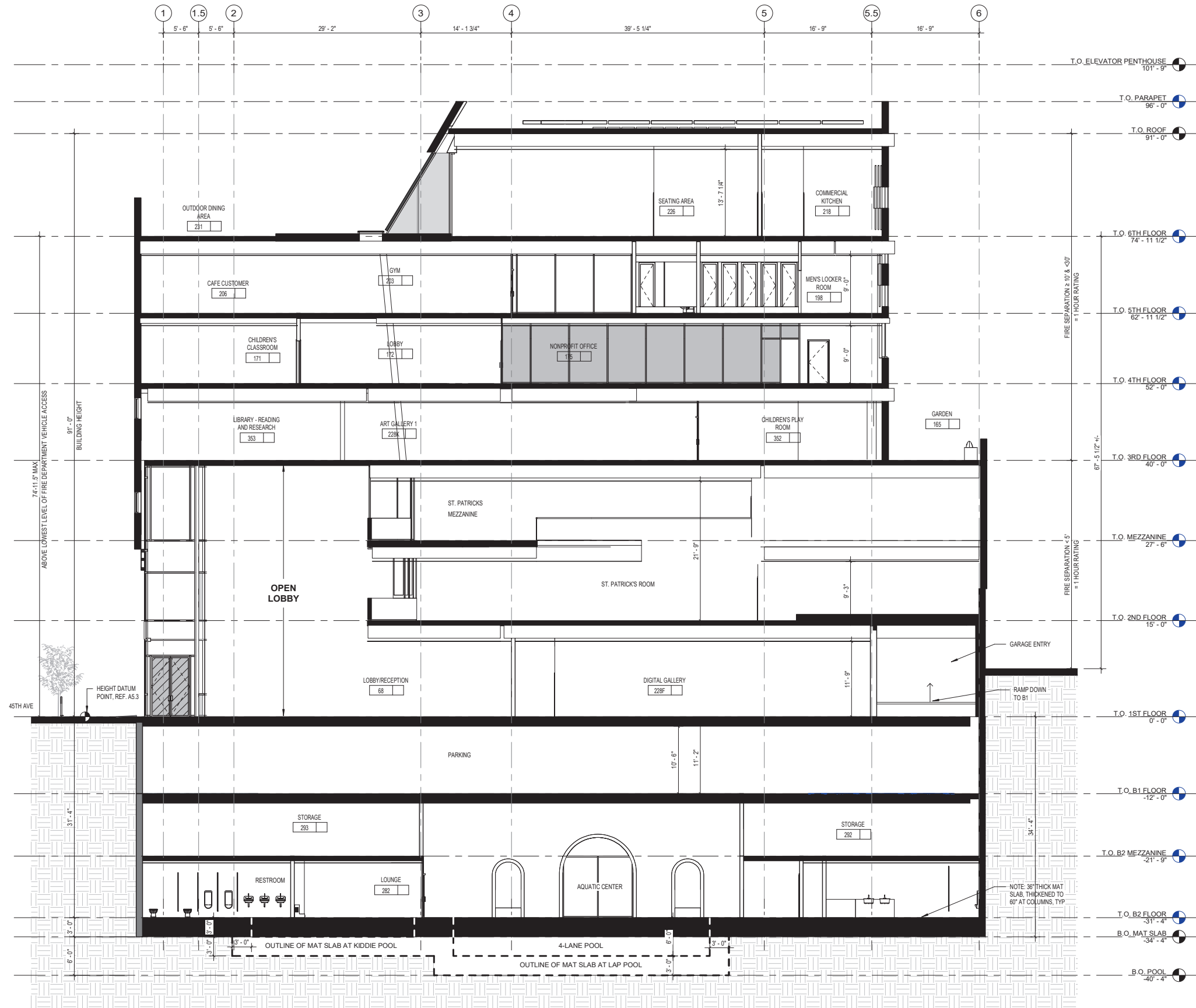
**KEY**

PLANNING APPLICATION


**UNITED IRISH  
CULTURAL CENTER**

2700 45TH AVE.  
SAN FRANCISCO, CA 94116

**BUILDING SECTIONS**



**BUILDING SECTION A** 1  
1/8" = 1'-0"

ARCHITECT	ENGINEER
	

- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE
3	SFMTA COMMENTS	4/13/2023
4	PCL REV 2	7/18/2023

**KEY**

PLANNING APPLICATION

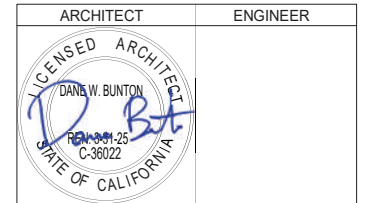
**UNITED IRISH CULTURAL CENTER**

2700 45TH AVE.  
SAN FRANCISCO, CA 94116

**BUILDING SECTIONS**



**BUILDING SECTION B** 1  
1/8" = 1'-0"



- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE

KEY

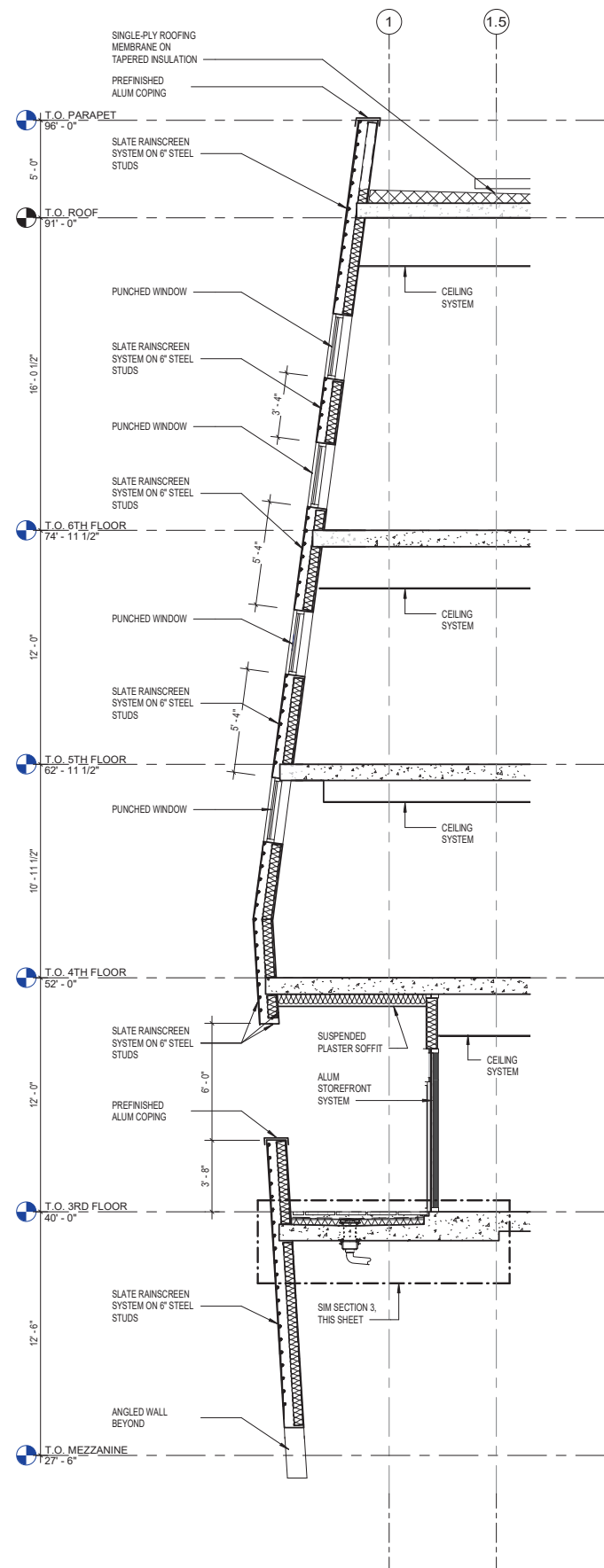
PLANNING APPLICATION

UNITED IRISH  
CULTURAL CENTER

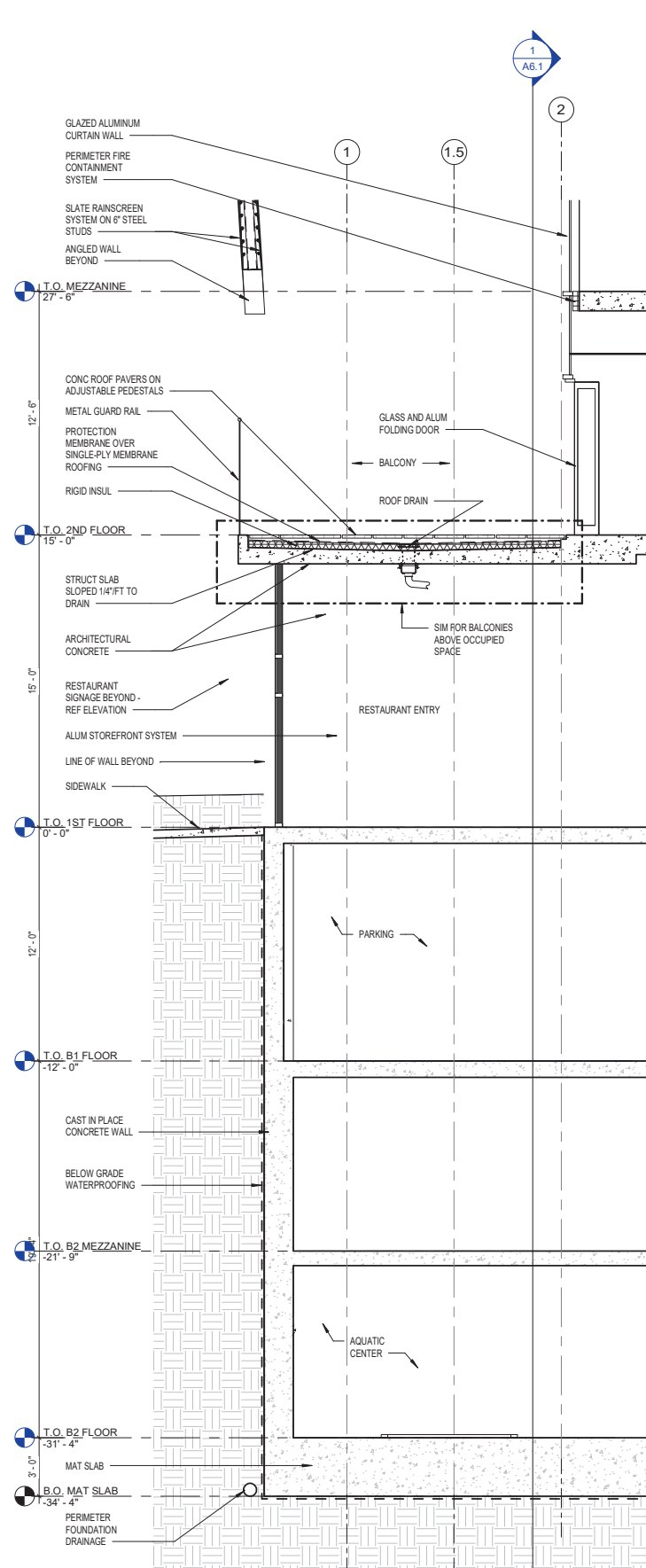
2700 45TH AVE.

SAN FRANCISCO, CA 94116

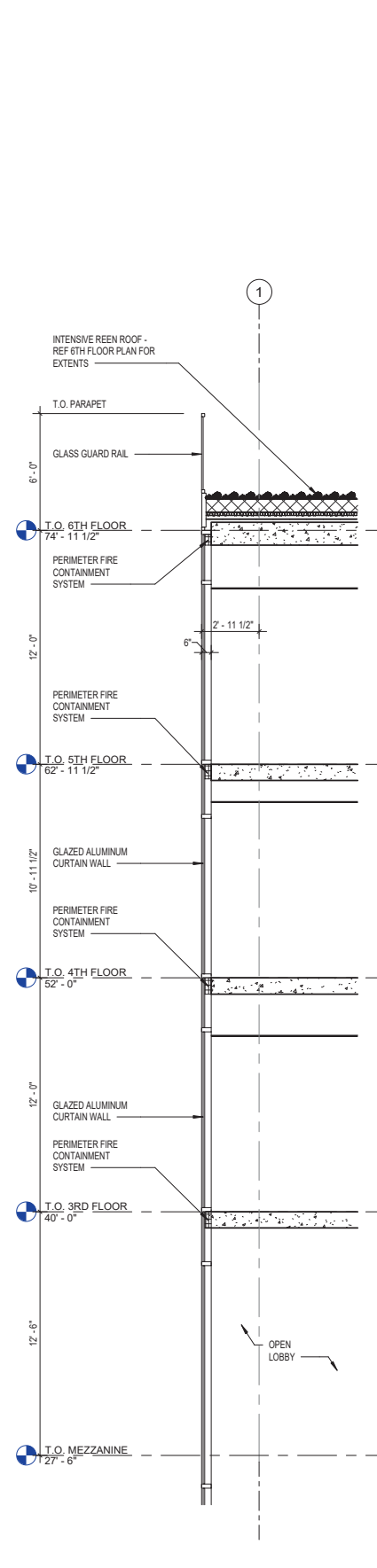
WALL SECTIONS



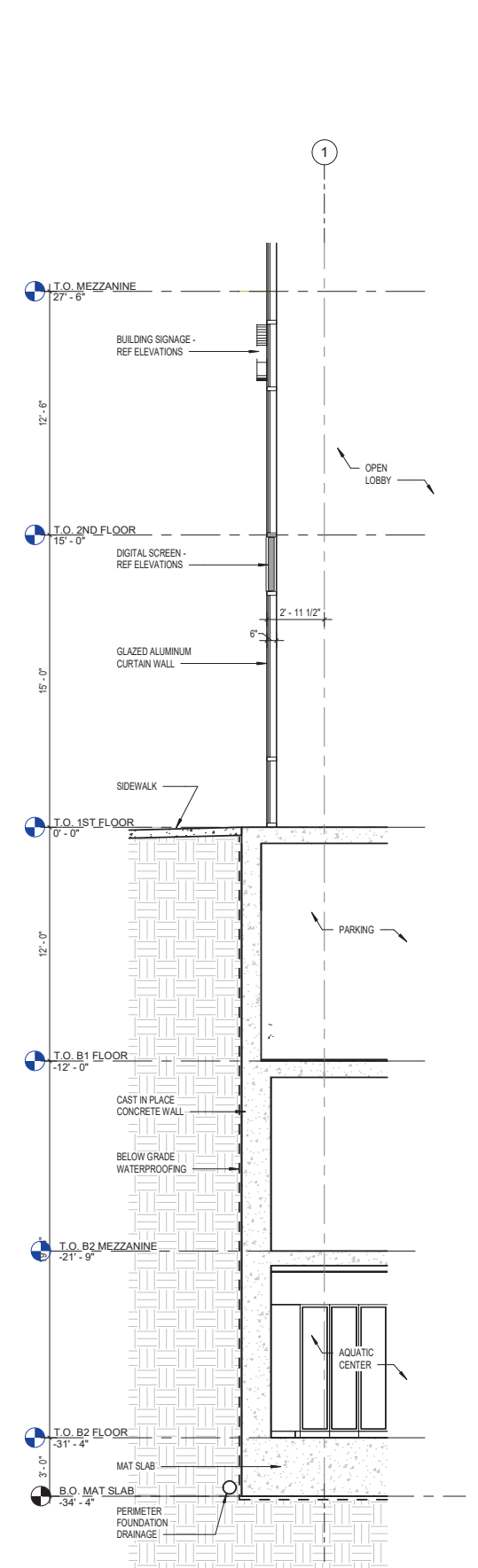
SECTION AT RESTAURANT ENTRY 1/4" = 1'-0" 4



SECTION AT RESTAURANT ENTRY 1/4" = 1'-0" 3




SECTION AT GLAZED ALUM CURTAIN WALL 1/4" = 1'-0" 2



SECTION AT GLAZED ALUM CURTAIN WALL 1/4" = 1'-0" 1



ARCHITECT	ENGINEER
	

- GENERAL NOTES
1. This sheet is part of a set and is not to be used alone.
  2. This sheet is not to be used for construction unless the architect's stamp and signature appear on the drawings and the status box indicates drawings have been released for construction.
  3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
  4. Copyright Bunton Mousavi Architecture Inc. 2022

NO.	REMARKS	DATE

KEY

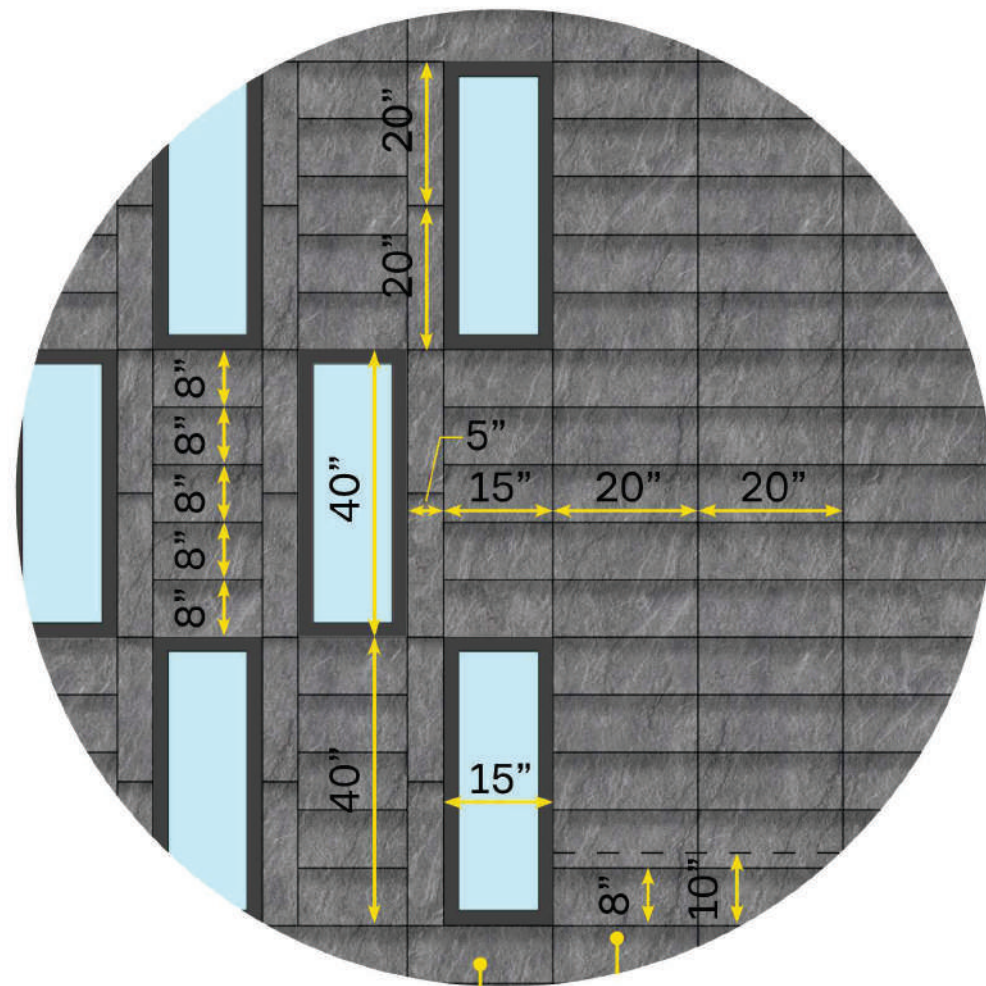
PLANNING APPLICATION

UNITED IRISH  
 CULTURAL CENTER

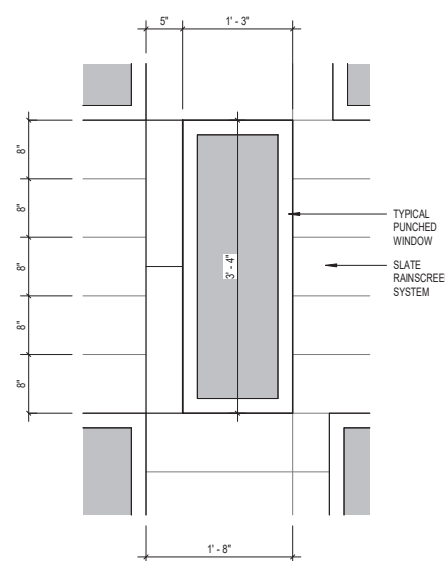
2700 45TH AVE.

SAN FRANCISCO, CA 94116

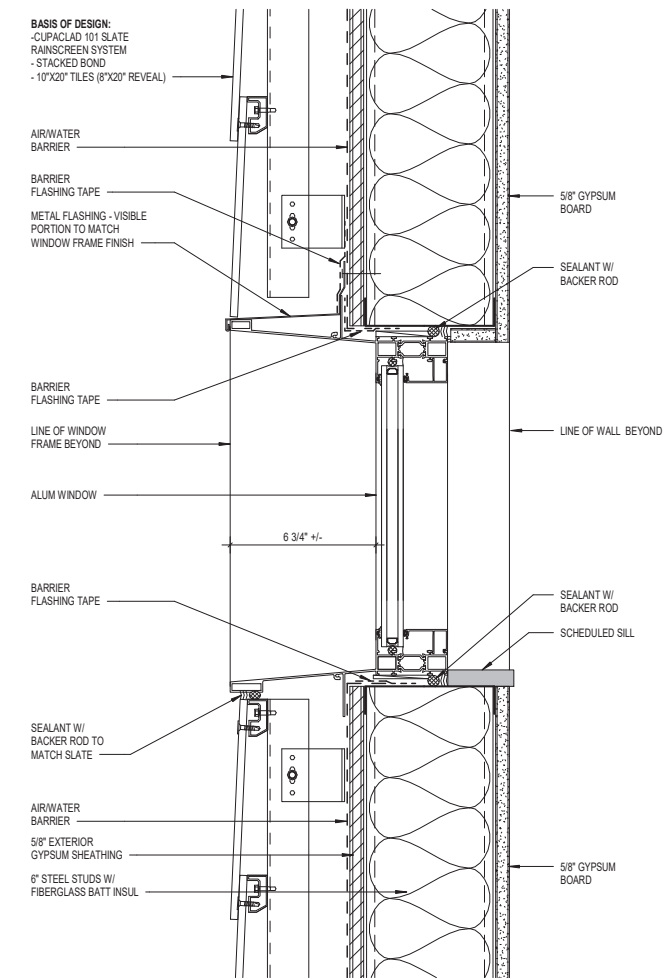
EXTERIOR DETAILS



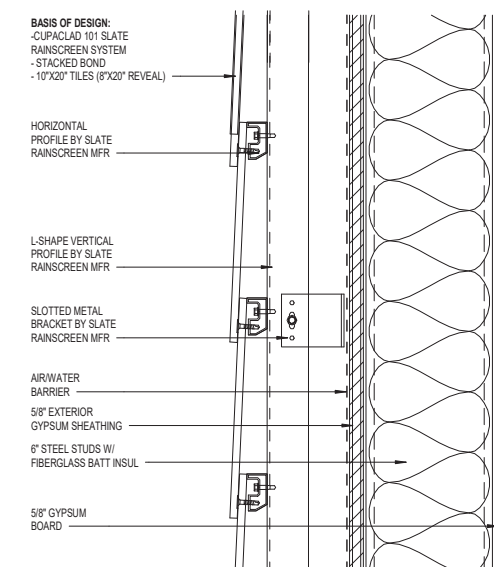
COLOR DETAIL AT TYPICAL RAINSCREEN SYSTEM AND PUNCHED WINDOWS 3  
 1 1/2" = 1'-0"



SLATE RAINSCREEN SYSTEM AT TYPICAL PUNCHED WINDOW 2  
 1" = 1'-0"



TYPICAL HEAD AND SILL AT PUNCHED WINDOWS 4  
 3" = 1'-0"



TYPICAL EXTERIOR WALL CONSTRUCTION 1  
 3" = 1'-0"

## DOOR SCHEDULE

Mark	LEVEL	DOOR TYPE		OPERATION	WIDTH (W)	HEIGHT (H)	DOOR MATERIAL	FIRE RATING	NOTES
		TYPE	DESCRIPTION						
D001	1	B	PUBLIC ENTRY	EXT. DOUBLE	6'-0"	9'-5"	GLASS, METAL		
D002	1	C	1ST FLOOR STAIR EXIT	EXT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D003	1	B	DELIVERY DOOR	EXT. DOUBLE	6'-0"	6'-8"	GLASS, METAL		
D004	1	-	PARKING GARAGE	ROLL UP	15'-0"	9'-10"	METAL		
D005	1	C	EXIT	EXT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D006	1	B	RESTAURANT ENTRY	EXT. DOUBLE	6'-0"	6'-8"	GLASS, METAL		
D007	1	A	MEMBER'S ENTRANCE	EXT. SINGLE	3'-0"	6'-8"	GLASS, METAL		
D008	1	A	SERVICE AREAS	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D009	1	C	1ST FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D010	1	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D011	1	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D012	1	A	SERVICE AREAS	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D013	1	E	LIFT DOOR	INT. SINGLE	4'-0"	3'-6"	BY MANUFACTURER		
D014	1	E	LIFT DOOR	INT. SINGLE	4'-0"	3'-6"	BY MANUFACTURER		
D015	1	A	WOMEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D016	1	A	MEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D017	1	B	INTERIOR BARN DOOR	INT. SLIDING	5'-0"	7'-0"	SOLID CORE WOOD		
D018	1	B	INTERIOR BARN DOOR	INT. SLIDING	5'-0"	7'-0"	SOLID CORE WOOD		
D019	1	B	INTERIOR BARN DOOR	INT. SLIDING	3'-0"	7'-0"	SOLID CORE WOOD		
D020	1	A	COAT ROOM	INT. SINGLE	2'-6"	6'-8"	SOLID CORE WOOD		
D021	1	A	WOMEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D022	1	A	MEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D023	1	F	KITCHEN	INT. DOUBLE	5'-0"	6'-8"	HOLLOW METAL		
D024	1	A	DRY STORAGE	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D024B	1	A	MECH. PLATFORM	INT. SINGLE	2'-0"	6'-8"	SOLID CORE WOOD		
D025	1	A	OFFICE	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D026	1	C	1ST FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D027	1	C	1ST FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D028	1	C	EXIT CORRIDOR	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D029	2	C	2ND FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D030	2	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D031	2	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D032	2	F	KITCHEN DOOR	INT. DOUBLE	5'-0"	6'-8"	HOLLOW METAL		DOUBLE ACTING
D033	2	A	WOMEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D034	2	A	JANITOR CLOSET	INT. SINGLE	2'-6"	6'-8"	SOLID CORE WOOD		
D035	2	A	MEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D036	2	A	UNISEX RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D037	2	A	JANITOR CLOSET	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D038	2	C	2ND FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D039	2	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D040	2	A	SCREENING THEATER	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D040B	2	A	SCREENING THEATER	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D041	2	D	COCKTAIL	INT. FOLDING	6'-0"	8'-0"	GLASS, METAL		
D041B	2	D	COCKTAIL	INT. FOLDING	6'-0"	8'-0"	GLASS, METAL		
D041C	2	D	COCKTAIL DECK	EXT. FOLDING	12'-9 1/2"	8'-0"	GLASS, METAL		
D041D	2	D	COCKTAIL DECK	EXT. FOLDING	12'-9 1/2"	8'-0"	GLASS, METAL		
D042	2	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D043	2	B	ST PATRICK'S ROOM	INT. DOUBLE	4'-10"	6'-8"	GLASS, METAL		
D044	2	MEZZ	MEZZANINE	INT. DOUBLE	5'-6"	6'-8"	GLASS, METAL		
D045	2	MEZZ	MEZZANINE STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D046	2	MEZZ	A CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D047	2	MEZZ	A CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D048	2	MEZZ	F RESTROOM HALL	INT. DOUBLE	5'-0"	6'-8"	HOLLOW METAL		DOUBLE ACTING
D049	2	MEZZ	F STORAGE	INT. DOUBLE	5'-0"	6'-8"	HOLLOW METAL		DOUBLE ACTING
D050	2	MEZZ	A UNISEX RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D051	2	MEZZ	A UNISEX RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D052	2	MEZZ	A GREEN ROOM	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D053	2	MEZZ	A GREEN ROOM RESTROOM	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D054	2	MEZZ	C MEZZANINE STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D055	3	C	3RD FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D056	3	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D057	3	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D058	3	A	CHILDREN'S PLAY ROOM	INT. SINGLE	3'-0"	6'-8"	GLASS, METAL		
D059	3	D	GARDEN	EXT. FOLDING	9'-9 1/2"	8'-0"	GLASS, METAL		
D059B	3	D	GARDEN	EXT. FOLDING	8'-9 1/2"	8'-0"	GLASS, METAL		
D060	3	A	KITCHENETTE	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D061	3	A	WOMEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D062	3	A	MEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D062B	3	A	JANITOR CLOSET	INT. SINGLE	2'-6"	6'-8"	SOLID CORE WOOD		
D063	3	A	STORAGE	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D064	3	C	3RD FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D065	3	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D066	3	B	READING BALCONY	EXT. DOUBLE	6'-0"	6'-8"	GLASS, METAL		
D067	3	A	ELEVATOR LOBBY	EXT. SINGLE	3'-0"	6'-8"	GLASS, METAL		
D068	3	B	LIBRARIAN OFFICE	INT. DOUBLE	5'-10"	6'-8"	GLASS, METAL		
D069	4	C	4TH FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D070	4	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D071	4	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D072	4	B	NONPROFIT OFFICE	INT. DOUBLE	5'-3 1/2"	6'-8"	GLASS, METAL		
D073	4	A	PRIVATE OFFICE	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D074	4	A	GRANT WRITING SPACE	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D075	4	A	COUNSELING/NONPROFIT	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D076	4	A	COUNSELING/NONPROFIT	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D077	4	A	MUSIC CLASSROOM	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D078	4	A	LANGUAGE CLASSROOM	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D079	4	A	WOMEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D080	4	A	MEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D081	4	A	JANITOR CLOSET	INT. SINGLE	2'-6"	6'-8"	SOLID CORE WOOD		
D082	4	A	STORAGE	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D083	4	C	4TH FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D084	4	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D085	4	B	UICC ADMIN OFFICE	INT. DOUBLE	4'-10"	6'-8"	GLASS, METAL		
D086	4	B	OFFICE DECK	EXT. DOUBLE	5'-9 1/2"	6'-8"	GLASS, METAL		
D087	4	B	CONFERENCE	INT. DOUBLE	5'-10"	6'-8"	GLASS, METAL		
D088	4	B	OFFICE	INT. DOUBLE	5'-10"	6'-8"	GLASS, METAL		
D089	4	B	OFFICE	INT. DOUBLE	5'-10"	6'-8"	GLASS, METAL		
D090	4	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D091	4	A	DANCE CLASSROOM	EXT. SINGLE	3'-0"	6'-8"	GLASS, METAL		
D092	4	A	CHILDREN'S CLASSROOM	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D093	4	A	CHILDREN'S CLASSROOM	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D094	5	C	5TH FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D095	5	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D096	5	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D097	5	A	PHYSICAL THERAPY	EXT. SINGLE	3'-0"	6'-8"	GLASS, METAL		
D098	5	B	EXERCISE STUDIO	INT. DOUBLE	6'-0"	6'-6"	GLASS, METAL		
D099	5	A	MEN'S LOCKER ROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D100	5	A	WOMEN'S LOCKER ROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D101	5	A	OFFICE	INT. SINGLE	2'-6"	6'-8"	SOLID CORE WOOD		
D102	5	A	STORAGE	INT. SINGLE	2'-6"	6'-8"	SOLID CORE WOOD		
D103	5	C	5TH FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D104	5	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D105	5	B	BALCONY	EXT. DOUBLE	5'-9 1/2"	6'-8"	GLASS, METAL		
D106	5	B	EXERCISE STUDIO	INT. DOUBLE	5'-10"	6'-8"	GLASS, METAL		
D107	5	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D108	6	C	6TH FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D109	6	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		

## DOOR SCHEDULE

Mark	LEVEL	DOOR TYPE		OPERATION	WIDTH (W)	HEIGHT (H)	DOOR MATERIAL	FIRE RATING	NOTES
		TYPE	DESCRIPTION						
D110	6	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
D111	6	F	COLD ROOM	INT. DOUBLE	5'-0"	6'-8"	HOLLOW METAL		
D112	6	F	KITCHEN	INT. DOUBLE	5'-0"	6'-8"	HOLLOW METAL		
D113	6	F	KITCHEN	INT. DOUBLE	5'-0"	6'-8"	HOLLOW METAL		DOUBLE ACTING
D114	6	D	ROOF DECK	EXT. FOLDING	23'-9 1/2"	13'-0"	GLASS, METAL		
D114B	6	B	ROOF DECK	EXT. DOUBLE	5'-9 1/2"	13'-0"	GLASS, METAL		
D114C	6	D	ROOF DECK	EXT. FOLDING	17'-9 1/2"	13'-0"	GLASS, METAL		
D115	6	A	WOMEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D116	6	A	MEN'S RESTROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
D117	6	A	STORAGE	INT. SINGLE	2'-6"	6'-8"	SOLID CORE WOOD		
D118	6	C	6TH FLOOR STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
D119	6	B	ROOF DECK	EXT. DOUBLE	5'-9 1/2"	13'-0"	GLASS, METAL		
D120	6	B	ROOF DECK	EXT. DOUBLE	5'-9 1/2"	13'-0"	GLASS, METAL		
D121	6	F	MEMBER'S LOUNGE	INT. DOUBLE	6'-0"	6'-8"	SOLID CORE WOOD		
D122	6	F	MEMBER'S RESTROOM	INT. SINGLE	2'-6"	6'-8"	SOLID CORE WOOD		
D123	6	A	MEN'S RESTROOM	INT. SINGLE	2'-6"	6'-8"	SOLID CORE WOOD		
D124	6	A	UNISEX RESTROOM	INT. SINGLE	2'-6"	6'-8"	SOLID CORE WOOD		
D125	6	D	ROOF DECK	EXT. FOLDING	21'-11 1/2"	9'-11"	GLASS, METAL		
D126	6	A	COLD ROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
DB01	B1	C	B1 STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
DB02	B1	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
DB03	B1	-	ROLL UP DOOR	ROLL UP	7'-0"	10'-0"	METAL		
DB03B	B1	F	STORAGE	INT. DOUBLE	6'-0"	6'-8"	HOLLOW METAL		
DB04	B1	F	TRASH	INT. DOUBLE	5'-0"	6'-8"	HOLLOW METAL		
DB05	B1	C	B1 STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
DB06	B1	A	COOLER	INT. SINGLE	3'-0"	6'-8"	BY MANUFACTURER		
DB07	B1	A	BIKE CAGE	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
DB08	B1	A	STORAGE	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
DB09	B1	F	METER ROOM	INT. DOUBLE	5'-0"	6'-8"	HOLLOW METAL		
DB10	B2	MEZZ	C B2 S STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
DB11	B2	MEZZ	A FIRE PUMP ROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
DB12	B2	MEZZ	A DEHUMIDIFIER	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
DB13	B2	MEZZ	C STORAGE	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
DB14	B2	C	B2 STAIR ACCESS	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL	Y	SIDE LITE
DB15	B2	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
DB16	B2	A	CLOSET DOOR	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
DB17	B2	A	LAUNDRY	INT. SINGLE	3'-0"	6'-8"	SOLID CORE WOOD		
DB18	B2	A	FAMILY CHANGING ROOM	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
DB19	B2	A	MEMBER'S LOCKER ROOM - WOMEN	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
DB20	B2	A	MEMBER'S LOCKER ROOM - MEN	INT. SINGLE	3'-0"	6'-8"	HOLLOW METAL		
DB21	B2	F	COURTS	INT. DOUBLE	5'-0"	6'-8"	HOLLOW METAL		
DB22									

# EXHIBIT D



# STREAMLINED REVIEW FOR INFILL PROJECTS

<b>Case No.:</b>	<b>2022-001407ENV, 2700 45<sup>th</sup> Avenue (United Irish Cultural Center)</b>
<b>Zoning:</b>	NC-2 (Neighborhood Commercial, Small Scale) 100-A Height and Bulk District
<b>Prior EIR:</b>	San Francisco Housing Element 2022 Update EIR
<b>Block/Lot:</b>	2513/026
<b>Lot Size:</b>	16,120 square feet
<b>Project Sponsor:</b>	Dane Bunton, Studio BANAA, 510.612.7758
<b>Staff Contacts:</b>	Josh Pollak, <a href="mailto:josh.pollak@sfgov.org">josh.pollak@sfgov.org</a> , 628.652.7493 Ryan Shum, <a href="mailto:ryan.shum@sfgov.org">ryan.shum@sfgov.org</a> , 628.652.7542

## A. Project Description

### Existing Project Site and Uses

The project site at 2700 45th Avenue is located in San Francisco's Parkside neighborhood. The project site (Assessor's Block 2513, Lot 026) is a 16,120-square-foot, rectangular-shaped corner parcel on the northwest corner of the block bound by 45th Avenue to the west, Wawona Street to the north, 44th Avenue to the east, and Sloat Boulevard to the south. The San Francisco Zoo is approximately one block away, across Sloat Boulevard, and Ocean Beach and the Pacific Ocean are four blocks away to the west. The project site is located within a quarter mile of the Great Highway, Sloat Boulevard, and Skyline Boulevard/California State Route 35. The L-Taraval Muni light rail and Muni 23-Monterey bus lines run within a quarter mile of the project site. The project site is located within the NC-2-Small Scale Neighborhood Commercial zoning district. The site has a permitted floor area ratio (FAR) of 2.5. It is within the 100-A Height and Bulk district, the Scenic Streets Special Sign district and the Sunset Chinese Cultural district.

The site is presently developed with an existing 21,263-square-foot, 35-foot-tall (to the top of the roof ridgeline), three-story United Irish Cultural Center (Irish Center) building, which was constructed in 1975 and covers approximately 70 percent of the parcel. The Irish Center is a nonprofit corporation that provides various aspects of Irish culture, San Francisco Irish history, and event space to the local community. The existing structure contains several facilities, including a ballroom and several meeting spaces and offices, a library, restaurant space (currently vacant), and catering kitchens. The Irish Center hosts large events, which attract approximately 400 people to the site, about four times a year. Smaller events, such as workshops, performances, and sporting events, as well as ongoing programming, such as summer camp sessions, occur

more frequently throughout the year and host an average of 30 people (although attendance varies widely depending on the specific event).

There are 12 off-street parking spaces located in an on-site parking lot at the rear of the building, accessed via an approximate 23-foot-wide curb cut along Wawona Street. There is one approximately 30-foot-long passenger loading zone in front of the existing building entrance on 45th Avenue. There are also three street trees along the 45th Avenue sidewalk, and seven street trees adjacent to the building and parking lot along Wawona Street. The eastern perimeter of the parking lot includes nine brick planters.

**Project Characteristics**

The project would demolish the existing building and construct a new 91-foot-tall, six-story-over-two-basement-levels building containing approximately 129,540-gross-square-feet of mixed-use cultural/institutional/educational uses with office, restaurant, recreational/fitness facilities, and event space. **Table 1**, Project Description, below presents a summary of the existing and proposed project characteristics. Plans associated with the proposed project are provided in Attachment A.

**Table 1: Project Description**

	EXISTING	PROPOSED	NET CHANGE
<b>GENERAL</b>			
Number of Building(s)	1	1	0
Building Stories	3	6	3
Building Height (feet-inches)	35	91	56
<b>LAND USE</b>			
Cultural, Institutional or Educational (gsf)	18,163	97,730	+79,567
Restaurant/Bar (gsf)	1,200	15,040	+13,840
Office (gsf)	1,900	8,831	+6,931
<b>OTHER</b>			
Class 1 Bicycle Parking Spaces	0	42 spaces	+42 spaces
Class 2 Bicycle Parking Spaces	0	44 spaces	+44 spaces
Vehicular Parking Spaces	13 spaces	54 spaces	+ 41 spaces
Car Share Parking Spaces	0	2 spaces	+2 spaces
Passenger Loading (on 45 <sup>th</sup> Avenue)	30-foot-wide white zone	90-foot-wide dual-use zone	+60 feet
Passenger Loading (on Wawona Street)	n/a	1 80-foot wide dual-use zone	+80 feet
Curb Cuts/Driveway Width (on Wawona Street)	1 23-foot-wide	1 10-foot-wide	-13 feet

An approximately 39,200-gross-square-foot two-level **basement** with a mezzanine would provide 54 vehicle parking spaces and two standard accessible vehicle parking spaces, 42 Class 1 bicycle parking spaces, trash rooms and an electrical/solar meter room on the first level. The second level of the basement would include a swimming pool and community/recreation facilities.

Above the basement, the project would provide six levels of mixed-use commercial, office, and institutional space. The **first floor** would provide three points of pedestrian entry along the building's 45th Avenue frontage, including a public entry, a members-only entry, and a restaurant entry. The first floor would also contain a lobby, two reception areas and a coat closet along with a 1,720-square-foot Irish shop and café, a 1,210-square-foot digital gallery, restrooms, a 3,140-square-foot restaurant with a 260-square-foot stage area, a 160-square-foot bar area, a 640-square-foot commercial kitchen with a 570-square-foot restaurant dry storage space, a 80-square-foot office space, mechanical, electrical and storage space, and a delivery space, also accessed from the building's Wawona Street frontage, with an adjoining interior 270-square-foot vestibule space.

The **second floor** would provide a 5,810-square-foot St. Patrick's Room banquet hall with an adjoining 850-square-foot retractable stage surrounded by three backstage areas and a 690-square-foot warming kitchen. On this floor would also be a 99-person theater with a 310-square-foot stage area, a 1,090-square-foot bar with bar seating and a 570-square-foot deck, restrooms, storage and mechanical space.

The **second-floor mezzanine** level would mostly be open space to the floor below but would also allow for additional seating for the St. Patrick's Room in a 3,310-square-foot area. There would also be a 630-square-foot green room for performer use, restrooms, storage and mechanical space.

The **third floor** would house four art galleries for a total of approximately 5,900 square feet, a library with two reading rooms (one for research) totaling 2,620 square feet, a 200 square foot librarian's office, a 1,080-square-foot reception/lobby area, a 1,010-square-foot children's play room, an approximately 100-square-foot kitchenette, restrooms, storage and mechanical space, a 50-square-foot janitor's closet, a 610-square-foot balcony and a 1,310-square-foot garden/deck area.

The **fourth floor** would provide a lobby area, 2,530 square feet of non-profit use and 2,940 square feet of administrative office space, 2,540 square feet of flexible classroom and dance studio space, a 310 square-foot conference room, a 1,038 square-foot children's classroom, restrooms, storage and mechanical space, and a 310-square-foot deck.

The **fifth floor** would have a 5,290-square-foot gym, two exercise studios totaling 1,100 square feet, a 1,290 square-foot café with tables and chairs, a 280-square-foot physical therapy area, two locker rooms with showers, lockers and bathrooms, a 260-square-foot lounge, storage and mechanical space, and a 210-square-foot balcony.

The **sixth floor** would provide a roof deck with 1,130 square feet for two outdoor dining areas, a fire pit table and 1,570 square feet of restaurant seating, a 1,270 square foot commercial kitchen, a 1,320 square foot lounge with seating area, a 1,328 square foot green roof and children's garden, two bars and two cold rooms, a 1,580 square foot member's lounge, and restrooms and storage areas.

The project would provide approximately 6,000 square feet of shared open space, distributed amongst decks, balconies, a garden and outdoor dining areas.

### **Event Uses and Staffing**

Once constructed, the Irish Center would continue to host a range of events in the proposed three larger event rooms and in smaller rooms throughout the building. In general, future event types and programming would

be similar to those currently held at the existing facility, although events would be held more frequently, as discussed below.

Smaller meetings, classes, workshops, and similar programs (of around 30 people) would occur regularly throughout the year, potentially weekly or multiple times a week. Large events, attracting upwards of 400 people and utilizing one or more of the three larger event rooms, would occur approximately four times a month. During the larger events, the Irish Center would use valet services, with parking facilities provided in the basement. Overflow parking demand would be met along Sloat Boulevard near the zoo, as such events would typically occur in the evening hours after the zoo is closed and street parking is more widely available.

To be able to accommodate large events, the new structure would increase capacity of the existing event spaces by a total of approximately 227 people in a theater seating configuration (from 690 people to 917 people), and by 98 people in a table seating configuration (from 358 people to 456 people). Theater seating refers to chairs in rows, used for a minority of events, while table refers to banquet-style events with tables. Most events would be table-style events.

The proposed project would employ a total of approximately 45 permanent employees, which would consist of 25 to 30 employees to support cultural/institutional/educational uses and approximately 15 employees to support other uses, such as non-profit offices and café/restaurant/bar uses. In addition, approximately 5 to 7 temporary employees would be hired to support smaller events and approximately 10 to 12 temporary employees would be hired to support larger events.

### **Parking and Loading**

The project would provide a yellow curb approximately 45-feet-long adjacent to an approximate 36-foot-long parallel parking area west of the garage entry on Wawona Street, and a hybrid white and yellow curb approximately 90-feet-long along the building frontage on 45th Avenue. The hybrid white/yellow curb on 45th Avenue is intended for passenger loading (white curb) during the Irish Center's business hours, and for commercial loading (yellow curb) during hours outside of the Irish Center's operations (approximately 10 p.m. to 7 a.m.). Additional streetscape improvements along Wawona Street would include 52 Class 2 bicycle parking spaces, two PG&E transformer vaults, one new 10-foot curb cut for access to the first level basement parking garage, and a sidewalk bulb-out with two new curb ramps at the corner of Wawona Street and 45th Avenue. Additional proposed streetscape improvements along 45th Avenue would also include sidewalk uplighting on both the 45th Avenue and Wawona sides of the building, and removal of the existing power pole on the corner of 45th and Wawona (with electric utilities to be diverted underneath the sidewalk). Street trees would also be planted along both 45th Avenue and Wawona Street sidewalks.

### **Project Construction**

The proposed construction is estimated to last approximately 20 months. The proposed project has been accepted for priority processing pursuant to Director's Bulletin No. 2 for Type 3, Clean Construction projects. Pursuant to this program, the project sponsor has committed to using Tier 4 engines on all diesel-fueled

construction equipment.<sup>1</sup> The proposed foundation would consist of conventional spread footings or a mat foundation, potentially coupled with the use of drilled piers and/or retaining walls for additional support. The maximum depth of excavation would be approximately 52 feet below grade (if drilled piers are used to support the foundation) or 40 feet below grade if drilled piers are determined not to be necessary. Total area of excavation would be approximately 16,120 square feet for a total volume of 19,860 cubic yards.

## **Project Approvals**

The proposed 2700 45<sup>th</sup> Avenue project would require the following approvals:

### **Actions by the Board of Supervisors**

- Approval of Planning Code and zoning map amendments to establish a Special Use District to allow for modification of Planning Code requirements regarding uses and use categories, floor area ratio, rear yard setbacks, and bulk.

### **Actions by the Planning Commission**

- Adoption of findings with the recommendation of the Recreation and Park Commission, that net new shadow on San Francisco Zoo would not be adverse
- Recommendation to the San Francisco Board of Supervisors to approve Planning Code and zoning map amendments adopting a special use district and associated zoning map amendments
- Approval of a Conditional Use Authorization for the construction on large lot and use size exceedance.

### **Actions by Department of Building Inspection**

- Approval of building permits

### **Actions by the Recreation and Park Commission**

- Recommendation to the Planning Commission that net new shadow on San Francisco Zoo would not be adverse

### **Actions by the Department of Public Works**

- Approval of permits for passenger and freight loading zone and streetscape modifications in the public right-of-way
- Approval of new and removed street trees
- Approval of encroachment permits for private project improvements in the public right-of-way, including a transformer vault

### **Actions by the Department of Public Health**

- Approval of Phase I environmental site assessment report and site mitigation plan, if necessary, pursuant to Maher Ordinance
- Issuance of well permit(s) for dewatering and soil boring

1 San Francisco Planning Department, *Application for Priority Application Processing, 2700 45th Avenue*, April 4, 2022. Project-specific studies prepared for the 2700 45<sup>th</sup> Avenue project are available for review on the San Francisco Property Information Map, which can be accessed at <https://sfplanninggis.org/PIM/>. Individual files can be viewed by clicking on the Planning Applications link, clicking the “More Details” link under the project’s environmental case number 2022-001407ENV and then clicking on the “Related Documents” link.



#### Actions by San Francisco Public Utilities Commission

- Approval of a stormwater control plan

**Approval Action:** Approval of the Conditional Use Authorization would constitute the approval action for the proposed project. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

## B. Streamlining for Infill Projects Overview

California Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 provides a streamlined environmental review process for eligible infill projects by limiting the topics subject to review at the project level where the effects of infill development have been previously addressed in a planning level environmental impact report (EIR) or by uniformly applicable development policies.<sup>2</sup> Further review of the effects of an eligible infill project is not required under CEQA under two circumstances. First, if an effect was addressed as a significant effect in the prior EIR for a planning level decision,<sup>3</sup> then that effect need not be analyzed again for an individual infill project, even when that effect was not reduced to a less than significant level in the prior EIR. Second, an effect need not be analyzed, even if it was not analyzed in a prior EIR or is more significant than previously analyzed, if the lead agency makes a finding that uniformly applicable development policies or standards, adopted by the lead agency or a city or county, apply to the infill project and would substantially mitigate that effect. Depending on the effects addressed in the prior EIR and the availability of uniformly applicable development policies or standards that apply to the eligible infill project, the streamlined environmental review would range from a determination that no further environmental review is required to a narrowed, project-specific environmental document.

Pursuant to CEQA Guidelines Section 15183.3, an eligible infill project is examined in light of the prior EIR to determine whether the infill project will cause any effects that require additional review under CEQA. The evaluation of an eligible infill project must address the following:

- (1) whether the project satisfies the performance standards of Appendix M of the CEQA Guidelines;
- (2) the degree to which the effects of the infill project were analyzed in the prior EIR;
- (3) an explanation of whether the infill project will cause new specific effects<sup>4</sup> not addressed in the prior EIR;
- (4) an explanation of whether substantial new information shows that the adverse effects of the infill project are substantially more severe than described in the prior EIR; and

<sup>2</sup> Uniformly applicable development policies are policies or standards adopted or enacted by a city or county, or by a lead agency, that reduce one or more adverse environmental effects.

<sup>3</sup> Prior EIR means the environmental impact report certified for a planning level decision, as supplemented by any subsequent or supplemental environmental impact reports, negative declarations, or addenda to those documents.

<sup>4</sup> A new specific effect is an effect that was not addressed in the prior EIR and that is specific to the infill project or the infill project site. A new specific effect may result if, for example, the prior EIR stated that sufficient site-specific information was not available to analyze the significance of that effect. Substantial changes in circumstances following certification of a prior EIR may also result in a new specific effect.

- (5) if the infill project would cause new specific effects or more significant effects than disclosed in the prior EIR, the evaluation shall indicate whether uniformly applied development standards substantially mitigate<sup>5</sup> those effects.

No additional environmental review is required if the infill project would not cause any new site-specific or project-specific effects or more significant effects, or if uniformly applied development standards would substantially mitigate such effects.<sup>6</sup>

### **Infill Project Eligibility**

The proposed project at 2700 45<sup>th</sup> Avenue would contain mixed-use cultural/institutional/educational uses with office, restaurant, recreational/fitness facilities, and event space. While the project would be classified as an “institutional” use under the Planning Code (specifically, as a “community facility”), the underlying uses are similar to commercial uses. Specifically, the predominant uses of the proposed project would be event space, recreational/fitness facilities, and restaurant/bar/café uses. The Planning Code classifies a commercial use as “a land use with the sole or chief emphasis on making financial gain<sup>7</sup>.” Although the Irish Center would continue to operate as a non-profit organization, the majority of the proposed uses would function similarly to a commercial use – for example, offering food, drink, exercise and health, cultural, and event services to the public for a fee. Because the proposed project uses would function similarly to a commercial use – and the for-profit versus non-profit distinction is not relevant for the purposes of CEQA – the proposed project would meet the criteria of a commercial project for purposes of this streamlined review. Therefore, for purposes of project’s eligibility pursuant to Appendix M performance standards, Table 3b, Commercial Projects would apply to the proposed project. As shown below, the proposed project meets the performance standards for all applicable criteria.

To be eligible for the streamlining procedures prescribed in CEQA Guidelines section 15183.3, an infill project must meet criteria specified in subsection b (listed below). As explained, the proposed project at 2700 45<sup>th</sup> Avenue satisfies these criteria and is therefore considered an eligible infill project.

- a) *The project site must be located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least seventy-five percent of the site's perimeter.*

The project site is located within an urban area and has been previously developed. According to historical Sanborn maps, the project site has been developed since approximately 1975 with the current three-story rectangular building and an adjoining asphalt-paved parking lot.

- b) *The proposed project must satisfy the performance standards provided in Appendix M of the CEQA Guidelines.*

5 More significant means an effect will be substantially more severe than described in the prior EIR. More significant effects include those that result from changes in circumstances or changes in the development assumptions underlying the prior EIR's analysis. An effect is also more significant if substantial new information shows that: (1) mitigation measures that were previously rejected as infeasible are in fact feasible, and such measures are not included in the project; (2) feasible mitigation measures considerably different than those previously analyzed could substantially reduce a significant effect described in the prior EIR, but such measures are not included in the project; or (3) an applicable mitigation measure was adopted in connection with a planning level decision, but the lead agency determines that it is not feasible for the infill project to implement that measure.

6 Substantially mitigate means that the policy or standard will substantially lessen the effect, but not necessarily below the levels of significance.

7 San Francisco Planning Code, Section 102. [https://codelibrary.amlegal.com/codes/san\\_francisco/latest/sf\\_planning/0-0-0-17783](https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_planning/0-0-0-17783), accessed on July 15, 2023.

The proposed project satisfies the applicable performance standards provided in Appendix M of the CEQA Guidelines. The Appendix M performance standards that apply to the proposed project are discussed below. As noted, the project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code (i.e., the “Cortese” list), the project site is located within one-half mile of at least 1,800 dwelling units, and the proposed project would include on-site renewable power generation in the form of a photovoltaic system.

- c) *The proposed project is consistent with the general use designation, density, building intensity, and applicable policies specified in the Sustainable Communities Strategy.*

Plan Bay Area is the current Sustainable Communities Strategy and Regional Transportation Plan that was adopted by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) in July 2013, in compliance with California's governing greenhouse gas reduction legislation, Senate Bill 375.<sup>8</sup> To be consistent with Plan Bay Area, a proposed project must be located within a Priority Development Area (PDA) or must meet all of the following criteria:

- Conform with the jurisdiction’s General Plan and Housing Element;
- Be located within 0.5 miles of transit access;
- Be 100% affordable to low- and very-low income households for 55 years; and
- Be located within 0.5 miles of at least six neighborhood amenities.

The project site is located within the Sunset Corridors PDA; therefore, the project is consistent with the general use designation, density, building intensity, and applicable policies specified in Plan Bay Area.

## **Plan-Level Environmental Impact Report**

For purposes of this Streamlined Review for Infill Projects document, the analysis considers the impacts of the proposed 2700 45th Avenue project relative to those described in the San Francisco Housing Element 2022 Update EIR (Housing Element EIR).<sup>9</sup> The Housing Element EIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the housing element, which is a planning level decision. The Housing Element EIR evaluated the physical impacts on the environment that could result from adoption and implementation of the housing element update, which established goals, policies, and actions to address existing and future housing needs, including the regional housing targets allocated to San Francisco by regional agencies for the 2023–2031 cycle.

The Housing Element is a plan-level document that primarily focused on infill development throughout the City that is residential in nature; however, it also acknowledged that other non-residential uses that support residential uses would continue to be implemented. While the Housing Element EIR did not analyze project-specific environmental impact of any individual project, as part of its underlying assumptions, it considered certain building typologies associated with future development as well as increases in the number of residents and jobs over time. The Housing Element assumed that residential neighborhoods would be interspersed with

8 California Legislative Information, Senate Bill 375, September 30, 2008. Available: [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=200720080SB375](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=200720080SB375), Accessed July 2023.

9 City and County of San Francisco, Planning Department Case No. 2019-016230ENV and State Clearinghouse No. 2021060358, San Francisco Housing Element 2022 Update. Available at: [https://sfplanning.org/environmental-review-documents?title=&field\\_environmental\\_review\\_categ\\_target\\_id=212&items\\_per\\_page=10](https://sfplanning.org/environmental-review-documents?title=&field_environmental_review_categ_target_id=212&items_per_page=10). Accessed: May 5, 2023.

commercial and institutional uses that would be compatible with and supported by the surrounding residential uses.

As discussed below, the project at 2700 45<sup>th</sup> Avenue would be generally consistent with the types of uses that were anticipated on the site as part of the Housing Element. Moreover, the proposed project would provide land uses that are compatible with the already present mixed-use character of the neighborhood. The surrounding neighborhood includes variety of land uses, including residential, restaurant, motel, retail, and the Zoo. The proposed project would provide restaurant, bar, and office uses along with a private and public community facility that includes a ballroom, library, gym, classrooms, theater, and art gallery, and restaurant, bar, and administrative office spaces.

This Streamlined Review for Infill Projects document concludes that the proposed project at 2700 45<sup>th</sup> Avenue: (1) is eligible for an infill streamlining exemption; (2) the effects of the infill project were analyzed in the Housing Element 2022 Update EIR and applicable mitigation measures from the EIR have been incorporated into the proposed project (through adoption of a Mitigation Monitoring and Reporting Program); (3) the proposed project would not cause new specific effects that were not already addressed in the Housing Element EIR; and (4) there is no substantial new information that shows that the adverse environmental effects of the infill project are more significant than described in the prior EIR. Therefore, no further environmental review is required for the project and this document comprises the full and complete CEQA evaluation necessary for the proposed project.

### **Potential Environmental Effects**

The Housing Element EIR included analyses of environmental issues, including: land use and planning, aesthetics, population and housing, greenhouse gas emissions, recreation, public services, biological resources, geology and soils hydrology and water quality, hazards and hazardous materials, energy, cultural and tribal cultural resources, transportation and circulation, noise and vibration, air quality, wind, shadow, utilities and service systems, and paleontological resources. The project site's community center-related uses were assumed as part of the Housing Element since those uses already exist on-site and the proposed project would continue and expand those uses. Moreover, as noted in the transportation section below, the transportation analysis that was prepared for the Housing Element considered potential population and job increases in transportation analysis zone (TAZ) 99, the TAZ in which the project site is located. The increase of jobs associated with cultural, institutional and educational (CIE) uses was estimated to be 43 for this TAZ. Since TAZ 99 does not contain any other CIE-related uses, this jobs increase could therefore be attributed to the proposed project. Moreover, the proposed use is permitted on the site pursuant to the City's Planning Code and the proposed building would be of scale and construction-type within the range of building typologies studied in the Housing Element EIR for future development projects.

The proposed project would be consistent with all relevant requirements and standards of the Planning Code, pending the approval of the Wawona Street and 45<sup>th</sup> Avenue Cultural Center Special Use District (SUD) and would be generally consistent with objectives and policies of the Housing Element. While the center's programming would have a focus on preserving and reflecting the history of the Irish community, the center would continue to enhance the community life of Outer Sunset residents by providing a space for all types of recreational, educational, and civic activities. The proposed project would also expand the existing community facility's ability to serve the neighborhood with additional neighborhood-serving retail uses, job

opportunities, and business opportunities. Additionally, the proposed project would reinforce and enhance the nearby neighborhood-serving commercial corridor by introducing additional patrons to the area.

Table 2, below, summarizes impact determinations that were made in the Housing Element EIR. As further discussed in this document, the proposed infill project would not result in adverse environmental effects that are more significant than were identified in the Housing Element EIR. Additionally, the proposed project would not result in new specific environmental effects that were not previously identified. The portions of the Housing Element EIR containing the analysis that would be applicable to a typical infill project’s environmental effects are cited in each respective topic section in section E of this document. Applicable mitigation measures identified in the Housing Element EIR are incorporated into the proposed project, as discussed below.

**Table 2: Summary of Housing Element EIR Impact Determinations by Topic**

Significance Determination	Resource Topic
<b>Not Applicable or No Impact</b>	Noise and Vibration (operational groundborne vibration; airport/airstrip related items); Utilities and Service Systems (natural gas facilities and separate sewer systems); Biological Resources (conservation plans); Geology and Soils (septic tanks or alternative wastewater disposal systems; unique geological features; fault rupture); Hazards and Hazardous Materials (airports; wildland fire); Agriculture and Forestry Resources; Mineral Resources; and Wildfire
<b>Less than Significant</b>	Land Use and Planning; Aesthetics; Population and Housing; Transportation (hazards, accessibility, VMT, parking); Air Quality (air quality plan, operational criteria pollutants); Noise and Vibration (cumulative construction vibration); Greenhouse Gas Emissions; Recreation (increased use); Utilities and Service Systems (compliance with laws); Biological Resources; Geology and Soils (all except paleontological resources); Hydrology and Water Quality; Hazards and Hazardous Materials; and Energy.
<b>Less than Significant with Mitigation</b>	Cultural Resources (archeological resources, including human remains); Tribal Cultural Resources; Noise and Vibration (construction vibration, except cumulative); Air Quality (construction criteria pollutants); Recreation (construction or expansion); Utilities and Service Systems (electric power or telecommunications); Public Services; and Geology and Soils (paleontological resources).
<b>Significant and Unavoidable with Mitigation</b>	Cultural Resources (historical resources); Transportation (public transit, loading); Noise and Vibration (construction noise, operational noise); Air Quality (operation criteria air pollutants, toxic air contaminants); Wind; Shadow; and Utilities and Service Systems (wastewater or stormwater, wastewater treatment capacity).
<b>Significant and Unavoidable</b>	Transportation (construction) and Utilities and Service Systems (water supply).

The Housing Element EIR identified feasible mitigation measures to address significant impacts related to cultural and tribal cultural resources, noise and vibration, air quality, wind, shadow, recreation, utilities and service systems, public services, geology and soils, and transportation. Section E of this Streamlined Review for Infill Projects document (Evaluation of Environmental Effects) discusses the applicability of each mitigation

measure from the Housing Element EIR and identifies uniformly applicable development standards that would reduce environmental effects of the project. Table 3, below, summarizes those mitigation measures identified in the Housing Element EIR that would apply to the proposed project.

**Table 3: Applicable Housing Element 2022 Update EIR Mitigation Measures**

Mitigation Measure	Applicability	Compliance
<p><b>Project Mitigation Measure M-CR-1</b> (implements Housing Element EIR Mitigation Measure M-CR-2a): Procedures for Discovery of Archeological Resources for Projects Involving Soil Disturbance (implements HE EIR Mitigation Measure M-CR-2a)</p>	<p>Applicable: the project site has moderate to high sensitivity for surface and buried prehistoric resources and proposed excavation could damage or destroy unknown subsurface archeological resources.</p>	<p>The Planning Department has conducted a Preliminary Archeological Review. The project sponsor has agreed to follow procedures for discoveries of archeological resources made in the absence of an archeologist and discoveries made during archeological monitoring or testing.</p>
<p><b>Project Mitigation Measure M-CR-2</b> (implements Housing Element EIR Mitigation Measure M-CR-2c): Archeological Testing Program</p>	<p>Applicable: the project site has moderate to high sensitivity for surface and buried prehistoric resources and proposed excavation could damage or destroy unknown subsurface archeological resources.</p>	<p>The project sponsor has agreed to retain the services of an archeologist from the planning department’s list of qualified archeological consultants to develop and implement an archeological testing program.</p>
<p><b>Project Mitigation Measure M-TCR-1</b> (implements Housing Element EIR Mitigation Measure M-TCR-1): Tribal Cultural Resources Education</p>	<p>Applicable: the project site has moderate to high sensitivity for surface and buried Native American resources.</p>	<p>The project sponsor has agreed to consult with a Native American representative regarding any identified Native American archeological resources.</p>
<p><b>Project Mitigation Measure M-TR-1</b> (implements Housing Element EIR Mitigation Measure M-TR-4a): Parking Maximums and Transportation Demand Management</p>	<p>Applicable: the proposed project would contribute considerably to the significant cumulative transit delay impacts.</p>	<p>The project sponsor is proposing reduced parking as compared to what is allowed under the Planning Code and has agreed to implement various other TDM measures.</p>
<p><b>Project Mitigation Measure M-NO-1</b> (implementing Housing Element EIR Mitigation Measure M-NO-1): Construction Noise Control</p>	<p>Applicable: temporary construction noise from the use of heavy equipment would be generated.</p>	<p>The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction.</p>
<p><b>Project Mitigation Measure M-WI-1</b> (implementing Housing Element EIR Mitigation Measure M-WI-1a): Wind Minimization</p>	<p>Applicable: the project is located in an area that could have wind hazard criterion exceedances</p>	<p>The project sponsor has conducted a wind analysis and has agreed to implement additional recommendations proposed therein.</p>

<b>Project Mitigation Measure M-WI-2</b> (implementing Housing Element EIR Mitigation Measure M-WI-1b): Landscape Maintenance	Applicable: the project is located in an area that could have wind hazard criterion exceedances	The project sponsor has agreed to maintain landscaping such that it would continue to provide wind attenuation.
---	---	---

As discussed below in Section E, below, none of the other mitigation measures identified in the Housing Element EIR would be applicable to the proposed project. Please see Attachment B, Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures and uniformly applicable development standards, the proposed project would not result in significant impacts beyond those analyzed in the Housing Element EIR.

**Project Eligibility Under Appendix M Performance Standards**

The proposed project satisfies the applicable performance standards of Appendix M of the CEQA Guidelines. Requirements outlined in Table 4, below, are applicable to all projects to be eligible for streamlined environmental review. Requirements outlined in Table 5, below, are based on proposed project type and correspond to Appendix M, Section IV, Subsection B (Commercial/Retail), as explained above under Infill Project Eligibility.

All other applicability requirements included in Appendix M of Section IV are not applicable to the proposed project as it does not propose residential, transit, school, or small walkable community project uses. A small amount of office uses is proposed as part of the project; however, pursuant to Appendix M, Section IV, Subsection G, “where a project includes some combination of residential, commercial and retail, office building, transit station, and/or schools, the performance standards in this Section that apply to the predominant use shall govern the entire project.” Therefore, for purposes of applicability requirements of Appendix M, the performance standards for commercial projects are applied to the proposed project.

<b>Table 4: Performance Standards Related to Project Design (Applicable to all Projects)</b> To be eligible for infill streamlining, a project must meet all of three criteria below.	
<input checked="" type="checkbox"/>	1. Does the non-residential infill project include a renewable energy feature? If so, describe below. If not, explain below why it is not feasible to do so.  <b>The proposed project would include on-site renewable power generation in the form of a photovoltaic system to partially off-set operational electric loads of the project. It would be located on the roof.</b>
<input checked="" type="checkbox"/>	2. If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, either provide documentation of remediation or describe the recommendations provided in a preliminary endangerment assessment or comparable document that will be implemented as part of the project.  <b>The project site is not listed on any list compiled pursuant to Section 65962.5 of the Government Code. The proposed project is subject to Article 22A of the San Francisco Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). In compliance with the Maher Ordinance, the proposed project would be required to remediate potential soil contamination in accordance with Article</b>

	<b>22A of the Health Code.</b>
<input type="checkbox"/>	<p>3. If the infill project includes residential units located within 500 feet, or such distance that the local agency or local air district has determined is appropriate based on local conditions, of a high-volume roadway or other significant source of air pollution, describe the measures that the project will implement to protect public health. Such measures may include policies and standards identified in the local general plan, specific plans, zoning code or community risk reduction plan, or measures recommended in a health risk assessment, to promote the protection of public health. Identify the policies or standards, or refer to the site-specific analysis, below.</p> <p><b>Not applicable because the proposed project does not include residential units.</b></p>

<b>Table 5: Commercial Projects</b>	
To be eligible for infill streamlining, a commercial project with a single building floor-plate below 50,000 square feet must meet one of the following criteria. See Attachment C for definitions and other terms.	
<input type="checkbox"/>	<p>The project site located within a low vehicle travel area, as defined in Appendix M?</p> <p><b>The proposed project does not meet this criterion.</b></p>
<input checked="" type="checkbox"/>	<p>The project site is within one-half mile of 1,800 dwelling units.</p> <p><b>According to the City’s Enterprise Addressing System (EAS), the Planning Department’s official source for addresses, there are 3,249 units with ½ a mile of the project site. Therefore, the proposed project would meet this criterion.</b></p>

### Project Specific Studies

The following project-specific studies were prepared and/or reviewed to determine if the project would result in any significant environmental impacts that were not identified in the Housing Element EIR:

Historical resources evaluation, part 1	Greenhouse gas analysis checklist
Historical resources evaluation response	Wind analysis
Archeology review	Shadow analysis
Transportation site circulation review	Geotechnical report
Noise impact analysis	Phase 1 environmental site assessment

## C. Project Setting

### Site Vicinity

As noted above, the project site is located in San Francisco’s Parkside neighborhood, within a quarter mile of the Great Highway, Sloat Boulevard, and Skyline Boulevard/California State Route 35. The San Francisco Zoo is located one block to the south, and Ocean Beach and the Pacific Ocean are located four blocks to the west. The project site is primarily flat, with a gentle grade sloping to the west.

The parcels south and southeast of the project site are with the NC-2 (Neighborhood Commercial) District, while the parcels east of the project site are within the RM-2 (Residential, Mixed) District. North and east of the project block, parcels are within the RH-1 (Residential, House) District, while the parcels in the blocks west of



the project site are located in the NC-2 District. The block the project site is on, as well as those to the west, are within the 100-A height and bulk district, while north and east of the project site is within the 40-X height and bulk district.

Existing development in the vicinity of the project site to the west consists of neighborhood commercial, including the existing Sloat Garden Center west of the project site, a café south of the project site, and a hotel to the southeast of the project site, ranging in height from one- to two-stories. East of the project site are three-story residential buildings. North of the project site is primarily one-story residential uses. South of the project site, across Sloat Boulevard, is the San Francisco Zoo.

### **Cumulative Setting**

CEQA Guidelines section 15130(b)(1) provides two methods for cumulative impact analysis: the “list-based approach” and the “projections-based approach”. The list-based approach uses a list of projects producing closely related impacts that could combine with those of a proposed project to evaluate whether the project would contribute to significant cumulative impacts. The projections-based approach uses projections contained in a general plan or related planning document to evaluate the potential for cumulative impacts. This project-specific analysis employs both the list-based and projections-based approaches, depending on which approach best suits the resource topic being analyzed.

The Housing Element EIR’s geographic scope is the entire City and County of San Francisco, which includes project site. The EIR evaluated impacts on the environment that could result from the adoption and implementation of the housing element update. The cumulative impact analysis provided in this initial study uses projections from the Housing Element EIR for certain topics, such as population and housing.

The cumulative analysis for certain localized impact topics (e.g., cumulative shadow and wind effects) uses the list-based approach. The following is a list of reasonably foreseeable projects within the project vicinity (approximately one-quarter mile) that are included:

- **2700 Sloat Boulevard (Case Number 2021-012382ENV):** The proposed project would demolish the existing Sloat Garden Center consisting of a commercial building, display areas, storage, and parking lot and construct a new residential development with ground floor commercial/retail and a basement. According to the most recent project application that was considered for purposes of cumulative impact analysis (April 2023), the project proposes a 50-story building with 712 residential units, a 31,075 square-foot fitness center and spa, 21,864 square feet of community facility, 15,302 square feet of retail space, 212 carshare parking spaces, and 327 bicycle parking spaces. The planning department has determined this recent application is incomplete and does not meet the requirements of the planning code and state density bonus law, so there is uncertainty regarding this project. Nonetheless, for the purposes of this environmental review, this project is considered in the cumulative impact analysis as proposed.
- **San Francisco Zoo Recycled Water Pipeline (SFPUC, San Francisco Zoo) (Case Number 2021-006486ENV):** The San Francisco Zoo Recycled Water Pipeline Project would convert the current groundwater supply and distribution system to a recycled water supply and distribution system, except for end uses that need to be converted to potable water (e.g., drinking water for animals). Recycled water would replace groundwater currently used to supply various uses including irrigation, cleaning and replenishment of surface water bodies, animal exhibit washdown and pool refilling, and

general cleaning. A new recycled water pipeline would be installed connecting the zoo's groundwater reservoir to the existing Westside Enhanced Recycled Water Project distribution line. The project would also include a series of small retrofits including signage installation and tagging of fixtures. This project does not include landscaping, irrigation system retrofits, or cross-connection testing.

- **Great Highway Pilot Project (Case Number 2022-007356ENV):** The Great Highway Pilot Project authorized a three-year pilot study using the Upper Great Highway between Lincoln Way and Sloat Boulevard as a car-free promenade on weekends, holidays, and Friday afternoons until 2025.
- **Sloat Boulevard Quick Build Project (Case Number 2023-004188PRJ):** The Sloat Quick-Build Project would upgrade pedestrian crossings, add a two-way protected bikeway, improve accessibility, and consider other measures to reduce vehicle speeds while keeping traffic moving on Sloat Boulevard between the Great Highway and Skyline Boulevard. The two-way protected bikeway would be located on the south side of Sloat Boulevard. Bus boarding islands, painted safety zones at unsignalized intersections, and parking and loading changes near the San Francisco Zoo would also be installed.

## D. Summary of Environmental Effects

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental topic.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Land Use and Land Use Planning            | <input type="checkbox"/> Greenhouse Gas Emissions      | <input type="checkbox"/> Geology and Soils                  |
| <input type="checkbox"/> Population and Housing                    | <input checked="" type="checkbox"/> Wind               | <input type="checkbox"/> Hydrology and Water Quality        |
| <input checked="" type="checkbox"/> Cultural Resources             | <input type="checkbox"/> Shadow                        | <input type="checkbox"/> Hazards and Hazardous Materials    |
| <input checked="" type="checkbox"/> Tribal Cultural Resources      | <input type="checkbox"/> Recreation                    | <input type="checkbox"/> Mineral Resources                  |
| <input checked="" type="checkbox"/> Transportation and Circulation | <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Energy Resources                   |
| <input checked="" type="checkbox"/> Noise                          | <input type="checkbox"/> Public Services               | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality                               | <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Wildfire                           |

## E. Evaluation of Environmental Effects

This Streamlined Review for Infill Projects document was prepared to examine the proposed project in light of a prior EIR to determine whether the project would cause any effects that require additional review under CEQA. As noted above, the prior EIR for this project is the programmatic Environmental Impact Report for San Francisco Housing Element 2022 Update. The Housing Element EIR identified environmental impacts as summarized in Table 2, above. Mitigation measures identified in the Housing Element EIR are discussed under each topic area, and measures that are applicable to the proposed project are shown in the attached Mitigation, Monitoring and Reporting Plan (Attachment B).

The proposed project would include demolition of the existing building and construction of a new 129,540-gross-square-foot, six-story over two-level basement, mixed-use cultural/institutional/educational building with 100,560 square feet of cultural/commercial/retail use and 8,830 square feet of office use. As discussed below in this initial study, the effects of the proposed infill project have already been analyzed and disclosed in the Housing Element EIR and are not substantially greater than previously analyzed.

**CEQA Section 21099**

In accordance with CEQA section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

As documented in the project-specific transportation study, the proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>10</sup>

**E.1 Land Use and Land Use Planning**

**Housing Element Land Use and Planning Findings**

The Housing Element EIR land use and planning findings are discussed in the EIR on pages 4.1-19 through 4.1-24. The EIR determined that future development consistent with the housing element update would not create any new physical barriers in established communities. Future development consistent with the housing element update would generally be required to be consistent with applicable zoning, height and bulk district, and land use designations. Future actions consistent with the housing element update would be required to adhere to all applicable environmental regulations and therefore would not be expected to conflict with plans, policies, or regulations adopted for the purpose of avoiding or mitigating environmental effects. Based on this, the Housing Element EIR found impacts to land use and land use planning to be less than significant.

**Project Analysis**

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Physically divide an established community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant physical environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>10</sup> Kittelson & Associates, *Transportation Study, United Irish Cultural Center, 2700 45<sup>th</sup> Avenue, Case No. 2022-001407ENV*, July 2023.

E.1.a) The proposed project would not result in the construction of a physical barrier to neighborhood access or the removal of an existing means of access as it would replace an existing structure with a new larger building that would be constructed within established lot boundaries. The proposed project would not alter the established street grid or permanently close any streets or sidewalks. Therefore, the proposed project would not physically divide an established community.

E.1.b) Land use impacts could be considered significant if the proposed project would conflict with a mandated plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental impact. The determination as to whether a conflict with a land use plan, policy, or regulation is significant under CEQA is based on whether that conflict would result in a significant physical environmental impact.

Plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect are those that directly address environmental issues and/or contain targets or standards that must be met in order to maintain or improve characteristics of the City's physical environment. Examples of such plans, policies, or regulations include the Bay Area Air Quality Management District's Bay Area Air Quality Management District 2017 Clean Air Plan and the San Francisco Regional Water Quality Control Board's San Francisco Basin Plan.

The proposed project is in the Small-Scale Neighborhood Commercial zoning district, which allows for community facilities and commercial and retail uses. The proposed project and its proposed uses are consistent with the general plan and the planning code and most of the proposed uses currently exist on the project site. As part of project approvals, a zoning text and map amendment would be undertaken to establish a Special Use District on the project site. This Special Use District would accommodate exceptions to the planning code involving permitted uses, floor area ratio, required rear yard setback, and bulk. The proposed project would not be expected to conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect as the proposed project would continue to be subject to all such applicable regulations.

For these reasons, the project would not result in impacts related to conflicts with land use plans, policies, or regulations adopted for the purpose of mitigating an environmental effect, and no mitigation would be required.

### **Cumulative**

Cumulative development in the project vicinity (within a quarter-mile radius of the project site) includes projects for which the planning department has a project application on file. Nearby cumulative development projects, including the proposed project at 2700 Sloat Avenue, may require temporary closure of streets and sidewalks; however, all construction within San Francisco is required to comply with *Regulations for Working in San Francisco Streets*, which would maintain safe access through the community. Further, upon completion of construction activities, cumulative projects would not be expected to physically divide an established community by constructing a physical barrier to neighborhood access or removing a means of access.

Like all projects proposed in San Francisco, the nearby cumulative development projects would be required to comply with applicable plans, policies, and regulations, including those adopted for the purpose of avoiding or mitigating an environmental effect. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects to conflict with such plans, policies, or regulations and would not create a significant cumulative land use impact, and no mitigation measures are required.

## Conclusion

Based on the above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to land use and land use planning, nor a more severe adverse significant impact due to substantial new information. No project-specific mitigation measures or additional environmental review is required for this topic.

## E.2 Population and Housing

### Housing Element Population and Housing Findings

The Housing Element EIR population and housing findings are discussed in the EIR on pages 4.1-73 through 4.1-78. The EIR found that increases in population in San Francisco are forecasted to continue through 2050, and that implementation of the housing element update would not directly induce substantial unplanned population growth but, rather, would address an existing need for housing and plan for future housing demand in San Francisco. The housing element update is the City’s proposed plan to accommodate anticipated growth, and, as such, would not induce unplanned population growth. Implementation of the housing element update would reduce both direct and indirect displacement compared to the environmental baseline and, therefore, would not be expected to displace substantial numbers of existing people or housing units necessitating the construction of replacement housing.

### Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing units necessitating the construction of replacement housing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.2.a) The project would demolish the existing 21,263-square-foot, 35-foot-tall, three-story United Irish Cultural Center building and construct a new 91-foot-tall, six-story over two-basement level building with approximately 129,540-gross-square-foot of mixed-use cultural/institutional/educational uses with office, restaurant, recreational/fitness facilities, and event space. As discussed in the Project Description, the proposed project would employ a total of approximately 45 permanent employees, which would consist of 25 to 30 employees to support cultural/institutional/educational uses and approximately 15 employees to support other uses, such as non-profit offices and café/restaurant/bar uses. In addition, approximately 5 to 7

temporary employees would be hired to support smaller events and approximately 10 to 12 temporary employees would be hired to support larger events.

The Association of Bay Area Governments (ABAG) prepares projections of employment and housing growth for the Bay Area. The latest projections were prepared as part of Plan Bay Area 2050, adopted by ABAG and the Metropolitan Transportation Commission in 2021. ABAG's growth projections anticipate that by 2050 San Francisco will have approximately 918,000 employees.<sup>11</sup>

The project's cultural/institutional/educational uses, fitness center, restaurant/bar/café and office space would contribute to growth that is projected by ABAG. As part of the planning process for Plan Bay Area, San Francisco identified *priority development areas*, which are areas where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit. The project site is located within a priority development area (Sunset Corridors);<sup>12</sup> thus, it would be implemented in an area where new population and employment growth is both anticipated and encouraged.

The project would also be located in a developed urban area with available access to necessary infrastructure and services (transportation, utilities, schools, parks, hospitals, etc.). Since the project site is located in an established urban neighborhood and is not an infrastructure project, it would not indirectly induce substantial population growth. The physical environmental impacts resulting from employment growth generated by the project are evaluated in the relevant resources topics in this Streamlined Review for Infill Projects document.

E.2.b) The proposed project would not displace any residents or housing units because no housing units currently exist on the project site. Therefore, the proposed project would have no direct impact related to the displacement of housing units or people and would not necessitate the construction of replacement housing elsewhere that could result in physical environmental effects.

## Cumulative Analysis

The cumulative context for the population and housing topic is the City and County of San Francisco. The proposed project would provide mixed-use cultural/institutional/educational uses with office, restaurant, recreational/fitness facilities, and event space, which would result in increases in population (jobs). As discussed above, ABAG projects that by 2050 San Francisco will have 918,000 employees.<sup>13,14</sup> According to 2020 census information (based on 2020 data) San Francisco's population is 873,965 with 720,508 employees. As of the third quarter of 2022, approximately 68,348 net new housing units are in the development pipeline, i.e.,

11 Metropolitan Transportation Commission and Association of Bay Area Government, Plan Bay Area 2050: The Final Blueprint: Growth Pattern: Projected Household and Job Growth, By County: San Francisco. Updated January 21, 2021. Available online at: [https://www.planbayarea.org/sites/default/files/FinalBlueprintRelease\\_December2020\\_GrowthPattern\\_Jan2021Update.pdf](https://www.planbayarea.org/sites/default/files/FinalBlueprintRelease_December2020_GrowthPattern_Jan2021Update.pdf). Accessed: April 26, 2023.

12 Metropolitan Transportation Commission, Priority Development Areas (Plan Bay Area 2050). Available online at: <https://opendata.mtc.ca.gov/datasets/priority-development-areas-plan-bay-area-2050/explore?location=37.899147%2C-122.289021%2C8.81>. Accessed: April 26, 2023.

13 Metropolitan Transportation Commission and Association of Bay Area Government, Plan Bay Area 2050: The Final Blueprint: Growth Pattern: Projected Household and Job Growth, By County: San Francisco. Updated January 21, 2021. Available online at: [https://www.planbayarea.org/sites/default/files/FinalBlueprintRelease\\_December2020\\_GrowthPattern\\_Jan2021Update.pdf](https://www.planbayarea.org/sites/default/files/FinalBlueprintRelease_December2020_GrowthPattern_Jan2021Update.pdf). Accessed January 4, 2023.

14 Population is estimated based on the total number of households projected as part of the Plan Bay Area 2050 multiplied by the citywide average persons per household from the U.S. Census for San Francisco County, currently 2.34 persons per household. Available online at: <https://www.census.gov/quickfacts/sanfranciscocountycalifornia>. Accessed January 4, 2023.

are either under construction, have building permits approved or filed, or applications filed, including remaining phases of major multi-phased projects.<sup>15</sup> The pipeline also includes projects with land uses that would result in an estimated 76,841 new employees.<sup>16</sup> As shown in **Table 6** below, cumulative employment growth is below the ABAG projections for planned growth in San Francisco. Therefore, the proposed project in combination with citywide development, would not be expected to result in significant cumulative environmental effects associated with inducing unplanned population growth or displacing substantial numbers of people or housing, necessitating the construction of replacement housing elsewhere.

**Table 6: Citywide Employee Pipeline Projections as Compared to ABAG 2050 Projections**

<b>Data Source</b>	<b>Employees</b>
2022 Q3 Development Pipeline	76,841
2020 Census	720,508
Cumulative Total Population/ Jobs	797,349
ABAG 2050 Projections	918,000
Pipeline Development within ABAG 2050 Projection? (Y/N)	<b>Y</b> ; Cumulative development within planned growth

<sup>1</sup> References to information presented in this table are included in the text above.

## Conclusion

The proposed project would contribute a small portion of the growth in employment anticipated for San Francisco as a whole under Plan Bay Area. The project’s incremental contribution to this anticipated growth would not result in a significant individual or cumulative impact related to population and housing. As discussed above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to population and housing, nor a more severe adverse significant impact due to substantial new information. No project-specific mitigation measures or additional environmental review is required for this topic.

## E.3 Cultural Resources

### Housing Element Cultural Resources Findings

The Housing Element EIR cultural resource findings are discussed in the EIR on pages 4.2-78 through 4.2-127. The EIR found that future development could cause a substantial adverse change in the significance of a historical resource. Mitigation measures M-CR-1a through M-CR-1l would reduce this significant impact. However, the Housing Element EIR found that demolition of built-environment historic resources or alteration in an adverse manner could still occur because the design of future development is uncertain and it is unknown whether mitigation measures can be implemented; therefore, this impact was found to be significant and unavoidable with mitigation. The EIR also found that future development consistent with the

<sup>15</sup> Data SF. SF Development Pipeline 2022 Q3. Available online at: <https://sfplanning.org/project/pipeline-report#current-dashboard>. Accessed January 4, 2023.

<sup>16</sup> Data SF. SF Development Pipeline 2022 Q3. Available online at: <https://sfplanning.org/project/pipeline-report#current-map-and-data-set>. Accessed January 4, 2023.

housing element update could cause a significant impact to archeological resources and human remains if they are encountered during construction activities. However, mitigation measures M-CR-2a through M-CR-2d and M-TCR-1 would reduce these impacts to a less than significant level.

**Project Analysis**

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5, including those resources listed in article 10 or article 11 of the San Francisco Planning Code?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.3.a) Pursuant to CEQA Guidelines sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The following discussion regarding historical resources at the project site is based on a Part I Historic Resource Evaluation completed for the building at 2700 45th Avenue and the planning department’s response<sup>17,18</sup>

The project site consists of a three-story rectangular building constructed in 1975 and an adjoining asphalt-paved parking lot at the rear of the building on the east side. The Part I Historic Resource Evaluation (HRE) for the building was completed in December 2021, and concluded that the existing building on the site is not eligible for listing in the California register, largely because it lacks architectural significance.<sup>19</sup> Planning department staff subsequently issued the Part I Historic Resource Evaluation Response in October 2022, concurring with the Part I HRE’s determination that the property at 2700 45<sup>th</sup> Avenue is not eligible for listing in the California register—not individually, as a stand-alone historic district, or as a district contributor. Therefore, no historical resources are located on the project site. In addition, the project site is not directly

17 Ver Planck Historic Preservation Consulting, Historical Resource Evaluation Part 1, United Irish Cultural Center, 2700 45th Avenue, December 13, 2021.

18 San Francisco Planning Department, Historic Resource Evaluation Response, 2700 45th Avenue, October 25, 2022.

19 Ibid



adjacent to any known historical resources. The nearest historic resources are the following two landmarks: the Doggie Diner Sign, which is located approximately 110 feet to the south of the project site in the median along Sloat Boulevard, and the Mother's Building, which is located approximately 340 feet to the southwest within the San Francisco Zoo property. In addition, the nearest historic district to the project site, the Mid-century Recreation Historic District (discontiguous), is located approximately 1,000 feet to the northeast of the project site along Wawona Street and 41st Avenue, and approximately 2,000 feet to the southeast near the intersection of Skyline and Lake Merced boulevards. Therefore, demolition of the existing structure on the project site and its replacement with a larger building would be less than significant and the proposed project would not contribute to the significant historic resource impacts identified in the Housing Element EIR; thus, no historic resource mitigation measures would apply to the proposed project.

E.3.b) A project-specific preliminary archeological assessment was conducted for the proposed project. The results of this assessment are described in this section. Project construction would require excavation to a maximum depth of 40 feet below grade (approximately 52 feet below grade if drilled piers are used to support the foundation) over an area of approximately 16,120 square feet, for a total disturbance of 19,860 cubic yards of soil. A preliminary archeological review was performed by a planning department staff archeologist to determine the potential for encountering archeological resources during project construction. The review determined that, although no archeological resources have been recorded in the project area, the project site has moderate to high sensitivity for surface and buried prehistoric resources. In addition, the project site has potential for prehistoric resources and low potential for historical resources based on available data. The dune sand is sensitive for surface and buried Native American resources. The preliminary archaeological review indicates that historical maps and aerial photographs from the twentieth century shows that development was not present where the project site is located until the existing building was constructed in 1975. Therefore, historic-period archaeological resources from the nineteenth century occupation of 45th Avenue are not likely present at the project site.

The project site is underlain by poorly graded brown (dune) sand, and potentially fill in the southern part of the project parcel.<sup>20</sup> As noted above, dune sand is sensitive for surface and buried Native American resources. An excavation of 40 to 52 feet in depth would extend into the dune sand (and potential fill) underlying the project site and could damage or destroy unknown subsurface archeological resources, causing a significant impact on these resources if present. Implementation of **Project Mitigation Measure M-CR-1, Procedures for Discovery of Archeological Resources for Projects Involving Soil Disturbance** (implementing Housing Element EIR Mitigation Measure M-CR-2a) would be required and establishes a set of procedures to be followed for discoveries of archeological resources made in the absence of an archeologist and discoveries made during archeological monitoring or testing. Implementation of **Project Mitigation Measure M-CR-2, Archeological Testing Program** (implementing Housing Element Mitigation Measure M-CR-2c), would require the project sponsor to retain the services of an archeologist from the planning department's list of qualified archeological consultants to develop and implement an archeological testing program. With implementation of project mitigation measures M-CR-1 and M-CR-2, the impact on archeological resources would be reduced to a less-than-significant level. The proposed project would have a less-than-significant impact with mitigation incorporated on archaeological resources and previously unknown human remains.

<sup>20</sup> H. Allen Gruen, *Geotechnical Investigation: Planned Development at 2700 45<sup>th</sup> Avenue, San Francisco, California*, September 23, 2021.

E.3.c) Archeological resources may include human burials. Human burials outside of formal cemeteries often occur in prehistoric or historic period archeological contexts. The potential for the proposed project to affect archeological resources, which may include human burials, is addressed above under E.3.b. Furthermore, the treatment of human remains and of associated or unassociated funerary objects must comply with applicable state laws. This includes immediate notification to the county coroner (San Francisco Office of the Chief Medical Examiner) and, in the event of the coroner's determination that the human remains are Native American, notification of the California Native American Heritage Commission, which shall appoint a most likely descendant.<sup>21</sup>

### **Cumulative Analysis**

As discussed above, the proposed project would have a less-than-significant impact on historic architectural resources and would not have the potential to contribute to any cumulative impacts related to this topic. The cumulative context for archeological resources and human remains is generally site-specific; however, a potentially significant cumulative archeological impact could occur if two projects could combine in a way that could significantly impact the same known or potential resource. The 2700 Sloat Boulevard, which is located across the street from the project site, has the potential to impact the same known or potential archeological resources as the proposed project. For this reason, the proposed project, in combination with cumulative projects, has the potential to result in a significant cumulative impact to archeological resources. The proposed project's contribution to such impact could be cumulatively considerable. However, with implementation of Project Mitigation Measures M-CR-1 and M-CR-2, the proposed project's contribution to this impact would be reduced to a less than significant level. For these reasons, with mitigation measures incorporated, the proposed project, in combination with other cumulative projects, would not result in a cumulatively considerable impact on archeological resources or human remains.

### **Conclusion**

Based on the above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to cultural resources, nor a more severe adverse significant impact due to substantial new information. Project Mitigation Measures M-CR-1 and M-CR-2 would apply to the proposed project to reduce project-specific and cumulative impacts related to archeological resources. Therefore, no additional environmental review is required for this topic.

## **E.4 Tribal Cultural Resources**

### **Housing Element Tribal Cultural Resources Findings**

The Housing Element EIR tribal cultural resources findings are discussed in the EIR on pages 4.3-20 through 4.3-27. Based on tribal consultation conducted for the housing element update, Mitigation Measure M-TCR-1 was developed to require notification of Native American tribal representatives regarding environmental review of future development under the proposed action. If consultation is requested by a Native American tribal representative, Mitigation Measure M-TCR-1 specifies that consultation regarding archeological tribal cultural resources shall focus on, but not be limited to, opportunities for tribal representatives to provide input

<sup>21</sup> California Public Resources Code section 5097.98

on the treatment and interpretation of archeological resources and participate in archeological treatment if so desired.

Based on previous tribal cultural resources consultation undertaken for the Housing Element EIR, mitigation measures M-CR-2a, M-CR-2b, M-CR-2c, and M-CR-2d require that tribal representative be afforded the opportunity to consult on development of archeological investigation plans, participate in implementation of such plans as they relate to tribal cultural resources, and present or request that cultural resources awareness training programs for construction workers include Native American tribal representatives and specific training on the treatment of Native American archeological and tribal cultural resources. These measures also identify preservation in place, if feasible, as the preferred treatment for resources that are known or discovered during archeological investigations or during construction and require that tribal representatives be offered the opportunity to consult on preservation-in-place determinations and plans, if requested. In addition, these measures require that tribal representatives be offered meaningful opportunities to participate in the development of public interpretive materials that address Native American archeological and tribal cultural resources and that these materials include acknowledgement that the project is located on traditional Ohlone lands. The Housing Element EIR found that implementation of mitigation measures M-CR-2a, M-CR-2b, M-CR-2c, M-CR-2d and M-TCR-1 would fully mitigate any significant impacts on Native American tribal cultural resources, and impacts would be less than significant with mitigation.

**Project Analysis**

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:  (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or  (ii) A resource determined by the lead agency in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in this subdivision, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.4.a) As discussed in the Cultural Resources section of this document, the project site is sensitive for prehistoric resources, which may also represent tribal cultural resources. Therefore, the project's proposed excavation may result in a significant impact, should tribal cultural resources be encountered. Consistent with the Housing Element EIR, Native American tribal representatives were notified regarding the proposed project, and **Project Mitigation Measure M-TCR-1, Tribal Cultural Resources Education** (implementing Housing Element EIR Mitigation Measure M-TCR-1) was developed in coordination with tribal representatives. Consistent with this measure, if a significant Native American archeological resource is identified during the course of the archaeological testing program, the project sponsor shall hold an event wherein Native American representatives and the archeological consultant involved in the project mitigation effort educate the landowner, prospective tenants/occupants, and the general public about the archeology and history of the land of the project. With implementation of Project Mitigation Measure M-TCR-1, the proposed project would result in a less than significant impact on tribal cultural resources.

### **Cumulative Analysis**

The cumulative context for tribal cultural resources is generally site specific and limited to the immediate construction area; however, a potentially significant cumulative impact to tribal cultural resources could occur if two projects could combine in a way that could significantly impact the same known or potential resource.

The 2700 Sloat Boulevard, which is located across the street from the project site, has the potential to impact the same known or potential tribal cultural resources as the proposed project. For this reason, the proposed project, in combination with cumulative projects, has the potential to result in a significant cumulative impact to tribal cultural resources. The proposed project's contribution to such impact could be cumulatively considerable. However, with implementation of Project Mitigation Measure M-TCR-1, the proposed project's contribution to this impact would be reduced to a less than significant level. For these reasons, with mitigation measure incorporated, the proposed project, in combination with other cumulative projects, would not result in a cumulatively considerable impact on tribal cultural resources.

### **Conclusion**

Based on the above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to archeological resources that constitute tribal cultural resources, nor a more severe adverse significant impact due to substantial new information. Project Mitigation Measure M-TRC-1 would apply to the proposed project to reduce project-specific and cumulative impacts related to tribal cultural resources. Therefore, no additional environmental review is required for this topic.

## **E.5 Transportation and Circulation**

### **Housing Element Transportation and Circulation Findings**

The Housing Element EIR transportation and circulation findings are discussed in the EIR on pages 4.4-86 through 4.4-135. The EIR found that the potential magnitude of future development could require a substantially extended duration or intense activity due to construction, and the secondary effects of that construction could create potentially hazardous conditions for people walking, bicycling, or driving, or public transit operations; interfere with emergency access or accessibility for people walking or bicycling; or

substantially delay public transit. City regulations would apply to the construction of future development (e.g., SFMTA blue book regulations and Public Works code and construction work requirements); however, no other measures to reduce impacts are known. Therefore, the Housing Element concluded that this impact would be significant and unavoidable under project-specific and cumulative scenarios.

The Housing Element EIR also found that traffic generated by future development resulting from implementation of the housing element would substantially delay public transit and that some future development projects could contribute considerably to this significant impact. Mitigation measures M-TR-4a, M-TR-4b, and M-TR-4c would reduce the impact, but not fully. The Housing Element concluded this impact to be significant and unavoidable with mitigation for project-specific and cumulative scenarios.

Lastly, the Housing Element EIR found that future development could result in a loading deficit that could create potentially hazardous conditions for people walking, bicycling, or driving; or potentially delay public transit. Mitigation measures M-TR-4b and M-TR-6 would reduce loading impacts, although their feasibility and effectiveness of fully reducing this impact to a less-than-significant level was found to be uncertain. Therefore, this impact was determined to be significant and unavoidable with mitigation for both project-specific and cumulative scenarios.

**Project Analysis**

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Involve construction that would require a substantially extended duration or intensive activity, and the effects would create potentially hazardous conditions for people walking, bicycling, or driving, or public transit operations; or interfere with emergency access or accessibility for people walking or bicycling; or substantially delay public transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create potentially hazardous conditions for people walking, bicycling, or driving or public transit operations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Interfere with accessibility of people walking or bicycling to and from the project site, and adjoining areas, or result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially delay public transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
e) Cause substantial additional vehicle miles travelled or substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow travel lanes) or by adding new roadways to the network?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Result in a loading deficit, and the secondary effects would create potentially hazardous conditions for people walking, bicycling, or driving; or substantially delay public transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Result in a substantial vehicular parking deficit, and the secondary effects would create potentially hazardous conditions for people walking, bicycling, or driving; or interfere with accessibility for people walking or bicycling or inadequate access for emergency vehicles; or substantially delay public transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.5.a to d) A project-specific site circulation study was prepared for the proposed project.<sup>22</sup> As part of this analysis, PM peak and daily person trip estimates to and from project the site were calculated using methodology in the department’s 2019 Transportation Impact Analysis Guidelines (2019 guidelines).<sup>23</sup> Table 7, below, presents weekday PM peak and daily person trip estimates for the proposed project.

**Table 7: Person Trip Estimates – PM Peak and Daily**

	Weekday PM Peak Hour Person Trips						Daily Person Trips <sup>1</sup>
	Automobile	For-Hire <sup>2</sup>	Transit	Walking	Bicycling	Total	
Community Center	449	13	144	37	4	647	4,792
Office	2	0	0	0	0	2	28
Restaurant/Bar	84	2	24	42	2	154	1,143
<b>Project Total</b>	<b>534</b>	<b>15</b>	<b>169</b>	<b>79</b>	<b>6</b>	<b>803</b>	<b>5,693</b>

1 Includes vehicle trips from both automobile person trips and for-hire person trips, accounting for average vehicle occupancy data (persons per vehicle). Source: San Francisco Planning Department, Transportation Impact Analysis Guidelines.

2 For-hire person trips are trips taken by transportation network companies (e.g., Uber/Lyft) and taxis.

22 Kittelson & Associates, *Transportation Study: United Irish Cultural Center. Project Number 22126.018*, July 2023.

23 San Francisco Planning Department. *Transportation Impact Analysis Guidelines for Environmental Review*. Available: <https://sfplanning.org/project/transportation-impact-analysis-guidelines-environmental-review-update#impact-analysis-guidelines>. Accessed: June 27, 2023.

The department used these estimates to inform the analysis of the project's impacts on transportation and circulation during both construction and operational phases. The following analysis discusses the proposed project's impacts related to potentially hazardous conditions, accessibility (including emergency access), public transit delay, vehicle miles traveled, and loading.

### **Construction**

The 2019 guidelines set forth screening criteria for types of construction activities that would typically not result in significant construction-related transportation effects based on project site context<sup>24</sup> and construction duration and magnitude. Project construction would last approximately 20 months. During construction, the project may require temporary closures of public right-of-ways, including portions of street frontages along 45th Avenue and Wawona Street. Nevertheless, given the project site context and construction duration and magnitude, the project meets the screening criteria for not requiring additional analysis on the presumption that it would not result in significant impacts with respect to construction-related transportation effects; thus, no mitigation measures would be required.<sup>25</sup>

Furthermore, the project would be subject to the San Francisco Municipal Transportation Agency's Regulations for Working in San Francisco Streets (the blue book). The blue book establishes rules and guidance so that construction work can be done safely and with the least possible interference to pedestrian, bicycle, transit, and vehicular traffic. Prior to construction of the proposed project, the project sponsor and construction contractor(s) would be required to meet with SFMTA and public works staff to develop and review the project's construction plans in preparation for obtaining relevant construction permits. In addition, the project would be subject to the San Francisco Public Works Code section 724, which addresses temporary occupation of the public right-of-way. Section 724 requires, among other things, the project contractor to provide a minimum clear width of four feet to provide a continuous pedestrian access route.

### **Potentially Hazardous Conditions and Accessibility**

The project would remove the existing driveway on Wawona Street and construct a new driveway leading to the underground parking garage, also from Wawona Street. As shown in Table 7, the proposed project is expected to generate 803 person-trips, including 534 auto person-trips, 15 taxi/TNC (transportation network company) trips, 169 transit trips (including shuttle trips), 79 walking trips, and 6 bicycling trips during the weekday p.m. peak hour. When accounting for average vehicle occupancy, the proposed project would generate approximately 485 vehicle trips and 18 TNC vehicle trips (two-way) for a total of 503 vehicle trips during the weekday p.m. peak hour. These vehicle trips would likely start from or end the project's loading zones or the project's new driveway and be dispersed along nearby streets. This number of vehicle trips that would be accessing the driveway and crossing over the sidewalk along the street shared by nearby emergency

24 "Site context" in relation to construction transportation analysis refers to how people travel to and around the project area and how that may be affected by construction activities. Site context is further defined in the Appendix N of the 2019 guidelines (see Attachment A of Appendix N) available at: <https://sfplanning.org/project/transportation-impact-analysis-guidelines-environmental-review-update#impact-analysis-guidelines>. Accessed: April 2023.

25 Kittelson & Associates. June 2023. *Transportation Study: United Irish Cultural Center*. Project Number 22126.018.

services is not substantial within the context of existing uses on the site. Given that project-generated vehicle trips would not be substantial, the proposed project is not expected to result in inadequate emergency access.

Drivers would have adequate visibility of people walking and bicycling and transit and private vehicles. Vehicle speed entering and exiting the driveway would be slow given the width of the proposed curb cut (10 feet) to avoid potentially hazardous conditions. In addition, the design of the project's driveway would be able to accommodate the anticipated number of vehicle trips without blocking access to a substantial number of people walking and bicycling within the sidewalk and bicycle lane. Further, the project would include several changes to the public right-of-way that would lessen impacts, including constructing a new bulbout on the corner of 45<sup>th</sup> Avenue and Wawona Street, as well as new two-directional curb ramps on the project corner and the corners north and west of the project site. Therefore, the project would result in less-than-significant potentially hazardous conditions and accessibility impacts.

#### **Public Transit Delay**

The Housing Element EIR identified a significant transit delay for routes along 19th Avenue and Geary Boulevard, which are considered to be transit corridors. The project-specific circulation study (also referenced as a transportation study in this document) analyzed the potential for the proposed project to result in delays to transit, which is typically based on the number of net new p.m. peak hour vehicle trips, the location of the project site and its driveways, and proximity to Muni lines and stops. Transit delay impacts from a single project are typically found where there are high volumes of vehicular traffic and high frequency buses lines operating in the same corridor and/or when there are conflicts between a high-volume driveway (such as for a public parking garage) and nearby transit stops.

Streets adjacent to the project site include Wawona Street, 45th Avenue, and Sloat Boulevard. In the Better Streets Plan, Wawona Street and 45th Avenue are classified as neighborhood residential streets, which are quieter residential streets with relatively low traffic volumes and speeds.<sup>26</sup> Sloat Boulevard is classified as a park edge street in the Better Streets Plan; park edge streets characteristically border major parks, have unique spatial constraints, and typically have higher pedestrian volumes associated with them.

The existing transit service and stop locations closest to the project site include the 18-Sunset Muni bus line, which travels along Sloat Boulevard (between 47th Avenue and Lake Merced Boulevard), 47th Avenue, Vicente Street, and 46th Avenue and the 23-Monterey bus line, which travels along Sloat Boulevard (between the Lower Great Highway and Santa Clara Avenue). Both bus lines stop at Sloat Boulevard and 45th Avenue, the nearest bus stop to project site. The L Taraval Muni light rail line runs along Taraval Street and 46th Avenue, making a loop on Wawona Street, 47th Avenue, and Vicente Street. Taraval Street is three blocks north of the project site.

As discussed in the transportation study, the proposed project would 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. This exceeds the Planning Department's screening criterion for potential transit delay impacts, which is 300 net new p.m. peak hour vehicle trips. However, a significant transit delay impact generally occurs when vehicle trips substantially delay a public transit route by adding four or more

<sup>26</sup> San Francisco Planning Department. San Francisco Transportation Information Map. Available at: <https://sfplanninggis.org/tim/>. Accessed July 13, 2023.



minutes to its headway and, as previously discussed, this generally occurs when a substantial number of project-generated vehicle are added to a high-volume roadway where transit operates resulting in a significant delay.

The proposed project would not generate a substantial number of vehicle trips onto a high-volume roadway. The entrance to the proposed underground garage would be located on Wawona Street. However, as previously discussed, Wawona Street is not a high-volume roadway and therefore vehicles entering and exiting the proposed garage would not conflict with transit operations. Furthermore, the proposed project only includes 56 vehicle parking spaces onsite (50 percent of what is allowed under the Planning Code). Generally, vehicle volume to and from the project site would be limited by the amount of parking available onsite and in the immediate project vicinity. Given that the project only includes 56 vehicle parking spaces, it is unlikely that the proposed project would generate a significant volume of vehicular traffic such that public transit operations on nearby roadways would be affected.

Additionally, there are no transit stops on the project site's frontages and, while the 18-Sunset and the 23-Monterey bus lines operate near the project site, they operate with 20- to 30-minute headways. This relatively low service frequency, with two or three buses per hour on each line, reduces the potential for conflicts between project-generated vehicle trips and transit vehicles. In addition, the SFMTA will implement the Sloat Quick-Build project before the end of 2023, which will install transit boarding islands at 47th, 45th and 41st Avenues, and consolidate and relocate nearby transit stops. These improvements are designed to increase transit reliability and reduce transit travel time.<sup>27</sup>

The operation of the L Taraval relative to the project site is west and north such that project traffic is unlikely to adversely affect the L Taraval operation. As such, the project-specific transportation study found that none of the conditions that typically create transit delay impacts are present and transit delay impacts would be less than significant. For these reasons, the proposed project would not result in a substantial transit delay impact.

#### **Vehicle Miles Traveled**

The 2019 guidelines set forth screening criteria for types of projects that would typically not result in significant vehicle miles traveled impacts. As discussed in the transportation study, given 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 proposed project would not cause substantial additional VMT. Furthermore, the proposed project would not include features that would be considered to substantially induce automobile travel (e.g., additional roadway capacity). For these reasons, the proposed project would result in less than significant project-level and cumulative impacts related to vehicle miles traveled and a more detailed analysis is not required.<sup>28</sup>

#### **Loading**

The proposed project would generate approximately seven daily delivery and service vehicle trips and generate demand for approximately one loading space during the weekday peak hour for freight delivery,

<sup>27</sup> Boarding islands reduce or eliminate Muni delays associated with bus re-entry into the travel lane after pulling to the curb for passenger boarding and alighting activities.

<sup>28</sup> Kittelson & Associates. *Transportation Study: United Irish Cultural Center*. Project Number 22126.018, July 2023.

which typically occurs between 10 a.m. and 1 p.m. and does not coincide with the weekday peak hour of traffic. The project would provide 90 feet of dual-use loading on 45th Avenue, and approximately 80 feet of dual-use loading on Wawona Street. The project would provide sufficient loading space to accommodate the anticipated demand of loading space during the weekday peak hour for freight delivery. Therefore, the project would meet the demand and the project would not result in secondary effects resulting from insufficient freight loading.

On a typical day, the proposed project would generate a passenger loading demand for up to two spaces during the peak 15-minute period of the peak hour during typical operations. During event conditions, including smaller events that would occur weekly or multiple times a week and larger events that would occur approximately four times a month, the peak 15-minute passenger loading demand would be six spaces. The peak 15-minute passenger loading demand during events would be adequately accommodated by the proposed dual-loading zones on 45th Avenue and Wawona Street along the project frontage. Therefore, the project would not result in secondary effects resulting from insufficient passenger loading. Overall, the project would have a less-than-significant loading impact.<sup>29</sup>

## **Cumulative Analysis**

### **Construction**

The cumulative project at 2700 Sloat Boulevard could have construction timelines that could overlap with the project's construction activities. No other cumulative projects are likely to overlap with the proposed project during construction. Individually and in combination, these projects could result in temporary closures of the public right-of-ways, including portions of 45th Avenue and Wawona Street. Similar to the proposed project, cumulative projects, including one proposed for 2700 Sloat Boulevard, would be subject to the blue book and the public works code section 724 to regulate construction work in the public right-of-ways. Conformance with blue book and existing regulations would ensure that the project, in combination with cumulative projects, would not result in a significant cumulative construction-related transportation impact.

### **Potentially Hazardous Conditions and Accessibility**

The Housing Element EIR disclosed that vehicular and other modes of travel (e.g., walking, bicycling) volumes would increase with the implementation of the housing element update. This increase would result in a potential for more conflicts between various modes of travel. Person and vehicle trips from the cumulative project at 2700 Sloat Boulevard could combine with the project's vehicle trips near the project site, as patrons/residents of both projects would use some of the same streets in the neighborhood.

However, cumulative projects, including 2700 Sloat Boulevard, would be subject to existing regulations and city review processes that would ensure safe turning movements and access and egress points. Furthermore, proposed project's garage entrance is located on Wawona Street. Although the design of the 2700 Sloat Boulevard project has not been finalized yet, the vehicle garage access would not directly conflict with the proposed project's garage entrance. Vehicle trips from this cumulative project would also not combine to result in a potentially hazardous condition at any nearby vehicular turning movement. The cumulative project would also not block access to a substantial number of people walking and bicycling within the sidewalk and bicycle lane. As described above, the project would include several changes to the public right-of-way that

<sup>29</sup> Ibid.

would likely lessen potentially hazardous conditions for people driving, walking, bicycling, or public transit operations. Cumulative projects may also include similar changes to the public right-of-way that would lessen such impacts. Therefore, the project, in combination with cumulative projects, would not result in significant cumulative impacts related to potentially hazardous conditions and accessibility.

#### **Public Transit Delay**

Public transit delay typically occurs from traffic congestion, including transit reentry, and passenger boarding delay. The Housing Element EIR identified significant and unavoidable traffic congestion impacts to public transit on both 19th Avenue and Geary Boulevard. As discussed in the transportation study, up to 52 project vehicles (18 inbound, 34 outbound) could use 19th Avenue for some part of the journey. As such, the proposed project could make a considerable contribution to the significant cumulative transit delay impact on 19th Avenue identified in the Housing Element EIR (based on the analysis provided in the transportation study, the proposed project would not be expected to make a considerable contribution to the significant cumulative transit delay impact on Geary Boulevard).

Given the project's size and associated estimated number of vehicle trips, as noted above, it would contribute considerably to significant cumulative transit delay impacts. To reduce these impacts, the proposed project would be required to implement **Project Mitigation Measure M-TR-1, Parking Maximums and Transportation Demand Management** (implementing Housing Element EIR Mitigation Measure M-TR-4a) to reduce project-generated vehicle trips. Consistent with Mitigation Measure M-TR-4a, the project would include 56 vehicle parking spaces onsite, which is 50 percent of what is allowed under the Planning Code. In addition, the project would be required to implement various other transportation demand management measures to further reduce project-generated vehicle trips. The project would implement Project Mitigation Measure M-TR-1 to reduce its considerable contribution to the significant cumulative transit delay previously identified in the Housing Element EIR. However, because it is unknown if all of the measures applicable to the proposed project would reduce project's contribution to the cumulative impact, this impact would remain cumulatively considerable. Nevertheless, given that this impact would not be more severe than was previously identified in the Housing Element EIR, no additional analysis is required.

#### **Vehicle Miles Traveled**

VMT by its nature is largely a cumulative impact. As described above, the project would meet the project-level screening criteria and therefore would not result in a significant VMT impact. Furthermore, the project site is an area where projected year 2040 VMT per capita is more than 15 percent below the future regional per employee average. Therefore, the project, in combination with cumulative projects, would not result in a significant cumulative VMT impact.

#### **Loading**

The cumulative project at 2700 Sloat Boulevard could generate loading demands that interact with the project's loading demand. However, this project would be subject to planning code provisions related to loading and would also be required to include parking and loading spaces. None of the other cumulative projects would combine with the proposed project in a way that could result in a loading deficit. Given that the proposed project and cumulative project would not result in a loading deficit, the project, in combination with the cumulative projects, would not result in a significant cumulative loading impact.

## Conclusion

The Housing Element EIR projected substantial increases in public transit delay from future development projects. While the proposed project would not result in a significant project-specific impact related to transit delay and would be required to incorporate Project Mitigation Measure M-TR-1, it would nevertheless contribute to the cumulative impact to transit delay that was identified in the Housing Element EIR. As discussed above, the proposed project would not result in any other transportation-related impacts. Given that the impact to transit delay was already disclosed in the programmatic EIR, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to transportation and circulation, nor a more severe adverse significant impact due to substantial new information. Therefore, no additional environmental review is required for this topic.

## E.6 Noise

### Housing Element Noise Findings

The Housing Element EIR noise findings are discussed in the EIR on pages 4.5-31 through 4.5-67. The EIR found that future development consistent with the housing element update would result in an increase in construction activity relative to the baseline and could contribute to significant impacts due to construction noise. Implementation of Mitigation Measure M-NO-1 (Construction Noise Control) would reduce construction noise impacts on an individual project basis and impacts would be mitigated to a less-than-significant level. However, simultaneous or consecutive construction of multiple development projects could affect the same sensitive receptors and could result in a significant and unavoidable impact, even with mitigation incorporated.

The EIR identified two mitigation measures addressing operational noise, Mitigation Measure M-TR-4a (Parking Maximums and Transportation Demand Management) and Mitigation Measure M-NO-2 (Noise Analysis and Attenuation) and found there would be significant and unavoidable noise impacts related to traffic noise, but implementing the mitigation measures noted above would ensure that operational sources would be compliant with noise ordinance limits; nevertheless, the impact conclusion for operational noise impacts overall was significant and unavoidable with mitigation. The Housing Element EIR found that impacts to vibration (both construction- and operations-related) would be less than significant with implementation of mitigation measures M-NO-3a (Protection of Adjacent Buildings/Structures and Vibration Monitoring During Construction) and M-NO-3b (Prevent Interference with Vibration-Sensitive Equipment).

### Project Analysis

		<i>Not Analyzed in the Prior EIR</i>				
<i>Topics:</i>		<i>Analyzed in the Prior EIR</i>	<i>No Impact</i>	<i>Substantially Mitigated by Uniformly Applicable Development Policies</i>	<i>Less than Significant or Less than Significant with Mitigation Incorporated</i>	<i>Significant Impact</i>
<b>Would the project:</b>						

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
a) Generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generate excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.6.a)

**Construction Noise**

The project’s geotechnical investigation indicated that the proposed building’s foundation design would consist of conventional spread footings or a mat foundation, potentially coupled with the use of drilled piers and/or retaining walls for additional support.<sup>30</sup> The proposed project would not require impact pile-driving.

As the final foundation and reinforcement design would be determined by the project engineers at the time of engineering design (construction documents), this analysis conservatively assumes the possibility of particularly noisy construction activities during foundation construction, including the use of construction equipment such as jackhammers, concrete/industrial saws, and bulldozers. In addition, implementation of the proposed project could include simultaneous use of two or more loud pieces of equipment.

Construction noise is regulated by Article 29 of the Police Code (noise ordinance). Noise ordinance section 2907(a) limits construction noise from individual pieces of equipment to 80 dBA<sup>31</sup> at 100 feet from the noise source (or equivalent sound level at some other appropriate distance such as 86 dBA at 50 feet). The Department of Building Inspection (building department) is responsible for enforcing the noise ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m., 7 days a week). The Police Department is responsible for enforcing the noise ordinance during all other hours. Nonetheless, during the approximately 20-month construction period for the proposed project, sensitive receptors and occupants of

30 H. Allen Gruen, Geotechnical Investigation: Planned Development at 2700 45th Avenue, San Francisco, California, September 23, 2021.

31 dBA are A-weighted decibels, or a decibel scale based on intensity and how the human ear responds.

nearby properties could be disturbed by construction noise. The closest sensitive receptors are four residential buildings located adjacent to the project side to the east, along 44th Avenue.

There may be times when construction noise could interfere with indoor activities in residences and businesses near the project site. Given the proximity of noise sensitive receptors to the project site, the project's construction activities could result in a significant impact. Therefore, **Project Mitigation Measure M-NO-1, Construction Noise Control** (implementing Housing Element EIR Mitigation Measure M-NO-1), applies to the project. With implementation of Project Mitigation Measure M-NO-1, the increase of noise in the project area during project construction would not be considered a significant impact because construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the noise ordinance and other noise control measures as specified in Project Mitigation Measure M-NO-1. Implementation of Project Mitigation Measure M-NO-1 would reduce construction noise impacts resulting from the project to a less-than-significant level.

#### **Operational Noise**

As discussed above, the Housing Element EIR determined that significant and unavoidable noise impacts could occur due to traffic noise, but that implementing noise attenuation measures pursuant to Mitigation Measure M-NO-2 would ensure that operational sources would be compliant with noise ordinance limits. Accordingly, Housing Element EIR Mitigation Measure M-NO-2 requires that project-specific noise studies be completed for new noise-generating uses.

The proposed project would not include excessive noise-generating land uses. The proposed project does not propose any emergency generators, fire pumps, or other equipment that could be considered noise-generating, except for rooftop mechanical equipment. In compliance with Housing Element EIR Mitigation Measure M-NO-2, a project-specific noise study was completed for the proposed project,<sup>32</sup> which analyzed rooftop stationary noise sources for compliance with the noise limits set forth in the noise ordinance. The noise ordinance requires that, for the commercial uses, the noise level shall not exceed 8 dBA above the local ambient noise level at any point outside the property plane, and also sets both daytime and nighttime residential interior noise limits for fixed equipment (noise levels attributable to exterior noise sources shall not exceed 45 dBA Ldn in any habitable room).

Noise measurements were taken at the site between October and November of 2022 to determine the ambient noise levels at the project property plane. The ambient noise levels ranged from 44.5 dBA (L90<sup>33</sup>) along the northern edge of the property plane to 52.5 dBA (L90) along the western edge of the property plane. The rooftop mechanical equipment would be set back a minimum of 30 feet from the property plane, and would include variable refrigerant flow heating and cooling units, as well as supply and exhaust fans. The noise study analyzed a worst-case scenario with all rooftop equipment operating simultaneously. The noise study found that the proposed project would produce a maximum noise level of 45 dBA on the south property plane, which would meet the property plane noise levels specified in the noise ordinance. Additionally, the noise study found that the project would meet the property plane noise limit of 8 dBA above ambient noise level along all property lines, as required by the noise ordinance. With a maximum noise of 45 dBA at the property plane and

<sup>32</sup> Robert J. King, *Technical Memorandum: Operational Noise Study—2700 45<sup>th</sup> Avenue Project*, June 2023.

<sup>33</sup> L90 is a statistical descriptor of the sound level exceeded 90 percent of the time during the measurement period. The noise ordinance defines the L90 as the ambient noise level.

assuming a noise reduction of 15 dB from windows open, the noise study determined that the mechanical equipment would also meet the noise ordinance daytime interior residential noise limit of 55 dBA and nighttime residential noise limit of 45 dBA. Therefore, the proposed project's mechanical equipment would meet the limits set forth in the noise ordinance and the project's mechanical equipment would have a less-than-significant noise impact on the surrounding noise-sensitive uses.

In addition, the proposed project would contribute vehicle trips onto the local and regional roadway network. Consequently, traffic noise levels would increase with the project's contribution of additional vehicles. The proposed project would increase traffic on streets surrounding the project site; however, it would be unlikely to double the roadway volumes on nearby roads. Furthermore, the proposed project's traffic-related noise increases were adequately accounted for in the Housing Element EIR traffic noise analysis<sup>34</sup> and therefore, the proposed project would not result in a new project-specific traffic-related noise impact and no further analysis is required.

As noted above, under Project Description, once constructed, the Irish Center would continue to host a range of events in the proposed three larger event rooms and in smaller rooms in the building. In general, future event types and programming would be similar to existing conditions, although events would likely be held more frequently. Smaller meetings, classes, workshops, and similar programs (of around 30 people) would occur regularly throughout the year, potentially weekly or multiple times a week, while large events, attracting upwards of 400 people and utilizing one or more of the three larger event rooms, would occur approximately four times a month (currently, they are held about four times a year). Similar to existing conditions, smaller events under the proposed project would likely occur during both daytime and evening hours, while larger events would generally occur in the evening. All events would be held inside of the proposed building and, while outdoor areas may be available during events, no amplified sound is proposed outside of the building. For these reasons, it is anticipated that all event-related noise, which would be temporary in nature, would meet all applicable regulations and would not result in significant noise impacts. While it is likely that some noise would be generated by people talking outside of the building before, during, and after the smaller and larger events, noise attributed to unamplified human voices is generally not considered a significant impact under CEQA.

E.6.b) Pile driving, usually during construction, generates the greatest amount of vibration. As discussed above, the proposed project does not propose pile driving activities. However, other construction equipment could also result in construction vibration impacts to certain types of buildings, in particular historical and older buildings, if such buildings are located in close proximity to the construction site. Project-related construction activities were evaluated to determine whether such activities could generate vibration at levels that would have the potential to damage nearby buildings. None of the properties adjacent to the project site are considered historical resources, and the proposed project would only directly abut (i.e., not have a setback from) the existing motel at 2600 Sloat Boulevard, which is not considered to be a historic resource and is therefore not considered to be sensitive to groundborne vibration. Moreover, the proposed project's construction activities would not result in excessive groundborne vibration during construction such that it

34 The transportation analysis that was prepared for the Housing Element considered potential population and job increases in transportation analysis zone (TAZ) 99, the TAZ where the project site is located. The increase of jobs associated with cultural, institutional and educational (CIE) uses was estimated to be 43 for this TAZ. Since TAZ 99 does not contain any other CIE-type uses, this jobs increase could therefore be attributable to the proposed project.

could result in damage to the adjacent building at 2600 Sloat Boulevard. Once operational, the project would also likely not result in vibration impacts, as the proposed community center and restaurant uses are not typically considered to be sources of operational vibration. Therefore, the proposed project would not result in significant impacts related to vibration.

E.6.c) The project site is not located within an airport land use plan area, within 2 miles of a public airport, or in the vicinity of a private airstrip. Therefore, initial study checklist question E.6.c is not applicable to the proposed project.

### **Cumulative Analysis**

The construction schedule for the proposed project at 2700 Sloat Boulevard, which is across the street from the project site, is uncertain. However, for purposes of this environmental review, this project is assumed to have a construction timeline that overlaps with the project's construction activities. The 2700 Sloat Boulevard project would likely make the largest contribution to cumulative noise impacts, given its size and proximity. Cumulative construction-related noise impacts could result from the concurrent construction of the proposed project, combined with the proposed project at 2700 Sloat Boulevard, affecting nearby sensitive receptors. The project's contribution to this cumulative impact could be considerable. As discussed above, the proposed project is required to implement Project Mitigation Measure M-NO-1, Construction Noise Control, which would reduce those impacts to a less than cumulatively considerable level. The Housing Element EIR determined that plan-level construction impacts could be significant and unavoidable because of the possibility of multiple projects undergoing construction at the same time. With implementation of Project Mitigation Measure M-NO-1, the proposed project would not make a cumulative considerable contribution to the cumulative construction noise impact than were disclosed in the Housing Element EIR.

The cumulative context for traffic noise analyses is typically confined to the local roadways nearest to the project site. As project-generated vehicle trips disperse along the local roadway network, the contribution of project-generated traffic noise along any given roadway segment would similarly be reduced. As described above, the proposed project would not double vehicle trips on the surrounding roadways. It is also unlikely that vehicle trips would be doubled under the cumulative scenario, given that future projects would be required to minimize off-street parking and implement various TDM measures to maximize transit, walking, and bicycling. Thus, the proposed project, in combination with other cumulative projects in the area, would not result in a cumulative impact related to roadway noise.

All cumulative projects are required to meet the noise limits set forth in the noise ordinance for operational noise associated with the projects' fixed noise sources, such as mechanical equipment. Compliance with the noise ordinance would limit increases in ambient noise and ensure adequate interior daytime and nighttime noise levels for residential uses are maintained. As such, the proposed project, in combination with the cumulative projects, would not result in more severe cumulative operational noise impacts than disclosed in the Housing Element EIR.

Vibration impacts are highly localized and site-specific and generally do not combine with vibration from cumulative projects to create a cumulative vibration impact. Therefore, no cumulative vibration impacts would be expected and no additional analysis is required.

The cumulative context for point sources of noise, such as building heating, ventilation and air conditioning systems and construction noise are typically confined to nearby noise sources located within approximately



900 feet of the project site.<sup>35</sup> Based on the list of projects under the Cumulative Setting section, above, the proposed project across the street at 2700 Sloat Boulevard, given its proposed size and programming, could combine with the proposed project's noise impacts to generate significant cumulative construction or operational noise impacts. However, both projects would be required to comply with the Noise Ordinance, which established noise limits from stationary sources and construction equipment and would ensure that no significant impact would occur. Furthermore, the noise ordinance establishes limits for both construction equipment and operational noise sources. All projects within San Francisco are required to comply with the noise ordinance. Compliance with the noise ordinance would ensure that no significant cumulative noise impact would occur.

## **Conclusion**

Based on the above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to noise and vibration, nor a more severe adverse significant impact due to substantial new information. Mitigation Measure M-NO-1, Construction Noise Control, would apply to the proposed project to reduce project-specific noise impacts. Therefore, no additional environmental review is required for this topic.

## **E.7 Air Quality**

### **Housing Element Air Quality Findings**

The Housing Element EIR air quality findings are discussed in the EIR on pages 4.6-41 through 4.6-73. The EIR found that the housing element update would not conflict with or obstruct implementation of an applicable air quality plan. Future development consistent with the housing element update would result in a cumulatively considerable net increase in criteria air pollutants. The Housing Element EIR identified Mitigation Measure M-TR-4a, addressing parking maximums and transportation demand management, and found that the impact would be significant and unavoidable with mitigation. Construction of future development consistent with the housing element was found to have a less than significant impact with respect to criteria air pollutant with the application of Mitigation Measure M-AQ-3, addressing the use of clean construction equipment. The proposed action was found to expose sensitive receptor to health risk impacts and was found significant and unavoidable with the application of M-TR-4, M-AQ-3 (both described above), and Mitigation Measure M-AQ-5, applying best available control technology for diesel engines.

<sup>35</sup> Typical construction noise levels can affect a sensitive receptor at a distance of 900 feet if there is a direct line-of-sight between a noise source and a noise receptor (i.e., a piece of equipment generating 85 dBA would attenuate to 60 dBA over a distance of 900 feet). An exterior noise level of 60 dBA will typically attenuate to an interior noise level of 35 dBA with the windows closed and 45 dBA with the windows open.

## Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.7.a) The most recently adopted air quality plan for the air basin is the Bay Area Air Quality Management District's 2017 Clean Air Plan. The primary goals of the clean air plan are to: (1) protect air quality and health at the regional and local scale; (2) eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and (3) reduce greenhouse gas emissions. The clean air plan recognizes that to a great extent, community design dictates individual travel modes, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. The compact development of the proposed project and the availability of non-auto transportation options in the project area would ensure that the project would avoid substantial growth in automobile trips and consequent air pollutant emissions. In addition, as discussed above in the Population and Housing resource topic, the project site is located within the Sunset Corridors priority development area. Focusing development within such areas is a key land use strategy under Plan Bay Area to meet statewide greenhouse gas reduction goals pursuant to Senate Bill 375. Furthermore, for the reasons described below under topics E.7.b and c, the proposed project would not result in significant air pollutant emissions or expose sensitive receptors to substantial pollutant concentrations. Therefore, the proposed project would not conflict with or obstruct implementation of the 2017 Clean Air Plan.

E.7.b) In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM<sub>2.5</sub>, and PM<sub>10</sub><sup>36</sup>), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and lead. These air pollutants are termed criteria air pollutants

<sup>36</sup> PM<sub>10</sub> is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM<sub>2.5</sub>, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The bay area air basin is designated as either in attainment or unclassified for most criteria pollutants except for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>. For these pollutants, the air basin is designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.<sup>37</sup> Regional criteria air pollutant impacts resulting from the proposed project are evaluated below.

#### **Construction Dust Control**

In 2008, the San Francisco Board of Supervisors approved amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08). The intent of the dust control ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work to protect the health of the general public and of construction workers, minimize public nuisance complaints, and to avoid orders to stop work in response to dust complaints. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the dust control ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping, and other measures.

#### **Criteria Air Pollutants**

The Bay Area Air Quality Management District prepared 2022 CEQA Air Quality Guidelines,<sup>38</sup> which provide suggested methodologies for analyzing air quality impacts. These guidelines also provide thresholds of significance for ozone and particulate matter. The planning department uses these thresholds to assist in the evaluation of air quality impacts under CEQA.

The air district has developed screening criteria to determine whether to undertake detailed analysis of criteria pollutant emissions for construction and operations of development projects. Projects that are below the screening criteria would result in less-than-significant criteria air pollutant impacts, and no further project-specific analysis is required. The project would construct a 91-foot-tall, six-story over two-basement level building with 129,540-gross-square-foot of mixed-use cultural/institutional/educational building with office, restaurant, recreational/fitness facilities, and event space. Therefore, because the proposed project is below the construction and operational screening levels for criteria air pollutants, the proposed project would not result in a significant impact with regards to a cumulatively considerable net increase in non-attainment criteria air pollutants. Criteria air pollutant impacts would be less than significant.

E.7.c) In addition to regional criteria air pollutants analyzed above, the following air quality analysis evaluates localized health risks to determine whether sensitive receptors would be exposed to substantial pollutant concentrations. The San Francisco Board of Supervisors approved amendments to the San Francisco Building

<sup>37</sup> Bay Area Air Quality Management District (BAAQMD), 2022 CEQA Guidelines Chapters. Available: [https://www.baaqmd.gov/?sc\\_itemid=CDA5FAE5-BBDC-4337-A10C-5648BCD2D71F](https://www.baaqmd.gov/?sc_itemid=CDA5FAE5-BBDC-4337-A10C-5648BCD2D71F) Accessed: May 3, 2023.

<sup>38</sup> *Ibid.*

and Health Codes, referred to as Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or health code article 38 (Ordinance 224-14, amended December 8, 2014). The purpose of article 38 is to protect the public health and welfare by establishing an *air pollutant exposure zone* and imposing an enhanced ventilation requirement for all new sensitive uses within this zone. The air pollutant exposure zone as defined in article 38 includes areas that exceed health protective standards for cumulative PM<sub>2.5</sub> concentrations and cumulative excess cancer risk and incorporates health vulnerability factors and proximity to freeways. Projects within the air pollutant exposure zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

#### **Construction Health Risk**

The project site is not located within an identified air pollutant exposure zone. However, there is a potential that the project may result in the expansion of the geography of the air pollutant zone because of the use of heavy-duty diesel offroad equipment during project construction, which may be considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during 16 months of the anticipated 20-month construction period. The proposed project has been accepted for priority processing pursuant to Director's Bulletin No. 2 for Type 3, Clean Construction projects. Pursuant to this program, the project sponsor has committed to using Tier 4 engines on all diesel-fueled construction equipment, reducing diesel particulate matter exhaust from construction equipment by 93 to 96 percent compared to uncontrolled construction equipment.<sup>39</sup> Therefore, impacts related to construction health risks would be less than significant.

#### **Operational Health Risk**

The project's incremental increase in localized TAC emissions resulting from new vehicle trips would be minor and would not contribute substantially to localized health risks. The proposed project would also not include a backup diesel generator. Therefore, health risk impacts related to the siting of new air pollution sources would be less than significant and no mitigation measures would be required.

E.7.d) Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. The proposed project includes community-serving uses that would not be expected to create significant sources of new odors. Therefore, odor impacts would be less than significant.

#### **Cumulative Analysis**

As discussed above, regional air pollution is by its nature a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by

<sup>39</sup> PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 1 and Tier 2 with Tier 4 final emissions standards. Tier 1 PM emissions standards were established for equipment with 25- <50 horsepower and equipment with horsepower <175. Tier 1 emissions standards for these engines were compared against Tier 4 final emissions standards, resulting in a 96 percent reduction in PM. The EPA established PM standards for engines with horsepower between 50-<175 as part of the Tier 2 emission standards. For these engines Tier 2 emissions standards were compared against Tier 4 final emissions standards, resulting in between 93-95 percent reduction in PM.

itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.<sup>40</sup> The project-level thresholds for criteria air pollutants are based on levels below which new sources are not anticipated to contribute considerably to cumulative non-attainment criteria air pollutants. Therefore, because the proposed project's construction and operational (Topic E.7.b) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts.

Although the project would add new sources of TACs (e.g., new vehicle trips), the project site is not located within an air pollutant exposure zone and would be subject to requirements articulated in Director's Bulletin No. 2 for Type 3, Clean Construction projects. The project's incremental increase in localized toxic air contaminant emissions resulting from new vehicle trips would be minor and would not contribute substantially to cumulative toxic air contaminant emissions that could affect nearby sensitive land uses. Therefore, cumulative localized health risk impacts would be less than significant.

### **Conclusion**

Based on the above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to air quality, nor a more severe adverse significant impact due to substantial new information. None of the Housing Element EIR air quality mitigation measures are applicable to the proposed project. Therefore, no additional environmental review is required for this topic.

## **E.8 Greenhouse Gas**

### **Housing Element Greenhouse Gas Findings**

The Housing Element EIR greenhouse gas findings are discussed in the EIR on pages 4.1-92 through 4.1-97. The EIR concluded that physical development consistent with the housing element update would emit GHGs during construction and operation and would contribute to annual long-term increases in GHG emissions. New development would be in areas with low VMT levels and would be subject to the city's TDM program as well as applicable building code and other requirements that would reduce GHG emissions and would therefore have a less-than-significant impact with respect to GHG emissions, with no mitigation measures necessary. The Housing Element EIR also found that the future development implementing the housing element update would be consistent with plans, policies, and regulations adopted to reduce GHG emissions, such as Plan Bay Area 2050 and the city's GHG emission reduction strategy. Accordingly, the Housing Element EIR found that impacts related to GHG emissions would be a less than significant with no mitigation measures necessary.

<sup>40</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2017, page 2-1.

## Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.8.a and b) Individual projects contribute to the cumulative effects of climate change by emitting GHGs during demolition, construction, and operation. The following analysis of the proposed project’s GHG impact focuses on the project’s contribution to cumulatively significant GHG emissions. Because no individual project could emit GHGs at a level that could result in a significant impact on global climate, this analysis is in a cumulative context only, and the analysis of this resource topic does not include a separate cumulative impact discussion.

On April 20, 2022, the air district adopted updated GHG thresholds.<sup>41</sup> Consistent with CEQA Guidelines sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project’s GHG emissions, the updated thresholds for land use projects, such as the proposed project, maintains the air district’s previous GHG threshold that allow projects that are consistent with a GHG reduction strategy to conclude that the project’s GHG impact is less than significant.

San Francisco’s 2017 GHG Reduction Strategy Update<sup>42</sup> presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s GHG reduction strategy in compliance with the air district’s guidelines and CEQA Guidelines. These GHG reduction actions have resulted in a 48 percent reduction in GHG emissions in 2020 compared to 1990 levels,<sup>43</sup> which far exceeds the goal of 2020 GHG emissions equaling those in 1990 set in Executive Order S-3-05<sup>44</sup> and the Global Warming Solutions Act.<sup>45</sup> The

41 Bay Area Air Quality Management District, CEQA Thresholds and Guidelines Update. Available: <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>. Accessed: March 2023.

42 San Francisco Planning Department, 2017 Greenhouse Gas Reduction Strategy Update, July 2017. Available: <https://sfplanning.org/project/greenhouse-gas-reduction-strategies>. Accessed: March 2023.

43 San Francisco Department of the Environment, San Francisco’s 2019 Carbon Footprint. Available: <https://sfenvironment.org/carbonfootprint>. Accessed: June 2023.

44 Office of the Governor, Executive Order S-3-05, June 1, 2005. Available: <https://www.library.ca.gov/wp-content/uploads/GovernmentPublications/executive-order-proclamation/5129-5130.pdf>. Accessed: March 2023.

45 California Legislative Information, Assembly Bill 32, September 27, 2006. Available: [http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab\\_0001-0050/ab\\_32\\_bill\\_20060927\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf). Accessed: March 2023.

city has also met and exceeded the 2030 target of 40 percent reduction below 1990 levels set in Global Warming Solutions Act of 2016<sup>46</sup> and the air district's 2017 Clean Air Plan<sup>47</sup> more than 10 years before the target date.

San Francisco's GHG reduction goals, updated in July 2021 by ordinance 117-02,<sup>48</sup> are consistent with, or more aggressive than, the long-term goals established under executive orders S-3-05,<sup>49</sup> B-30-15,<sup>50</sup> B-55-18,<sup>51</sup> and Global Warming Solutions Act of 2016.<sup>52</sup> The updated GHG ordinance demonstrates the city's commitment to continued GHG reductions by establishing targets for 2030, 2040, and 2050 and setting other critical sustainability goals. In particular, the updated ordinance sets a goal to reach net-zero sector-based GHG emissions by 2040 and sequester any residual emissions using nature-based solutions.<sup>53</sup> Thus, the city's GHG reduction goal is consistent with the state's long-term goal of reaching carbon neutrality by 2045. The updated GHG ordinance requires the San Francisco Department of the Environment to prepare and submit to the mayor a climate action plan (CAP) by December 31, 2021. The CAP, which was released on December 8, 2021, and will be updated every five years, carries forward the efforts of the city's previous CAPs and charts a path toward meeting the GHG commitments of the Paris Agreement (e.g., limit global warming to 1.5 degrees Celsius) as well as the reduction targets adopted in the GHG ordinance.

In summary, the CEQA Guidelines and air district- adopted GHG thresholds allow projects consistent with an adopted GHG reduction strategy to determine a less than significant GHG impact. San Francisco has a GHG reduction strategy that is consistent with near and long-term state and regional GHG reduction goals and is effective because the city has demonstrated its ability to meet state and regional GHG goals in advance of target dates. Therefore, projects that are consistent with San Francisco's GHG reduction strategy would not

46 California Legislative Information, Senate Bill 32, September 8, 2016. Available: [https://leginfo.ca.gov/faces/billPdf.xhtml?bill\\_id=201520160SB32&version=20150SB3288CHP](https://leginfo.ca.gov/faces/billPdf.xhtml?bill_id=201520160SB32&version=20150SB3288CHP). Accessed: March 2023.

47 Bay Area Air Quality Management District. 2017. Clean Air Plan. September 2017. Available: <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>. Accessed: March 2023.

48 San Francisco Board of Supervisors. *Ordinance No. 117-21, File No. 210563*. July 20, 2021. Available: <https://sfbos.org/sites/default/files/o0117-21.pdf>. Accessed: March 2023. San Francisco's GHG reduction goals are codified in section 902(a) of the Environment Code and include the following goals: (1) by 2030, a reduction in sector-based GHG emissions of at least 61 percent below 1990 levels; (2) by 2030, a reduction in consumption-based GHG emissions equivalent to a 40 percent reduction compared to 1990 levels; (3) by 2040, achievement of net zero sector-based GHG emissions by reducing such emissions by at least 90 percent compared to 1990 levels and sequestering any residual emissions; and (4) by 2050, a reduction in consumption-based GHG emissions equivalent to an 80 percent reduction compared to 1990 levels.

49 Executive Order S-3-05 sets forth a goal of an 80 percent reduction in GHG emissions by 2050. San Francisco's goal of net zero sector-based emissions by 2040 requires a greater reduction of GHG emissions.

50 Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available: <https://www.ca.gov/archive/gov39/2015/04/29/news18938/>. Accessed: March 2023. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by 2030. San Francisco's 2030 sector based GHG reduction goal of 61 percent below 1990 levels requires a greater reduction of GHG emissions.

51 Office of the Governor, *Executive Order B-55-18*, September 18, 2018. Available: <https://www.ca.gov/archive/gov39/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf> Accessed: March 2023. Executive Order B-55-18 establishes a statewide goal of achieving carbon neutrality as soon as possible, but no later than 2045, and achieving and maintaining net negative emissions thereafter. San Francisco's goal of net zero sector-based emissions by 2040 is a similar goal but requires achievement of the target five years earlier.

52 Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions be reduced by 40 percent below 1990 levels by 2030. San Francisco's 2030 sector-based GHG reduction goal of 61 percent below 1990 levels requires a greater reduction of GHG emissions.

53 Nature-based solutions are those that remove remaining emissions from the atmosphere by storing them in natural systems that support soil fertility or employing other carbon farming practices.

result in GHG emissions that would have a significant effect on the environment, and would not conflict with state, regional, or local GHG reduction plans and regulations.

The proposed project would increase the intensity of the use of the site by constructing a new six-story cultural/institutional/educational space with restaurant, bar, gym, and café uses. Thus, the proposed project would contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operation. Direct operational effects from the proposed project would include GHG emissions from new vehicle trips. Indirect effects would include GHG emissions from electricity providers, including generation of energy required to pump, treat, and convey water and GHG emissions associated with waste removal, waste disposal, and landfill operations.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the department's GHG reduction strategy and demonstrated in the GHG checklist completed for the proposed project.<sup>54</sup> As documented in the GHG checklist, the proposed project would meet the requirements of the Transportation Demand Management Program, the all-electric building ordinance, the Better Roofs ordinance, and meet a LEED v4 Gold building efficiency standard. The proposed project would also be required to meet requirements of the San Francisco green building code. In addition, the proposed project would comply with other applicable regulations that would reduce the project's GHG emissions related to energy use, waste disposal, wood burning, and use of refrigerants. As discussed above, these regulations have proved effective as San Francisco has reduced its GHG emissions by 48 percent below 1990 levels, which far exceed statewide and regional 2020 GHG reduction targets. Furthermore, the city's GHG emission reductions in 2020 also met statewide and regional 2030 targets more than 10 years in advance of the target year. Therefore, because the proposed project would be subject to regulations adopted to reduce GHG emissions, it would be consistent with San Francisco's GHG reduction strategy and would not generate significant GHG emissions nor conflict with state, regional, and local GHG reduction plans and regulations.

## **Conclusion**

For the reasons stated above, the proposed project would not result in a significant individual or cumulative GHG impact. Therefore, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to greenhouse gas emissions, nor a more severe adverse significant impact due to substantial new information. No project-specific mitigation measures or additional environmental review is required for this topic.

## **E.9 Wind**

### **Housing Element Wind Findings**

The Housing Element EIR wind findings are discussed in the EIR on pages 4.7-9 through 4.7-13. The EIR analyzed the range of wind impacts that could occur across the city with implementation of the housing element update. Eight key areas were selected to represent the nature and severity of wind impacts that could occur in the city with implementation of the housing element update. This approach provided a screening-

<sup>54</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for United Irish Cultural Center (2700 45<sup>th</sup> Avenue)*, February 10, 2022.



level estimation of potential wind conditions across the city and concluded that significant wind impacts could occur.

The EIR found that implementation of Housing Element Mitigation Measure M-WI-1a, Wind Minimization, and Mitigation Measure M-WI-1b, Maintenance Plan for Landscaping on or off the Project Site and Wind Baffling Measures in the Public Right-of-Way, would be effective at reducing or avoiding the potential for a wind hazard exceedance; both are applicable to the proposed project. Due to uncertainties regarding the design of future projects and the uncertainty for approvals for wind baffling measures, the feasibility of implementing these mitigation measure on a project-by-project basis was found to be uncertain, and impacts were therefore concluded to be significant and unavoidable with mitigation.

### Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Create wind hazards in publicly accessible areas of substantial pedestrian use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.9.a) Consistent with Planning Department’s practice and **Project Mitigation Measure M-WI-1, Wind Minimization** (implementing Housing Element EIR Mitigation Measure M-WI-1a) and based on the height and location of the proposed approximately 91-foot-tall (101-foot-, nine-inches-tall, including rooftop appurtenances) building, a qualified wind consultant prepared a wind technical analysis for the proposed project which included wind tunnel testing.<sup>55</sup> The wind tunnel test measured wind speeds at 56 sensor locations under each configuration. These sensors were located within an approximately a two-block radius of the project site, along 44th Avenue, 45th Avenue, 46th Avenue, Sloat Boulevard and Wawona Street. Wind speeds were measured at approximately 5 feet above local grade. Wind speeds at these locations were compared to the hazard criterion; an equivalent wind speed of 26 miles per hour as averaged for a single full hour of the year.<sup>56</sup> This wind speed is equivalent to a one-minute average wind speed of 36 mph.<sup>57</sup>

55 Rowan, Williams. Davis & Irwin (RWDI) Inc., 2700 45th Avenue, San Francisco, CA, Pedestrian Wind Study, RWDI #2202636, July 2023.

56 The wind ordinance comfort criteria are defined in terms of equivalent wind speed, which is an average wind speed (mean velocity), adjusted to include the level of gustiness and turbulence. Equivalent wind speed is defined as the mean wind velocity, multiplied by the quantity (one plus three times the turbulence intensity) divided by 1.45. This calculation magnifies the reported wind speed when turbulence intensity is greater than 15 percent. Unless otherwise stated, use of the term “wind speeds” in connection with the wind-tunnel tests refers to equivalent wind speeds that are exceeded 10 percent of the time.

57 The wind hazard criterion is derived from the 26 mph hourly average wind speed that would generate a 3-second gust of wind at 20 meters per second, a commonly used guideline for wind safety. Because the original federal building wind data were collected with one-minute averages, the 26 mph hourly average is converted to a one-minute average of 36 mph, which is used to determine compliance with the 26 mph one-hour hazard criterion in the planning code. (Arens, E. et al., *Developing the San Francisco Wind Ordinance and Its Guidelines for Compliance, Building and Environment*, Vol. 24, No. 4, p. 297-303, 1989.)

Five different scenarios were tested in the wind tunnel including the existing conditions scenario and four project scenarios. The four project scenarios (I, II, III, and IV) considered same building massing with different combinations of wind-reducing features, including overhangs on the west (45th Avenue) and north (Wawona Street) facades of the building and different landscaping schemes along the 45<sup>th</sup> Avenue and Wawona Street frontages.

The wind tunnel test results are summarized below in Table 8. As shown, there are hazard exceedances at four test point locations, for a total of 4 hours per year under the existing condition. Of the four project configurations, Existing Plus Project I and III would have hazard exceedances at six test point locations, for a total of 8 hours per year. These two configurations added street trees to the public right-of-way, which reduces pedestrian-level winds. The other two configurations included canopies attached to the building facades; these configurations resulted in more hazard exceedance locations (Project IV) and increased duration of hazard exceedances (Project I and IV).

**Table 8: 2700 45th Avenue Wind Assessment Hazard Findings**

Configuration	One-Hour Wind Hazard Exceedances	Total Hours	Exceedance Locations
Existing Conditions	4/56	4	Test Points: 2, 27, 37 and 42
Existing Plus Project I	6/56	8	Test Points: 2, 14, 16, 27, 38 and 47
Existing Plus Project II	6/56	9	Test Points: 2, 14, 16, 27, 38 and 47
Existing Plus Project III	6/56	8	Test Points: 2, 14, 16, 27, 38 and 47
Existing Plus Project IV	7/56	9	Test Points: 2, 8, 14, 16, 27, 38 and 47

Source: RWDI, 2023

Wind tunnel testing for the proposed project, including testing of various wind-reducing features, fully implements Housing Element EIR Mitigation Measure M-WI-1a. The project sponsor will include as many street trees as possible to attenuate wind speeds around the proposed building, subject to approval by the Department of Public Works.

Also, consistent with Housing Element EIR, **Project Mitigation Measure M-WI-2, Landscape Maintenance** (implementing Housing Element Mitigation Measure M-WI-1b, Maintenance Plan for Landscaping on or off the Project Site and Wind Baffling Measures in the Public Right-of-Way), would be required to provide a maintenance plan for landscaping features.

Accounting for the wind reduction elements, the proposed project would nevertheless result in multiple exceedances of wind hazard criteria. Although the proposed project would incorporate all feasible wind reduction measures, the project would still result in up to 7 exceedances of the one-hour hazard criteria (for Existing Plus Project IV scenario). Considering that the Housing Element EIR already identified this type of impact as significant and unavoidable, and given that the project sponsor would comply with all applicable Housing Element EIR mitigation measures to reduce this impact, this impact conclusion would be consistent with the findings of the Housing Element EIR and no further environmental review is required.

## Cumulative

This configuration includes existing buildings as well as reasonably foreseeable cumulative future buildings, including the proposed project to the immediate west of the site, across 45th Avenue (2700 Sloat Boulevard). The wind memorandum conducted a qualitative analysis of cumulative wind scenario. Based on the results of this analysis, while the curved facades and a large podium of the cumulative project at 2700 Sloat Boulevard may reduce wind impacts at nearby locations, the structure's tall height and small podium setback distance on the east side would likely result in increased wind activity and turbulent flows along 45<sup>th</sup> Avenue. Overall, the addition of the cumulative building to the west of the site was found to increase the wind speeds around the Irish Center building.

Given the above, the proposed project, in combination with cumulative projects (particularly 2700 Sloat Boulevard), has the potential to result in a significant cumulative wind impact. Based on the qualitative analysis discussed in the wind study, the proposed project's contribution to such impact could be cumulatively considerable. Although the proposed project would incorporate all feasible wind reduction elements into the project design, the project would nevertheless result in exceedances of the one-hour hazard criteria. Therefore, even with mitigation incorporated, the proposed project would make a cumulatively considerable contribution to the significant cumulative wind impact. However, this would not be a new or a more severe impact than disclosed in the Housing Element EIR, no further analysis is required.

## Conclusion

The proposed project would result in hazardous wind speeds, consistent with the findings of the Housing Element EIR. The proposed project has implemented Project Mitigation Measure M-WI-1 to reduce hazardous wind speeds and would be required to implement Project Mitigation Measure M-WI-2 to maintain future landscaping along the proposed building's two façades. Consistent with the findings of the Housing Element EIR, the proposed project would result in significant and unavoidable project-level and cumulative wind impacts. The proposed project would not result in a new impact that was not previously identified nor a more severe adverse significant impact due to substantial new information. No additional environmental review is required for this topic.

## E.10 Shadow

### Housing Element Shadow Findings

The Housing Element EIR shadow findings are discussed in the EIR on pages 4.8-18 through 4.8-43. Planning code section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. A project that adds new shadow to a public open space or exceeds the absolute cumulative limit<sup>58</sup> on a section 295 park does not necessarily result in a significant impact under CEQA; the City's significance criterion used in CEQA review must also determine

<sup>58</sup> The absolute cumulative limit represents the maximum percentage of new shadow, expressed as percentage of the theoretical annual available sunlight. The theoretical annual available sunlight is the amount of sunlight, measured in square-foot-hours, that would fall on a given park during the hours covered by planning code section 295.

whether a project would create new shadow in a manner that could substantially affect outdoor recreation facilities or other public areas. Thus, a review of how these facilities and other public areas are used during the time of potential shading is also considered as part of the City’s CEQA review.

The Housing Element EIR determined that a range of shadow effects could occur across the city with implementation of the housing element update. Thirty sites were selected to represent the nature and severity of the shadow impacts that could occur in the city with implementation of the housing element update. The closest open space to the project site that was considered in the Housing Element EIR is the open space extending along Sunset Boulevard. Given the approximately half-mile distance of the project site from this open space, shadow from the project site would not cast shadow on this open space. The Housing Element EIR included Mitigation Measure M-SH-1 (Shadow Minimization), which requires modifying designs of future development projects, to the extent feasible, to reduce or avoid significant shadow impacts. The EIR found that there are uncertainties regarding feasibility of redesigning projects to reduce or avoid significant shadow impacts; as such, shadow impact was concluded to be significant and unavoidable with mitigation.

**Project Analysis**

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Create new shadow that substantially and adversely affects the use and enjoyment of publicly accessible open spaces?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.10.a) The proposed project would demolish the existing building on the project site and construct a new 91-foot-tall (102-foot-tall to top of elevator penthouse) building in its place. The planning department prepared a preliminary shadow study which showed the proposed project would cast shadow on the San Francisco Zoo, a publicly accessible open space.<sup>59</sup> Therefore, a more detailed shadow analysis was prepared for the proposed project by a qualified consultant, the results of which are summarized below.<sup>60</sup>

The shadow analysis conducted for the proposed project evaluated an existing-plus-project scenario and a cumulative scenario. The cumulative scenario considered shadows that would be cast by other future projects in the vicinity of the project site that are considered by the planning department to be reasonably foreseeable, which are listed in the Cumulative Setting section, above.

The proposed project was found to cast shadow on the San Francisco Zoo, which is subject to section 295. The shadow analysis identified areas that would likely receive net new project shadow (factoring in the presence of

59 San Francisco Planning Department, *Preliminary Project Assessment*, 2700 45<sup>th</sup> Avenue, 2021-010236PPA, December 2021.

60 Fastcast, *Shadow Analysis Memo for the Proposed United Irish Community Center*, 2700 45<sup>th</sup> Avenue, San Francisco, CA, Case No. 2022-001407ENV, June 2023.

current, intervening shadow from existing buildings) between one hour after sunrise through one hour before sunset throughout the year in 15-minute intervals. Overall, the analysis found that the project would result in a shadow increase of approximately 0.0007 percent above the current level of shadow. Net new shadow from the proposed would occur for 83 days per year, from May 11<sup>th</sup> to August 1<sup>st</sup>. The maximum potential shadow impact would occur on June 21<sup>st</sup> at 6:46 a.m., covering approximately 14,500 square feet of access road and maintenance area of the Zoo's Exploration Zone, representing 0.44 percent of the overall Zoo's space. The average duration of the new shadow on the affected dates would be approximately 13 minutes, and at no time during the year would the potential new shadow exceed 30 minutes in duration. The shadow would occur before 8 a.m., before the Zoo's opening to the public at 10 a.m. The area of potential impact is currently restricted to Zoo staff only and is used for service vehicle storage and maintenance. It is not publicly accessible, which was confirmed by a site visit.<sup>61</sup> As the size and duration of the shadow from the proposed project would be minimal, would affect an area of the Zoo that is not publicly accessible (and does not contain animal enclosures), and would occur outside of the Zoo's operating hours, the impact would be less than significant, and no mitigation would be required.

The proposed project would also shade portions of nearby streets and sidewalks and private property at times within the project vicinity. Shadows on streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby properties may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

### **Cumulative**

The cumulative scenario analyzed other nearby projects that could also result in new shadow on the San Francisco Zoo. Based on the cumulative project list, only the proposed project at 2700 Sloat Boulevard has the possibility of shading the Zoo. The project-specific shadow analysis found that, under the cumulative scenario, potential shadows on the Zoo would increase in duration and expand in coverage within the northwestern quarter of the Exploration Zone. The cumulative shadow coverage would extend further west into the northwestern corner of the Zoo as compared to the project alone. Similar to the existing-plus-project scenario, these potential additional shadows would also be isolated to early morning minutes of the summer months, limited in duration to under an hour. There may be a cumulative shadow impact due to uncertainty about future development in the project area, particularly with respect to design of the future project at 2700 Sloat Boulevard. For this reason, the proposed project, in combination with cumulative projects, has the potential to result in a significant cumulative shadow impact. However, given the minimal amount of shadow that would be cast by the proposed project, its contribution to such impact would not be cumulatively considerable.

### **Conclusion**

Based on the above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to shadow, nor a more severe adverse significant

<sup>61</sup> Ibid.

impact due to substantial new information. No project-specific mitigation measures or additional environmental review is required for this topic.

## E.11 Recreation

### Housing Element Recreation Findings

The Housing Element EIR recreation findings are discussed in the EIR on pages 4.1-107 through 4.1-111. The EIR explained that the housing element update would increase the demand for recreational resources and open space in the city due to increases in population. However, due to San Francisco Recreation and Parks Department’s practice of acquiring new open spaces and recreational facilities or expanding existing facilities where needed, the city is anticipated to accommodate future demand from the increase in population associated with the housing element update. No mitigation measures related to recreational resources were identified in the Housing Element EIR. However, the Housing Element EIR noted that construction of any new park land in the future would be subject to project-level environmental review and could result in the application of mitigation measures from other resource topics.

### Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.11.a) The neighborhood parks or other recreational facilities closest to the project site are the Lower Great Highway (0.17 miles west), the San Francisco Zoo (0.03 miles south), the South Sunset Playground (0.20 miles northwest), and Lake Merced Park (0.38 miles southeast).

The proposed project does not propose any residential units; therefore, project implementation would not result in a permanent increase in demand for parks and recreational facilities in the vicinity. The proposed project is a cultural center, which would include cultural, institutional, retail, bar, restaurant and event space, which may help satisfy the demand for existing and future recreational uses for nearby residents and employees. On a citywide/regional basis, the increased demand on recreational facilities from the 45 new employees attributable to the proposed project would be negligible given the number of existing and planned recreational facilities in the area and throughout the City as well as the temporary nature of employees’

presence in the area. For these reasons, implementation of the proposed project would not be expected to increase the use of existing recreational facilities such that substantial physical deterioration of these facilities would occur or be accelerated. This impact would be less than significant, and no mitigation measures are necessary.

E.11.b) The proposed project would construct a mixed-use cultural/institutional/educational building with office, restaurant, recreational/fitness facilities, and event spaces. It would include outdoor space in the form of decks, balconies and outdoor dining areas. In addition, it would provide private recreational/fitness facilities (including swimming pools, hot tubs, basketball courts and exercise studios) that would partially offset the demand for recreational facilities. In addition, the project site is located within 0.5 miles of a various existing recreational facilities, including park, playground, open space, and zoo, as discussed above. It is anticipated that these existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by the project. For these reasons, the construction of new or the expansion of existing recreational facilities would not be required. This impact would be less than significant, and no mitigation measures are necessary.

### **Cumulative**

Cumulative development in the project vicinity would result in an intensification of land uses and an increase in the use of nearby recreational resources and facilities. The Recreation and Open Space Element of the General Plan provides a framework for providing a high-quality open space system for its residents, while accounting for expected population growth through year 2040. In addition, San Francisco voters passed three bond measures, in 2008, 2012 and 2020, to fund the acquisition, planning, and renovation of the City's network of recreational resources. As discussed above, there is a zoo and several other open spaces and recreational facilities within walking distance of the project (typically, one quarter mile). In addition, the proposed project would itself be a source of recreational space for community use. Thus, it is expected that these existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by nearby cumulative projects without resulting in physical degradation of recreational resources. For these reasons, the proposed project would not combine with other projects in the vicinity to create a significant cumulative impact on recreational facilities.

### **Conclusion**

Based on the above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to recreation, nor a more severe adverse significant impact due to substantial new information. No project-specific mitigation measures or additional environmental review is required for this topic.

## **E.12 Utilities and Service Systems**

### **Housing Element Utilities and Service Systems Findings**

The Housing Element EIR utilities and service system findings are discussed in the EIR on pages 4.9-14 through 4.9-39. The EIR found that effects determined that future development consistent with the housing element update would have significant and unavoidable effects on water supply, with no feasible mitigation available. Development under the housing element update was found to have a significant and unavoidable impacts with the application of mitigation measures from other resource topics related to the construction of new or

expanded wastewater treatment facilities and the capacity of existing wastewater treatment in the westside drainage basin. The housing element update was determined to have less-than-significant impacts related to electric power and telecommunication facilities with the application of mitigation measures from other resource topics. Future development consistent with the housing element update was found to have a less-than-significant impact due to solid waste generation.

**Project Analysis**

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Require or result in the relocation or construction of new or expanded wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant physical environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? Require or result in the relocation of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity or local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.12.a and c) The project site is served by San Francisco’s combined sewer system, which handles both sewage and stormwater runoff. The Oceanside Water Pollution Control Plant provides wastewater and stormwater treatment and management for the west side of the city, including the project site. Project related wastewater and stormwater would flow into the city’s combined sewer system and would be treated to standards contained in the city’s National Pollutant Discharge Elimination System Permit for the Oceanside Water Pollution Control Plant prior to discharge into the San Francisco Bay. The treatment and discharge standards



are set and regulated by the Regional Water Quality Control Board. The Oceanside Plant had average dry-weather flows of 14.5 million gallons per day in 2020, or approximately 28.5 million gallons less than the permitted 43 million gallon per day capacity of the plant. Estimated dry-weather flows to the Oceanside Plant in 2050 under the housing element update are projected to be 17.2 million gallons per day, according to the Housing Element EIR.

The proposed project would not substantially increase the amount of stormwater entering the combined sewer system because the project would not increase impervious surfaces at the project site. Compliance with the city's Stormwater Management Ordinance and the Stormwater Management Requirements and Design Guidelines would ensure that the design of the proposed project includes installation of appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit discharges from the site from entering the city's combined stormwater/sewer system. Under the Stormwater Management Ordinance, stormwater generated by the proposed project is required to meet a performance standard that reduces the existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm and therefore would not contribute additional volume of polluted runoff to the city's stormwater infrastructure.

The project site is located within a developed area served by existing electric power, natural gas, and telecommunications. While the project would require local connections to those utilities, it would not necessitate the construction of new power generation, natural gas, or telecommunications infrastructure. Although the proposed project would add new employees to the project site, the combined sewer system has capacity to serve the increase in wastewater generated from the proposed project through year 2050. Therefore, the incremental increase in wastewater treatment resulting from the project would be met by the existing sewer system and would not require expansion of existing wastewater facilities or construction of new facilities and this impact would be less than significant.

E.12.b) The San Francisco Public Utilities Commission (SFPUC) adopted the 2020 Urban Water Management Plan (2020 plan) in June 2021.<sup>62</sup> The 2020 plan estimates that current and projected water supplies will be sufficient to meet future demand for retail water<sup>63</sup> customers through 2045 under wet- and normal-year conditions; however, in dry years, the SFPUC would implement water use and supply reductions through its Water Shortage Contingency Plan and a corresponding Retail Water Shortage Allocation Plan.<sup>64</sup>

In December 2018, the State Water Resources Control Board adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, which establishes water quality objectives to maintain the health of our rivers and the Bay-Delta ecosystem (the Bay-Delta Plan

62 SFPUC, 2020 Urban Water Management Plan for the City and County of San Francisco, adopted June 11, 2021. This document is available at <https://www.sfpuc.org/about-us/policies-plans/urban-water-management-plan>

63 "Retail" demand represents water the SFPUC provides to individual customers within San Francisco. "Wholesale" demand represents water the SFPUC provides to other water agencies supplying other jurisdictions.

64 San Francisco Public Utilities Commission, 2020 Urban Water Management Plan for the City and County of San Francisco, Appendix K – Water Shortage Contingency Plan, adopted June 11, 2021. This document is available at <https://www.sfpuc.org/about-us/policies-plans/urban-water-management-plan>

Amendment).<sup>65</sup> Implementation of the Bay-Delta Plan Amendment would result in a substantial reduction in the SFPUC's water supplies from the Tuolumne River watershed during dry years, requiring rationing to a greater degree in San Francisco than previously anticipated to address supply shortages.

Implementation of the Bay-Delta Plan Amendment is uncertain for several reasons and whether, when, and the form in which the Bay-Delta Plan Amendment would be implemented, and how those amendments could affect SFPUC's water supply, is currently unknown. In acknowledgment of these uncertainties, the 2020 plan presents future supply scenarios both with and without the Bay-Delta Plan Amendment, as follows:

1. Without implementation of the Bay-Delta Plan Amendment wherein the water supply and demand assumptions contained in Section 8.4 of the 2020 plan would be applicable;
2. With implementation of a voluntary agreement between the SFPUC and the State Water Resources Control Board that would include a combination of flow and non-flow measures that are designed to benefit fisheries at a lower water cost, particularly during multiple dry years, than would occur under the Bay-Delta Plan Amendment); and
3. With implementation of the Bay-Delta Plan Amendment as adopted wherein the water supply and demand assumptions contained in Section 8.3 of the 2020 plan would be applicable.<sup>66</sup>

Water supply shortfalls during dry years would be lowest without implementation and highest with implementation of the Bay-Delta Plan Amendment. Shortfalls under the proposed voluntary agreement would be between those with and without implementation of the Bay-Delta Plan Amendment.

Under these three scenarios, the SFPUC would have adequate water to meet demand in San Francisco through 2045 in wet and normal years.<sup>67</sup> Without implementation of the Bay-Delta Plan Amendment, water supplies would be available to meet demand in all years except for a 4.0 million gallons per day (5.3 percent shortfall in years four and five of a multiple year drought based on 2045 demand.

With implementation of the Bay-Delta Plan Amendment, shortfalls would range from 11.2 million gallons per day (15.9 percent) in a single dry year to 19.2 million gallons per day (27.2 percent) in years two through five of a multiple year drought based on 2025 demand levels and from 20.5 million gallons per day (25.4 percent) in a single dry year to 28.5 million gallons per day (35.4 percent) in years four and five of a multiple year drought based on 2045 demand.

65 State Water Resources Control Board Resolution No. 2018-0059, Adoption of Amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and Final Substitute Environmental Document, December 12, 2018, available at [https://www.waterboards.ca.gov/plans\\_policies/docs/2018wqcp.pdf](https://www.waterboards.ca.gov/plans_policies/docs/2018wqcp.pdf).

66 On March 26, 2019, the SFPUC adopted Resolution No. 19-0057 to support its participation in the voluntary agreement negotiation process. To date, those negotiations are ongoing under the California Natural Resources Agency. The SFPUC submitted a proposed project description that could be the basis for a voluntary agreement to the state water board on March 1, 2019. As the proposed voluntary agreement has yet to be accepted by the state water board as an alternative to the Bay-Delta Plan Amendment, the shortages that would occur with its implementation are not known with certainty; however, if accepted, the voluntary agreement would result in dry year shortfalls of a lesser magnitude than under the Bay-Delta Plan Amendment.

67 Based on historic records of hydrology and reservoir inflow from 1920 to 2017, current delivery and flow obligations, and fully implemented infrastructure under the 2018 Phased Water System Improvement Program Variant, normal or wet years occurred 85 out of 97 years. This translates into roughly nine normal or wet years out of every 10 years. Conversely, system-wide rationing is required roughly one out of every 10 years. This frequency is expected to increase as climate change intensifies.

The proposed project does not require a water supply assessment under the California Water Code. Under sections 10910 through 10915 of the California Water Code, urban water suppliers like the SFPUC must prepare water supply assessments for certain large “water demand” projects, as defined in CEQA Guidelines section 15155.<sup>68</sup> The proposed mixed-use project would result in approximately 129,540 square feet of mixed-use cultural/institutional/educational space; as such it does not qualify as a “water-demand” project as defined by CEQA Guidelines section 15155(a)(1) and a water supply assessment is not required and has not been prepared for the project. The following discussion considers the potential water supply impacts for projects – such as the proposed project – that do not qualify as “water-demand” projects.

No single development project alone in San Francisco would require the development of new or expanded water supply facilities or require the SFPUC to take other actions, such as imposing a higher level of rationing across the city in the event of a supply shortage in dry years. Therefore, a separate project-only analysis is not provided for this topic. The following analysis instead considers whether the proposed project in combination with both existing development and projected growth through 2045 would require new or expanded water supply facilities, the construction or relocation of which could have significant impacts on the environment that were not identified in the PEIR. It also considers whether a high level of rationing would be required that could have significant cumulative impacts. It is only under this cumulative context that development in San Francisco could have the potential to require new or expanded water supply facilities or require the SFPUC to take other actions, which in turn could result in significant physical environmental impacts related to water supply. If significant cumulative impacts could result, then the analysis considers whether the project would make a considerable contribution to the cumulative impact.

Based on guidance from the California Department of Water Resources and a citywide demand analysis, the SFPUC has established 50,000 gallons per day as the maximum water demand for projects that do not meet the definitions provided in CEQA Guidelines section 15155(a)(1).<sup>69</sup> The development proposed by the project would represent 26 percent of the 500,000 square feet of commercial space provided in section 15155(1)(B). In addition, the proposed project would incorporate water-efficient fixtures as required by Title 24 of the California Code of Regulations and the city’s Green Building Ordinance. It is therefore reasonable to assume that the proposed project would result in an average daily demand of substantially less than 50,000 gallons per day of water.

Assuming the project would demand no more than 50,000 gallons of water per day, its water demand would represent a small fraction of the total projected demand, ranging at most from 0.07 to 0.06 percent between 2025 and 2045. As such, the project’s water demand would not require or result in the relocation or

68 Pursuant to CEQA Guidelines section 15155(1), “a water-demand project” means:

- (A) A residential development of more than 500 dwelling units.
- (B) A shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.
- (C) A commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor area.
- (D) A hotel or motel, or both, having more than 500 rooms, (e) an industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.
- (F) a mixed-use project that includes one or more of the projects specified in subdivisions (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(1)(D), (a)(1)(E), and (a)(1)(G) of this section.
- (G) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

69 Memorandum, from Steven R. Ritchie, Assistant General Manager, Water Enterprise, San Francisco Public Utilities Commission to Lisa Gibson, Environmental Review Officer, San Francisco Planning Department – Environmental Planning, May 31, 2019.

construction of new or expanded water facilities the construction or relocation of which could cause significant environmental effects.

Sufficient water supplies are available to serve the proposed project and reasonably foreseeable future development in normal, dry, and multiple dry years unless the Bay-Delta Plan Amendment is implemented. As indicated above, the proposed project's maximum demand would represent less than 0.06 percent of the total demand in 2045 when the retail supply shortfall projected to occur with implementation of the Bay-Delta Plan Amendment would be up to 35.4 percent in a multi-year drought. The SFPUC has indicated that it is accelerating its efforts to develop additional water supplies and explore other projects that would improve overall water supply resilience through an alternative water supply program. The SFPUC has taken action to fund the study of additional water supply projects, but it has not determined the feasibility of the possible projects and has determined that the identified potential projects would take anywhere from 10 to 30 years or more to implement. The potential impacts that could result from the construction and/or operation of any such water supply facility projects cannot be identified at this time. In any event, under such a worst-case scenario, the demand for the SFPUC to develop new or expanded dry-year water supplies would exist regardless of whether the proposed project is constructed.

Given the long lead times associated with developing additional water supplies, in the event the Bay-Delta Plan Amendment were to take effect sometime after 2022 and result in a dry-year shortfall, the expected action of the SFPUC for the next 10 to 30 years (or more) would be limited to requiring increased rationing. As discussed in the SFPUC memorandum, the SFPUC has established a process through its Retail Water Shortage Allocation Plan for actions it would take under circumstances requiring rationing. The level of rationing that would be required of the proposed project is unknown at this time. Both direct and indirect environmental impacts could result from high levels of rationing. However, the small increase in potable water demand attributable to the project compared to citywide demand would not substantially affect the levels of dry-year rationing that would otherwise be required throughout the city. Therefore, the proposed project would not make a considerable contribution to a cumulative environmental impact caused by implementation of the Bay-Delta Plan Amendment. Project impacts related to water supply would be less than significant.

E.12.d and e) The city disposes of its municipal solid waste at the Recology Hay Road Landfill, and that practice is anticipated to continue until 2025, with an option to renew the agreement thereafter for an additional six years. San Francisco Ordinance No. 27-06 requires mixed construction and demolition debris to be transported to a facility that must recover for reuse or recycling and divert from landfill at least 65 percent of all received construction and demolition debris. San Francisco's Mandatory Recycling and Composting Ordinance No. 100-09 requires all properties and persons in the city to separate their recyclables, compostables, and landfill trash.

The proposed project would incrementally increase total city waste generation; however, the proposed project would be required to comply with San Francisco ordinance numbers 27-06 and 100-09. Due to the existing and anticipated increase of solid waste recycling in the city and the requirements to divert construction debris from the landfill, any increase in solid waste resulting from the proposed project would be accommodated by the existing Hay Road landfill. Thus, the proposed project would have less-than-significant impacts related to solid waste.

## Cumulative Analysis

As explained in the analysis above, existing service management plans for water, wastewater, and solid waste disposal account for anticipated citywide growth. Furthermore, all projects in San Francisco would be required to comply with the same regulations described above which reduce stormwater, potable water, and waste generation. Therefore, the proposed project, in combination with other cumulative development projects would not result in a cumulative utilities and service systems impact.

## Conclusion

Based on the above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR with respect to utilities and service systems, nor a more severe adverse significant impact due to substantial new information. No project-specific mitigation measures or additional environmental review is required for this topic.

## E.13 Public Services

### Housing Element Public Services Findings

The Housing Element EIR public services findings are discussed in the EIR on pages 4.1-121 through 4.1-129. The EIR found that effects determined that future development consistent with the housing element update could have effects on public services that could increase the demand for public services and public facilities in the city. No mitigation measures related to public services were identified in the Housing Element EIR. However, the Housing Element EIR noted that the provision of new or physically altered governmental facilities and associated services would be subject to project-level environmental review and could result in the application of mitigation measures from other resource topics.

### Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.13.a) Project employees and patrons would be served by the San Francisco Police Department and Fire Departments. The project site is located within the Taraval District of the San Francisco Police Department,

and the closest police station is the Central Station, located approximately 1.25 miles northeast of the project site at 2345 24th Avenue.<sup>70</sup> The project site would be served by Fire Station No. 18, located at 1935 32nd Avenue, approximately 1.2 miles northeast of the project site.<sup>71</sup> The increased number of people at the project site could result in more calls for police, fire, and emergency response. However, the increase in demand for these services would not be substantial given the overall demand for such services on a citywide basis. Moreover, the proximity of the project site to police and fire stations would help minimize the response time for these services should incidents occur at the project site.

The proposed project would not be expected to generate school-aged children who would attend San Francisco public schools, as it is a community center with no residential uses, so there would be no impact to schools.

Impacts on parks and recreational facilities are addressed above in Topic E.11, Recreation.

### **Cumulative Analysis**

The proposed project, combined with projected citywide growth through 2050, would increase demand for public services, including police and fire protection and public schools. The fire department, the police department, and other city agencies account for such growth in providing public services to the residents of San Francisco. There would be no impact with respect to public schools since there would be no additional students generated by the proposed project. For the above reasons, the proposed project, in combination with projected cumulative development, would not result in a significant physical cumulative impact associated with the construction of new or expanded governmental facilities.

### **Conclusion**

Based on the above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR with respect to public services, nor a more severe adverse significant impact due to substantial new information. No project-specific mitigation measures or additional environmental review is required for this topic.

## **E.14 Biological Resources**

### **Housing Element Biological Resources Findings**

The Housing Element EIR biological resources findings are discussed in the EIR on pages 4.1-139 through 4.1-149. The EIR found that through implementation of existing federal, state, and local regulations, the impacts of future development consistent with the housing element update would have a less than significant impact on biological resources, and no mitigation measures are required.

<sup>70</sup> San Francisco Police Department, Police District Maps. Available: <http://sanfranciscopolice.org/police-district-maps>. Accessed: March 2023.

<sup>71</sup> San Francisco Fire Department, Fire Station Locations. Available: <https://sf-fire.org/sites/default/files/FileCenter/Documents/1975-Station%20Location%20Map%20-%20w%20FS51.pdf>. Accessed: March 2023.

## Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site contains the existing two-story United Irish Cultural Center and an approximate 4,968-square-foot paved parking lot and is completely covered by impervious surfaces. The project site does not contain federally protected wetlands as defined by section 404 of the Clean Water Act, riparian habitat, or other sensitive natural communities. In addition, the project site is not located within an adopted habitat conservation plan, a natural community conservation plan, or other approved local, regional, or state habitat conservation plan areas. Therefore, Topics E.14.b), E.14.c), and E.14.f) are not applicable to the proposed project.

E.14.a) As the project site is covered entirely by impervious surfaces and is located in a built urban environment with high levels of human activity, the project site does not provide suitable habitat for any rare or endangered plant or wildlife species. For these reasons, the proposed project would result in less-than-significant impacts to any species identified as a candidate, sensitive or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Therefore, this impact would be less than significant and would not result in new or more severe impacts related to biological resources not identified in the Housing Element EIR.

E.14.d) As noted in discussion under E.14.a, above, the project site is covered entirely by impervious surfaces. A total of three street trees are currently located along the site's 45th Avenue frontage, and a total of seven street trees are currently located along the site's Wawona Street frontage. Due to the developed nature of the project site, the project site does not provide suitable habitat for any rare or endangered plant or wildlife species. The existing street trees along 45th Avenue and Wawona Street could support habitat for migratory nesting birds protected under the California Fish and Game Code or the Migratory Bird Treaty Act. As part of the proposed project, one tree along the Wawona Street frontage would remain while six trees along this frontage would be removed and replaced. In addition, the project would remove and replace two trees along 45th Avenue. The project would be required to comply with requirements from the Migratory Bird Treaty Act applicable to migratory nesting birds should construction occur during nesting season.

Structures in an urban setting may present risks for birds as they traverse their migratory paths due to building locations and/or features. The city has adopted guidelines to address this issue and provided regulations for bird-safe design within the city.<sup>72</sup> Section 139 of the planning code, Standards for Bird-Safe Buildings, establishes building design standards to reduce avian mortality rates associated with bird strikes. The building standards are based on two types of hazards: (1) location-related hazards which pertain to new buildings within 300 feet of an urban bird refuge, and (2) building feature-related hazards such as freestanding glass walls, wind barriers, skywalks, balconies, and greenhouses on rooftops that have unbroken glazed segments 24 square feet or larger in size. Any project that contains building feature-related hazards must apply bird-safe glazing treatments to 100 percent of the feature in compliance with section 139.

The project site is located within 300 feet of an Urban Bird Refuge; therefore, the standards for location-related hazards would apply.<sup>73</sup> The proposed project would be required to comply with the building feature-related hazard standards of planning code section 139 by using bird-safe glazing treatments on 100 percent of any building feature-related hazards such as free-standing glass walls, wind barriers, and balconies. Compliance with the city's bird-safe building standards and the standards for location-related hazards would ensure the proposed project does not interfere with the movement of a native resident or wildlife species, or with an established native resident or migratory wildlife corridor.

For the reasons stated above, the proposed project would result in less-than-significant impacts to special-status species and native resident, wildlife species, or migratory birds, and no mitigation would be required.

72 San Francisco Planning Department. *Standards for Bird-Safe Buildings*. Available: [https://sfplanning.org/sites/default/files/documents/reports/bird\\_safe\\_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%202011-30-11.pdf](https://sfplanning.org/sites/default/files/documents/reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%202011-30-11.pdf). Accessed: April 2023.

73 San Francisco Planning Department. 2014. *Urban Bird Refuge Map*. Available: <https://sfplanning.org/sites/default/files/resources/2018-08/Urban%20Bird%20Refuge.pdf>. Accessed: April 2023.



E.14.e) The city's Urban Forestry Ordinance, public works code section 801, et seq., requires a permit from public works to remove any protected trees.<sup>74</sup> As discussed above, the proposed project would retain one existing tree and remove and replace two trees along 45th Avenue and retain one street tree and remove and replace six trees along the Wawona Street frontage. The project sponsor would be required to have a tree protection plan prepared by a certified arborist to protect the one adjacent tree during construction. Such protection plan would be reviewed and approved by San Francisco Public Works staff.<sup>75</sup> Therefore, the proposed project would not conflict with the city's local tree ordinance. This impact would be less than significant and would not result in new or more severe impacts related to biological resources not identified in the Housing Element EIR.

### **Cumulative Analysis**

The project site does not support 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 cumulative development project at 2700 Sloat Boulevard would also be subject to the requirements of the Migratory Bird Treaty Act, California Fish and Game Code, and the city's bird-safe building standards and Urban Forestry Ordinance. Therefore, the proposed project would not be expected to combine with cumulative development projects to result in a cumulative impact related to biological resources and cumulative impacts would be less than significant. No mitigation would be required.

### **Conclusion**

Based on the above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR with respect to biological resources, nor a more severe adverse significant impact due to substantial new information. No project-specific mitigation measures or additional environmental review is required for this topic.

## **E.15 Geology and Soils**

### **Housing Element Geology and Soils Findings**

The Housing Element EIR geology and soils findings are discussed in the EIR on pages 4.1-166 through 4.1-172. The EIR found that development consistent with the housing element update would be designed to resist landslides and other geologic hazards, in compliance with applicable codes and design standards, which take into account the expected conditions in the project vicinity. Development consistent with the housing element update would not exacerbate the existing hazards related to geology and soils in San Francisco. The Housing Element EIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, given

74 San Francisco Public Works Code. 1995. Article 16: Urban Forestry Ordinance. Available online at [https://codelibrary.amlegal.com/codes/san\\_francisco/latest/sf\\_publicworks/0-0-0-4068](https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_publicworks/0-0-0-4068). Accessed October 14, 2022.

75 San Francisco Public Works. Public Works Code Section 808, Protection of Trees and Landscape Material. Online at [https://codelibrary.amlegal.com/codes/san\\_francisco/latest/sf\\_publicworks/0-0-0-4194#JD\\_808](https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_publicworks/0-0-0-4194#JD_808). Accessed October 14, 2022.

the seismically active characteristics of the Bay Area but would reduce them to an acceptable level. Thus, the EIR concluded that implementation of the plan would not result in significant impacts with regards to geology and soils, and no mitigation measures were identified in the Housing Element EIR.

### Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would not include the use of septic tanks or alternative wastewater disposal systems; it would be connected to the existing wastewater disposal system. For these reasons, Topic E.15(e) is not applicable to the proposed project. A unique geologic or physical feature embodies distinctive characteristics of any regional or local geologic principles, provides a key piece of information important to geologic history, contains minerals not known to occur elsewhere in the county, and/or is used as a teaching tool. The project site is entirely developed with the current two-story cultural/institutional/commercial building (the United Irish Cultural Center) and a paved parking lot. No unique geologic features exist at the project site. Therefore, the proposed project would have no impact on unique geologic features as referenced in Topic E.15(f), and unique geologic features will not be discussed further.

E.15.a, c, and d) A geotechnical investigation was prepared for the proposed project.<sup>76</sup> The geotechnical investigation 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. From a boring drilled at the subject site at the corner of 45th Avenue and Wawona Street, poorly graded sand was encountered from the ground surface to the maximum depth explored at 50 feet below ground surface. Groundwater was encountered in the boring at a depth of about 21 feet below grade. Materials encountered in the boring were of a dense consistency below the groundwater table. From review of the California Division of Mines and Geology, Seismic Hazard Zones map, artificial fill materials were found to be historically located beneath Sloat Boulevard and the southern margin of the project site. 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 project site is not within an Alquist-Priolo Earthquake Fault Zone, and there are no known active faults that run underneath the project site. The closest active fault to the project site is the San Andreas Fault, which is about 1.7 miles to the southwest of the site.

The project site is not in a landslide or liquefaction hazard zones, so the potential for risk of loss, injury, or death related to landslides or liquefaction would be low. However, the geotechnical investigation evaluated the liquefaction potential of soil encountered at the site and found that artificial fill materials that were placed historically beneath Sloat Boulevard and the southern margin of the project site may be subject to liquefaction and lateral spreading. The report recommendations included a stiffened mat foundation with planned improvements, which would address the potential effects of liquefaction and lateral spreading. As the site is underlain by dune sand that is typically medium dense in consistency near the ground surface, seismic shaking may result in settling of up to a half inch. The report indicates that proposed improvements would be limited to the amount of settlement near the existing ground surface.

<sup>76</sup> H. Allen Gruen, *Geotechnical Investigation: Planned Development at 2700 45<sup>th</sup> Avenue, San Francisco, California*, September 23, 2021.

For these reasons, the proposed project would not cause potential substantial adverse effects, including risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, liquefaction, or landslides.

To ensure that the potential for adverse effects related to geology and soils are adequately addressed, San Francisco relies on the state and local regulatory process for review and approval of building permits pursuant to the California Building Code and the San Francisco Building Code, which is the state building code plus local amendments that supplement the state code, including the building department's administrative bulletins. The building department also provides its implementing procedures in information sheets. The project is required to comply with the building code, which ensures the safety of all new construction in the city. The building department will review the project plans for conformance with the recommendations in the project-specific geotechnical report during its review of the building permit for the project. In addition, the building department may require additional site-specific report(s) through the building permit application process and its implementing procedures, as needed. The building department's requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the building code would ensure that the proposed project would not result in any significant impacts related to soils, seismicity or other geological hazards.

E.15.b) The project site is occupied by an existing building with a paved parking area and is entirely covered with impervious surfaces. For these reasons, construction of the proposed project would not result in the loss of substantial topsoil. Site preparation and excavation activities would disturb soil to a depth of approximately 40 feet below ground surface (52 feet below ground surface if drilled piers are required), creating the potential for windborne and waterborne soil erosion. However, the project would be required to comply with the Construction Site Runoff Ordinance, which requires all construction sites to implement best management practices to prevent the discharge of sediment, stormwater, non-stormwater and waste runoff from a construction site. For construction projects disturbing 5,000 square feet or more, such as the proposed project, a project must also implement an approved erosion and sediment control plan that details the use, location and emplacement of sediment and control devices. These measures would reduce the potential for erosion during construction. Therefore, the proposed project would not result in significant impacts related to soil erosion or the loss of topsoil.

E.15.f) Paleontological resources, or fossils, are the remains, imprints, or traces of mammals, plants, and invertebrates from a previous geological period. Such fossil remains as well as the geological formations that contain them are also considered a paleontological resource. Together, they represent a limited, nonrenewable scientific and educational resource. The potential to affect fossils varies with the depth of disturbance, construction activities, and previous disturbance.

The project site is underlain by poorly graded sand from the ground surface to the maximum depth explored at 50 feet below ground surface. Materials that were bored as part of the geotechnical investigation were of a dense consistency below the groundwater table that was located at 21 feet below grade. From a review of the California Division of Mines and Geology, Seismic Hazard Zones map, artificial fill materials were placed historically beneath Sloat Boulevard and the southern margin of the project site. The proposed project would excavate to a depth of 40 feet below grade (approximately 52 feet below grade if drilled piers are used to support the foundation), which would occur mainly in the poorly graded sand and in artificial fill material at a small portion of the southern end of the site. Due to the lack of fossils contained in artificial fill material, the possibility that fossils would be encountered during project construction is low. Based on the underlying site

conditions and the depth of excavation, construction of the proposed project would not affect a unique paleontological resource or site. Therefore, this impact would be less than significant, and no mitigation measures are necessary.

### **Cumulative Analysis**

The project would not include septic systems or alternative waste disposal systems and would have no impacts on paleontological resources or unique geologic features. Therefore, the proposed project would not have the potential to combine with effects of cumulative projects to result in cumulative impacts related to those topics.

Environmental impacts related to geology and soils are generally site-specific. Nearby cumulative development projects would be subject to the same seismic safety standards in the building code and design review procedures applicable to the proposed project. The building department in its review of the permits for the project and cumulative projects would ensure conformance with geotechnical recommendations in site-specific geotechnical reports. These regulations would ensure that cumulative effects of development on seismic safety, geologic hazards, and erosion are less than significant. The project excavation would encounter poorly graded sand and artificial fill in a small area in the southern portion of the site, which is unlikely to contain paleontological resources; therefore, it would have a less-than-significant effect on paleontological resources. For these reasons, the proposed project would not combine with cumulative projects in the project vicinity to create a significant cumulative impact related to geology and soils, including paleontology.

### **Conclusion**

For the reasons stated above, the proposed project would not result in a significant individual or cumulative impact related to geology and soils. Therefore, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to geology and soils, nor a more severe adverse significant impact due to substantial new information. No project-specific mitigation measures or additional environmental review is required for this topic.

## **E.16 Hydrology and Water Quality**

### **Housing Element Hydrology and Water Quality Findings**

The Housing Element EIR hydrology and water quality findings are discussed in the EIR on pages 4.1-196 through 4.1-204. The EIR determined that future development consistent with the housing element update would not result in a significant impact on hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. No mitigation measures were identified in the Housing Element EIR.

## Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(i) Result in substantial erosion or siltation on- or off-site;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.16.a) The project would generate wastewater and stormwater discharges typical of urban commercial uses. Wastewater and stormwater from the project site would be accommodated by the city's sewer system and treated at the Oceanside Water Pollution Control Plant to the standards set by the San Francisco Bay Regional Water Quality Control Board, therefore, the proposed project would not exceed the waste discharge requirements of the water quality board. Furthermore, as discussed in topic E. 15.b, the project is required to

comply with the Construction Site Runoff Ordinance, which requires all construction sites to implement best management practices to prevent the discharge of sediment, non-stormwater and waste runoff from a construction site. The city's compliance with the requirements of its NPDES permit and the project's compliance with Construction Site Runoff Ordinance would ensure that the project would not result in significant impacts to water quality.

E.16.b) As discussed under topic E.15, groundwater is approximately 21 feet below the ground surface at the project site and may be encountered during excavation, which would occur to a depth of at least 40 feet and potentially up to 52 feet below ground surface. Therefore, dewatering is likely to be necessary during construction. The project would not require long-term dewatering and does not propose to extract any underlying groundwater supplies during project operation. The project site is located in the Westside San Francisco Groundwater Basin. As stated in the Housing Element EIR, the Westside Basin provides up to 0.49 percent of the city's potable water supply, as well as non-potable uses at the nearby San Francisco Zoo and Lake Merced Golf Course. The EIR further noted the possibility that construction dewatering in areas with shallow groundwater may be required during excavation activities associated with future construction and found that dewatering during construction would not result in a loss of water that would substantially decrease groundwater supplies because dewatering activities would be temporary and short-term in duration. Consistent with findings in the EIR, the proposed project would only require temporary dewatering activities over a short-term period. For these reasons, the proposed project would not deplete groundwater supplies or substantially interfere with groundwater recharge. This impact would be less than significant, and no mitigation measures are necessary.

E.16.c) No streams or rivers exist in the vicinity of the project site. Therefore, the proposed project would not alter the course of a stream or river, or substantially alter the existing drainage pattern of the project site or area. For the reasons discussed in topics E.12.a and E.15.b, the proposed project would not substantially increase the rate or amount of surface runoff such that substantial flooding, erosion, or siltation would occur on or offsite. Compliance with the city's Stormwater Management Ordinance would ensure that design of the proposed project would include installation of appropriate stormwater management systems that retain runoff on site and limit substantial additional sources of polluted runoff.

E.16.d) The project site is not located within a 100-year flood hazard zone, or a tsunami or seiche hazard area. Therefore, topic 16.d is not applicable to the proposed project.

E.16.e) For the reasons discussed in topic E.16a, the project would not interfere with the San Francisco Bay water quality control plan. Further, the project site is not located within an area subject to a sustainable groundwater management plan and the project would not routinely extract groundwater supplies.

### **Cumulative Analysis**

The proposed project would have no impact with respect to the following topics and therefore would not have the potential to contribute to any cumulative impacts for those resource areas: location of the project site within a 100-year flood hazard area, tsunami or seiche zone, alterations to a stream or river or changes to existing drainage patterns. The proposed project and other development within San Francisco would be required to comply with the stormwater management and construction site runoff ordinances that would reduce the amount of stormwater entering the combined sewer system and prevent discharge of construction-related pollutants into the sewer system. As the project site is not located in a groundwater basin that is used for water supply, the project would not combine with cumulative projects to result in significant cumulative

impacts to groundwater. Therefore, the proposed project in combination with other projects would not result in significant cumulative impacts related to hydrology and water quality.

## **Conclusion**

For the reasons stated above, the proposed project would not result in a significant individual or cumulative impact related to hydrology and water quality. Therefore, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to hydrology and water quality, nor a more severe adverse significant impact due to substantial new information. No project-specific mitigation measures or additional environmental review is required for this topic.

## **E.17 Hazards and Hazardous Materials**

### **Housing Element Hazards and Hazardous Materials Findings**

The Housing Element EIR hazards and hazardous materials findings are discussed in the EIR on pages 4.1-217 through 4.1-224. The EIR found that implementation of the housing element update would not result in any significant impacts with respect to hazards or hazardous materials that could not be mitigated to a less-than-significant level. The EIR determined that compliance with the Health Code, which incorporates state and federal requirements, would minimize potential exposure of site personnel and the public to any accidental releases of hazardous materials or waste and would also protect against potential environmental contamination. In addition, transportation of hazardous materials is regulated by the California Highway Patrol and the California Department of Transportation. Therefore, potential impacts related to the routine use, transport, and disposal of hazardous materials associated with housing element update implementation were found to be less than significant.

The EIR determined that compliance of subsequent development projects with the San Francisco fire and building codes, which are implemented through the City's ongoing building permit review process, would ensure that potential fire hazards related to development activities would be minimized to less-than-significant levels. San Francisco is not within two miles of an airport land use plan or an airport or private air strip, and, therefore, would not interfere with air traffic or create safety hazards in the vicinity of an airport. The Housing Element EIR determined that cumulative impacts related to hazards or hazardous materials would be less than significant.

The Housing Element EIR determined that demolition and renovation of buildings in the city could expose workers and the public to hazardous building materials or release those materials into the environment. However, local, state, and federal regulations for the safe handling and disposal of hazardous building materials are in place, which would reduce any potential impacts to a less-than-significant level.



## Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not included on the list of hazardous materials sites compiled by the California Department of Toxic Substance Control pursuant to Government Code section 65962.5; is not located within an airport land use plan area or within an airport land use plan, or within two miles of a public airport or public use airport which would result in a safety hazard or excessive noise for people residing or working in the area; and is not located within or adjacent to a wildland area. Therefore, Topics E.17.d), E.17.e), and E.17.g) are not applicable to the proposed project.

E.17.a) Hazardous materials may be stored on site during construction of the proposed project. These hazardous materials may include fuel for construction equipment, paints, solvents, and other types of

construction materials that may contain hazardous ingredients. Transportation of hazardous materials to and from the project site would occur on designated hazardous materials routes, by licensed hazardous materials handlers, as required, and would be subject to regulation by the California Highway Patrol and the California Department of Transportation. Compliance with these regulations would reduce any risk from the routine transport, use, or disposal of hazardous materials to a less-than-significant level and no mitigation would be required.

The proposed project's cultural/institutional/educational, restaurant/bar/event space, and recreational uses would likely result in the use of common types of hazardous materials, such as cleaning products, disinfectants, and pool chemicals. These products are labeled to inform users of their potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. Any chemical waste generated by the project would be used, stored, and disposed of according to manufacturer requirements and subject to existing regulatory programs. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards through their routine transport, use, or disposal. Therefore, this impact would be less than significant and would not result in new or more severe impacts related to the use of hazardous materials not identified in the Housing Element EIR.

E.17.b)

#### **Hazardous Building Materials**

The project site is occupied by a building that was constructed in 1975, which would be demolished by the proposed project. Based on the date of construction of the building, asbestos-containing materials (ACMs) may still be present in building materials that could become airborne as a result of demolition disturbance.

The California Department of Toxic Substance Control considers asbestos hazardous, and removal of ACMs is required prior to demolition or construction activities that could result in disturbance of these materials. Asbestos-containing materials must be removed in accordance with local and state regulations, Bay Area Air Quality Management District (air district), the California Occupational Safety and Health Administration (occupational safety and health administration), and California Department of Health Services requirements.

Specifically, section 19827.5 of the California Health and Safety Code requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The California legislature vests the air district with the authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and the air district is to be notified 10 days in advance of any proposed demolition or abatement work. Any asbestos-containing material disturbance at the project site would be subject to the requirements of air district Regulation 11, Rule 2: Hazardous Materials—Asbestos Demolition, Renovation, and Manufacturing. The local office of the occupational safety and health administration must also be notified of any asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in Title 8 of California Code of Regulations section 1529 and sections 341.6 through 341.14, where there is asbestos related work involving 100 gsf or more of asbestos-containing material. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services. The contractor and hauler of the material are required to file a Hazardous Waste Manifest that details the

hauling of the material from the site and the disposal of it. Pursuant to California law, the building department would not issue the required permit until the applicant has complied with the requirements described above.

These regulations and procedures already established as part of the building permit review process would ensure that any potential impacts due to asbestos would be reduced to a less-than-significant level.

Similar to ACMs, lead-based paint could be present at the site, based on the age of the building. Work that could result in disturbance of lead paint must comply with section 3426 of the San Francisco Building Code, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to 1979, section 3426 requires specific notification and work standards, and identifies prohibited work methods and penalties.

Section 3426 applies to the exterior of all buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces, unless demonstrated otherwise through laboratory analysis), and to the interior of residential buildings, hotels, and childcare centers. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the U.S. Department of Housing and Urban Development Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbances or removal of lead-based paint. Any person performing work subject to the ordinance shall, to the maximum extent possible, protect the ground from contamination during exterior work; protect floors and other horizontal surfaces from work debris during interior work; and make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work. Clean-up standards require the removal of visible work debris, including the use of a High Efficiency Particulate Air Filter vacuum following interior work.

The ordinance also includes notification requirements and requirements for signs. Prior to the commencement of work, the responsible party must provide written notice to the director of the building department, of the address and location of the project; the scope of work, including specific location within the site; methods and tools to be used; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential, owner-occupied or rental property; the dates by which the responsible party has fulfilled or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include a Posted Sign notifying the public of restricted access to the work area, a Notice to Residential Occupants, Availability of Pamphlet related to protection from lead in the home and Notice of Early Commencement of Work (by Owner, Requested by Tenant), and Notice of Lead Contaminated Dust or Soil, if applicable. Section 3426 contains provisions regarding inspection and sampling for compliance by the San Francisco Department of Building Inspection, as well as enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

The proposed demolition would also be subject to the occupational safety and health administration's Lead in Construction Standard (8 CCR section 1532.1). This standard requires development and implementation of a lead compliance plan when materials containing lead would be disturbed during construction. The plan must describe activities that could emit lead, methods that will be used to comply with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. The occupational

safety and health administration would require 24-hour notification if more than 100 square feet of materials containing lead would be disturbed.

Implementation of procedures required by section 3426 of the building code and the Lead in Construction Standard would ensure that potential impacts of demolition or renovation of structures with lead-based paint would be less than significant.

#### **Soil and Groundwater Contamination**

Article 22A of the Health Code, also known as the Maher Ordinance, addresses properties throughout the city where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with current or former industrial uses or underground storage tanks, sites with historic bay fill, and sites close to freeways or underground storage tanks. The Maher Ordinance, which is implemented by the San Francisco Department of Public Health, requires appropriate handling, treatment, disposal, and remediation of contaminated soils that are encountered in the building construction process. All projects in the city that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater are subject to this ordinance. Some projects that disturb less than 50 cubic yards may also be subject to the Maher Ordinance if they propose to a change of use from industrial (e.g., gas stations, dry cleaners, etc.) to sensitive uses (e.g., residential, medical, etc.).

The proposed project would excavate to a maximum depth of 40 feet below grade (or approximately 52 feet below grade if drilled piers are used to support the foundation), over an area of approximately 16,120 square feet for a total of 19,860 cubic yards of excavation. Therefore, the project is subject to the Maher Ordinance. The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a *phase 1 environmental site assessment*. The phase 1 assessment would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis known as a *phase 2 environmental site assessment*. Where such analysis reveals the presence of hazardous substances that exceed state or federal standards, the project sponsor is required to submit a site mitigation plan to the health department or other appropriate state or federal agency(ies), and to remediate any site contamination prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has filed an application for a Maher permit with the health department and a phase 1 site assessment<sup>77</sup> has been prepared to assess the potential for site contamination. The results of the Phase I Site Assessment Report indicated that there is no evidence of Recognized Environmental Conditions on the project site. Therefore, the project would not be expected to result in any significant impacts related to subsurface hazardous materials.

E.17.c) Ulloa Elementary School is a public school located at 2650 42nd Avenue within a quarter mile of the project site. In addition, there are four childcare centers located within a quarter mile of the project site: Starlight Two, located at 3155 Vicente Street; the Ark Christian Preschool, located at 3141 Vicente Street; Creative Montessori Preschool childcare center, located at 3101 Vicente Street; and Ulloa Children's Center, located at 2650 42nd Avenue.

<sup>77</sup> ICES Innovative and Creative Environmental Solutions, *Phase I Environmental Site Assessment: 2700 45th Avenue, San Francisco, California*, October 5, 2021.

As stated above, the project proposes demolition of the existing three-story mixed-use, cultural/institutional/educational building and construction of a new six-story over two-level basement, mixed-use commercial building. Ground-disturbing activities would be limited to 12-months during the proposed construction period. The project sponsor would be required to comply with regulations described above in E.17.a) and b), which would ensure that hazardous materials are handled safely and would not be released within one-quarter mile of schools. In addition, as discussed in under Section E.16, Hydrology and Water Quality, the project would comply with requirements for the handling and disposal of contaminated groundwater. Therefore, there would be limited potential for such materials to affect schools in the vicinity, and the proposed project would have a less than significant impact with respect to the handling of hazardous materials within one-quarter mile radius of an existing or proposed school. Therefore, the proposed project would not result in new or more severe hazardous materials impacts to schools not identified in the Housing Element EIR. Impacts related to emissions from construction vehicles are discussed in Section E.7, Air Quality.

E.17.f) The proposed project, located within a city block, would not impair implementation of an emergency response or evacuation plan adopted by the City of San Francisco. Project construction and operation would not close roadways or impede access to emergency vehicles or emergency evacuation routes. Thus, the proposed project would not obstruct implementation of the city's emergency response and evacuation plans, and potential impacts would be less than significant.

### **Cumulative Analysis**

Environmental impacts related to hazards and hazardous materials are generally site-specific. Nearby cumulative development projects would be subject to the same regulations addressing use of hazardous waste (laws regulating the disposal of hazardous materials and Article 22 of the health code), hazardous soil and groundwater (Article 22A of the health code) and building and fire codes addressing emergency response and fire safety. For these reasons, the proposed project would not combine with other projects in the project vicinity to create a significant cumulative impact related to hazards and hazardous materials.

### **Conclusion**

Based on the above, the proposed infill project would not have a new peculiar significant impact not previously identified in the Housing Element EIR related to hazards and hazardous materials, nor a more severe adverse significant impact due to substantial new information. No project-specific mitigation measures or additional environmental review is required for this topic.

## **E.18 Mineral Resources**

### **Housing Element Mineral Resources Findings**

The Housing Element EIR determined that San Francisco does not contain any mineral resources. This is discussed in EIR p. 4.1-233.

## Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located in an area with known mineral resources and would not routinely extract mineral resources. Therefore, the proposed project would have no impact on mineral resources. The proposed project would have no impact on mineral resources and therefore would not have the potential to contribute to any cumulative mineral resource impact. For the reasons stated above, the proposed project would not result in significant impacts either individually or cumulatively related to mineral resources. Therefore, the proposed project would not result in new or more severe impacts on mineral resources not identified in the Housing Element EIR.

## E.19 Energy Resources

### Housing Element Energy Resources Findings

The Housing Element EIR energy resources findings are discussed in the EIR on pages 4.1-229 through 4.1-233. The EIR determined that construction and operations associated with the housing element update would not encourage the use of large amounts of fuel, water, or energy or use these in a wasteful manner. Therefore, the Housing Element EIR concluded that housing element update would not result in a significant impact on energy resources. No mitigation measures were identified in the Housing Element EIR.

## Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.19.a) Project construction would require the use of fuel- and electric-powered equipment and vehicles. The amount of fuel used for construction workers' commute trips would be limited to the duration of construction. Project construction would not encourage activities that would result in the use of large amounts of fuel, water, or energy, or use them in a wasteful manner.

The proposed project would be required to comply with title 24 of the California Code of Regulations and the 2019 San Francisco Green Building Ordinance. The San Francisco Green Building Ordinance, which aims to reduce impacts that buildings have on the environment, was updated in 2016 to incorporate changes to California's Green Building Standards and title 24 of the Energy Efficiency Standards (part 6). New commercial buildings that are 10 stories or less, such as the proposed project, are required to install solar electric, thermal, or green roofs, and to meet San Francisco's green building requirements tied to LEED and GreenPoint building rating systems. Documentation demonstrating compliance with title 24 would be submitted with a building permit application. The title 24 standards and requirements would be enforced by the San Francisco Department of Building Inspection. The proposed project would incorporate solar photovoltaic panels on the new building's roof. The energy generated from the solar photovoltaic panels would provide a sustainable form of power for the building. The proposed project also would meet certification requirements to attain a LEED Gold rating, and would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. Therefore, this impact would be less than significant and would not result in new or more severe impacts related to energy resource not identified in the Housing Element EIR.

E.19.b) State plans for renewable energy and energy efficiency include California's Renewables Portfolio Standard Program (as revised by Senate Bill No. 100)<sup>78</sup> and the California Energy Efficiency Strategic Plan. The renewables standard program requires utilities to increase their renewable energy generation to 60 percent by 2030, and for all of the state's electricity to come from carbon-free resources by 2045.<sup>79</sup> The plan, which was developed in 2008, outlines goals to improve the energy efficiency of new construction within all major sectors throughout the state. Local plans include the City of San Francisco's energy efficiency requirements. The proposed project would increase energy efficiency because the new building would adhere to current energy conservation measures, including those detailed in the San Francisco Green Building Code and title 24 of the

78 California Legislative Information, 2018, SB-100 California Renewables Portfolio Standard Program: emissions of greenhouse gases.

79 California Public Utilities Commission, 2020, Renewables Portfolio Standard (RPS) Program.

California Energy Efficiency Standards. Solar photovoltaic panels would be installed on the roof of the new building, generating sustainable energy during operation. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. This impact would be less than significant and would not result in new or more severe impacts related to energy resource not identified in the Housing Element EIR.

**Cumulative**

All development projects within San Francisco are required to comply with applicable regulations in the city’s Green Building Ordinance and Title 24 of the California Code of Regulations that reduce both energy use and potable water use. The majority of San Francisco is located within a transportation analysis zone that experiences low levels of VMT per capita compared to regional VMT levels, as is the cumulative project identified at 2700 Sloat Boulevard. Therefore, the proposed project, in combination with other reasonably foreseeable cumulative projects would not encourage activities that result in the use of large amounts of fuel, water, or energy or use these in a wasteful manner.

**Conclusion**

For the reasons stated above, the proposed project would not result in significant impacts either individually or cumulatively related to energy resources. Therefore, the proposed project would not result in new or more severe impacts on energy resources not identified in the Housing Element EIR.

**E.20 Agriculture and Forest Resources**

**Housing Element Agricultural and Forest Resources Findings**

The Housing Element EIR determined that San Francisco does not contain any agricultural resources or forest resources. This is discussed in EIR p. 4.1-233.

**Project Analysis**

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>Would the project:</b>					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.20.a)-e) The project site is within an urbanized area that does not contain any prime farmland, unique farmland, or farmland of statewide importance; forest land; or land under Williamson Act contract. The area is not zoned for any agricultural uses. Topics 20 a through e are not applicable to the proposed project and the project would have no impact either individually or cumulatively on agricultural or forest resources.

For the above reasons, the proposed project would not result in new or more severe impacts to agricultural or forest resources not identified in the Housing Element EIR.

## E.21 Wildfire

### Housing Element Wildfire Findings

The Housing Element EIR determined that San Francisco is not in a wildfire hazard zone. This is discussed in EIR p. 4.1-233.

### Project Analysis

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>					
a) Substantially impair an adopted emergency response plan or emergency evacuation plans?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Topics:	Analyzed in the Prior EIR	Not Analyzed in the Prior EIR			
		No Impact	Substantially Mitigated by Uniformly Applicable Development Policies	Less than Significant or Less than Significant with Mitigation Incorporated	Significant Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.21.a)-d) The project site is not located in or near state responsibility lands for fire management or lands classified as very high fire hazard severity zones. Therefore, this topic is not applicable to the project.

## F. Public Notice and Comment

A “Notification of Project Receiving Environmental Review” was mailed on August 29, 2022 to adjacent occupants and owners of properties within 300 feet of the project site, as well as Parkside and city-wide neighborhood group lists. Two comments were received. One comment letter expressed concern over the scale of the building and noise, shadow, air quality, and transportation impacts. The second raised concerns related to transportation, wind, and shadow impacts. Overall, there issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Housing Element EIR.

## G. Determination

As summarized above:

1. The proposed project is eligible for the streamlining procedures, as: the project site has been previously developed and is located in an urban area; the proposed project satisfies the performance standards provided in Appendix M of the CEQA Guidelines; and the project is consistent with the Sustainable Communities Strategy (Plan Bay Area);

2. The effects of the proposed infill project were analyzed in a prior EIR, and no new information shows that the adverse environmental effects of the infill project are more significant than that described in the prior EIR;
3. The proposed infill project would not cause any significant effects on the environment that either have not already been analyzed in a prior EIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate; and
4. The project sponsor will undertake feasible mitigation measures specified in the Housing Element EIR to mitigate project-related significant impacts.

Therefore, the proposed project is exempt from further environmental review pursuant to Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3.

  
\_\_\_\_\_  
Lisa Gibson  
Environmental Review Officer

for Lisa Gibson

July 17, 2023  
\_\_\_\_\_  
Date

## H. Attachments

- A. Figures
- B. Mitigation Monitoring and Reporting Program

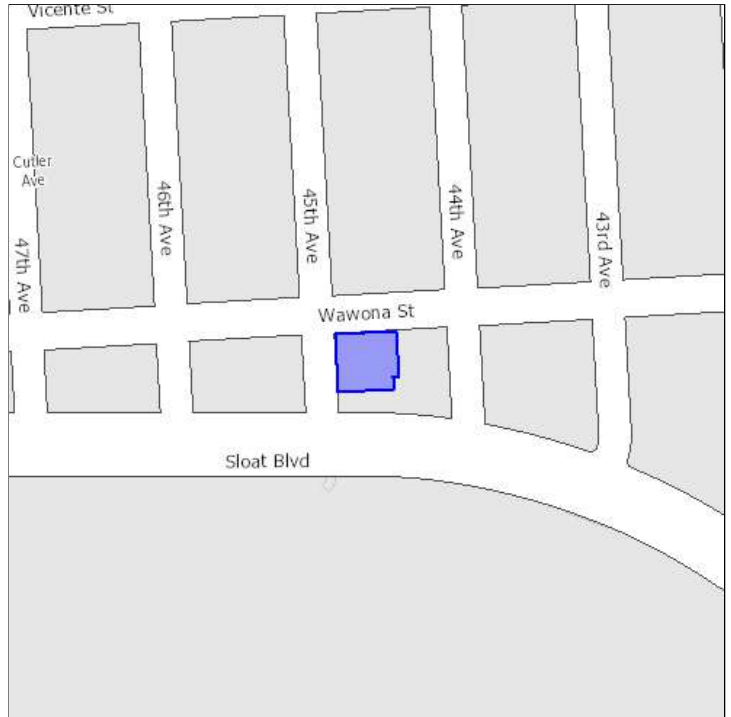
## Attachment A – Figures

**United Irish Cultural Center**

1.83 mi



302 ft



76 ft



# **Attachment B** – Mitigation Monitoring and Reporting Program

## AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Record No.: 2022-001407ENV  
 Project Title: 2700 45<sup>th</sup> Avenue (United Irish Cultural Center)  
 BPA Nos: n/a  
 Zoning: NC-2 (Neighborhood Commercial) Use District  
 100-A Height and Bulk District

Block/Lot: 2513/026  
 Lot Size: 16,120 square feet  
 Project Sponsor: Dane Bunton, Studio BANAA,  
 (510) 612-7758  
 Lead Agency: San Francisco Planning Department  
 Staff Contact: Josh Pollak, josh.pollak@sfgov.org, (628) 652-7493  
 Ryan Shum, ryan.shum@sfgov.org, (628) 652-7542

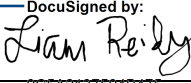
The table below indicates when compliance with each mitigation measure must occur. Some mitigation measures span multiple phases. Substantive descriptions of each mitigation measure’s requirements are provided on the following pages in the Mitigation Monitoring and Reporting Program.

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
<b>Project Mitigation Measure M-CR-1</b> (implements Housing Element EIR Mitigation Measure M-CR-2a): Procedures for Discovery of Archeological Resources for Projects Involving Soil Disturbance	X	X	X	
<b>Project Mitigation Measure M-CR-2</b> (implements Housing Element EIR Mitigation Measure M-CR-2c): Archeological Testing Program	X	X	X	
<b>Project Mitigation Measure M-TCR-1</b> (implements Housing Element EIR Mitigation Measure M-TCR-1): Tribal Notification and Consultation	X			
<b>Project Mitigation Measure M-TR-1</b> (implements Housing Element EIR Mitigation Measure M-TR-4a): Parking Maximums and Transportation Demand Management	X			
<b>Project Mitigation Measure M-NO-1</b> (implements Housing Element EIR Mitigation Measure M-NO-1): Construction Noise Control	X	X		
<b>Project Mitigation Measure M-WI-1</b> (implements Housing Element EIR Mitigation Measure M-WI-1a): Wind Minimization	X			X
<b>Project Mitigation Measure M-WI-2</b> (implements Housing Element EIR Mitigation Measure M-WI-1b): Landscaping Maintenance	X		X	

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	

NOTES:  
 \* Prior to any ground disturbing activities at the project site.  
 \*\* Construction is broadly defined to include any physical activities associated with construction of a development project including, but not limited to: site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction.

\_\_\_\_\_ I agree to implement the attached mitigation measure(s) as a condition of project approval.

DocuSigned by:  
  
 \_\_\_\_\_  
9C5A2137594B475...  
 Property Owner or Legal Agent Signature

7/17/2023  
 \_\_\_\_\_  
 Date

Note to sponsor: Please contact [CPC.EnvironmentalMonitoring@sfgov.org](mailto:CPC.EnvironmentalMonitoring@sfgov.org) to begin the environmental monitoring process prior to the submittal of your building permits to the San Francisco Department Building Inspection.



## MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<b>MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR</b>				
<b>CULTURAL RESOURCES</b>				
<p><b>Project Mitigation Measure M-CR-1 (implements Housing Element EIR Mitigation Measure M-CR-2a): Procedures for Discovery of Archeological Resources for Projects Involving Soil Disturbance.</b></p> <p>The project sponsor shall implement the following measures.</p> <p><b>ALERT sheet.</b> The project sponsor shall distribute the planning department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils-disturbing activities within the project site. Prior to any soils-disturbing activities being undertaken, each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the environmental review officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) confirming that all field personnel involved in soil-disturbing activities have received copies of the “ALERT” sheet.</p> <p><b>Procedures Upon Discovery of a Suspected Archeological Resource.</b> The following measures shall be implemented in the event of a suspected archeological discovery during project soil-disturbing activities:</p> <p><b>Discovery Stop Work and Environmental Review Officer Notification.</b> Should any indication of an archeological resource be encountered during any soils-disturbing activity of the project, the project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery and protect the find in place until the significance of the find has been evaluated and the ERO has determined whether and what additional measures are warranted, and these measures have been implemented, as detailed below.</p>	Project sponsor	Prior to and during soils-disturbing activities	Planning Department (ERO, cultural resources staff)	Considered complete when ERO receives the signed affidavit

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p><b>Archeological Consultant Identification.</b> If the preliminary archeological review did not require archeological monitoring or testing, and an archeological discovery during construction occurs prior to the identification of a project archeologist, and the ERO determines that the discovery may represent a significant archeological resource, the project sponsor shall retain the services of an archeological consultant (hereinafter “project archeologist”) from a firm listed on the Qualified Archeological Consultant list maintained by the department to identify, document, and evaluate the resource, under the direction of the ERO. The project sponsor shall ensure that the project archeologist or designee is empowered, for the remainder of soil-disturbing project activity, to halt soil disturbing activity in the vicinity of potential archeological finds, and that work remains halted until the discovery has been assessed and a treatment determination made, as detailed below.</p> <p><b>Resource Evaluation and Treatment Determination.</b> If an archeological find is encountered during construction or archeological monitoring or testing, the project archeologist shall redirect soil-disturbing and heavy equipment activity in the vicinity away from the find. If in the case of pile driving activity (e.g., foundation, shoring, etc.), the project archeologist has cause to believe that the pile driving activity may affect an archeological resource, the project sponsor shall ensure that pile driving is halted until an appropriate evaluation of the resource has been made. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p> <p><u>Initial documentation and assessment.</u> The project archeologist shall document the find and make a reasonable effort to assess its identity, integrity, and significance of the encountered archeological deposit through sampling or testing, as needed. The project sponsor shall make provisions to ensure that the project archeologist can safely enter the excavation, if feasible. The project sponsor shall ensure that the find is protected until the ERO has been consulted and has determined appropriate subsequent treatment in consultation with the project archeologist, and the treatment has been implemented, as detailed below.</p> <p>The project archeologist shall make a preliminary assessment of the significant and physical integrity of the archeological resource and shall present the findings to the ERO. If, based on this information, the ERO determines that construction would result in impacts to a significant resource, the ERO shall consult with the project sponsor</p>	Project sponsor, archeological consultant/ project archeologist, ERO	During soils-disturbing activities if archeological resources are encountered	Planning Department (ERO, cultural resources staff)	Considered complete when archeological consultant completes additional measures as directed by the ERO as warranted

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p>and other parties regarding the feasibility and effectiveness of preservation-in-place of the resource, as detailed below.</p> <p><u>Native American Archeological Deposits and Tribal Notification.</u> All Native American archeological deposits shall be assumed to be significant unless determined otherwise in consultation with the ERO. If a Native American archeological deposit is encountered, soil disturbing work shall be halted as detailed above. In addition, the ERO shall notify any tribal representatives who, in response to the project tribal cultural resource notification, requested to be notified of discovery of Native American archeological resources in order to coordinate on the treatment of archeological and tribal cultural resources. Further the project archeologist shall offer a Native American representative the opportunity to monitor any subsequent soil disturbing activity that could affect the find.</p> <p><u>Submerged Paleosols.</u> Should a submerged paleosol be identified, the project archeologist shall extract and process samples for dating, paleobotanical analysis, and other applicable special analyses pertinent to identification of possible cultural soils and for environmental reconstruction.</p> <p><u>Archeological Site Records.</u> After assessment of any discovered resources, the project archeologist shall prepare an archeological site record or primary record (DPR 523 series) for each documented resource. In addition, a primary record shall be prepared for any prehistoric isolate. Each such record shall be accompanied by a map and GIS location file. Records shall be submitted to the planning department for review as attachments to the archeological resources report (see below) and once approved by the ERO, to the Northwest Information Center.</p> <p><u>Plans and Reports.</u> All archeological plans and reports identified herein and in the subsequent measures, shall be submitted by the project archeologist directly to the ERO for review and comment and shall be considered draft reports subject to revision until final approval by the ERO. The project archeologist may submit draft reports to the project sponsor simultaneously with submittal to ERO.</p> <p><u>Limit on Construction Delays for Archeological Treatment.</u> Archeological testing and as applicable data recovery programs required to address archeological discoveries, pursuant to this measure, could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible</p>				

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p>means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines.</p> <p><u>Preservation-in-Place Consideration.</u> Should an archeological resource that meets California register significance criteria be discovered during construction, archeological testing, or monitoring, preservation-in-place (i.e., permanently protect the resource from further disturbance and take actions, as needed, to preserve depositional and physical integrity) of the entire deposit or feature is the preferred treatment option. The ERO shall consult with the project sponsor and, for Native American archeological resources, with tribal representatives, if requested, to consider 1) the feasibility of permanently preserving the resource in place, feasible and effective, the project archeologist, in consultation with the ERO, shall prepare a Cultural Resources Preservation Plan. For Native American archeological resources, the project archeologist shall also consult with the tribal representatives, and the Cultural Resources Preservation Plan shall take into consideration the cultural significance of the tribal cultural resource to the tribes. Preservation options may include measures such as design of the project layout to place open space over the resource location; foundation design to avoid the use of pilings or deep excavations in the sensitive area; a plan to expose and conserve the resource and include it in an on-site interpretive exhibit; tribal representatives for review and for ERO approval. The project sponsor shall ensure that the approved plan is implemented and shall coordinate with the department to ensure that disturbance of the resource will not occur in future, such as establishing a preservation easement.</p> <p>If, based on this consultation, the ERO determines that preservation-in-place is infeasible or would be ineffective in preserving the significance of the resource, archeological data recovery and public interpretation of the resource shall be carried out, as detailed below. The ERO in consultation with the project archeologist shall also determine whether and what additional treatment is warranted, which may include additional testing, construction monitoring, and public interpretation of the resource, as detailed below.</p> <p><u>Coordination with Descendant Communities.</u> On discovery of an archeological site associated with descendant Native Americans, Chinese, or other identified descendant cultural group, the project archeologist shall contact an appropriate representative of the descendant group and the ERO. The representative of the descendant group shall be offered the opportunity to monitor archeological field</p>				

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p>investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site and data recovered from the site, and, if applicable, any interpretative treatment of the site. The project archeologist shall provide a copy of the Archeological Resources Report (ARR) to the representative of the descendant group.</p> <p><u>Compensation.</u> Following on the initial tribal consultation, the ERO, project sponsor and project archeologist, as appropriate, shall work with the tribal representative or other descendant or descendant community representatives to identify the scope of work for a representative to fulfill the requirements of this mitigation measure, which may include participation in archeological monitoring, preparation, and review of deliverables (e.g., plans, interpretive materials, artwork). Tribal representatives or other descendant community representatives for archeological resources or tribal cultural resources, who complete tasks in the agreed upon scope of work project, shall be compensated for their work as identified in the agreed upon scope of work.</p>				
<p><b>Archeological Data Recovery Program.</b> The project archeologist shall prepare an archeological data recovery plan if all three of the following apply: (1) a potentially significant resource is discovered, (2) preservation-in-place is not feasible, as determined by the ERO after implementation of the Preservation-in-Place Consideration procedures, and (3) the ERO determines that archeological data recovery is warranted. When the ERO makes such a determination, the project archeologist, project sponsor, ERO and, for tribal cultural archeological resources, the tribal representative, if requested by a tribe, shall consult on the scope of the data recovery program. The project archeologist shall prepare a draft archeological data recovery plan and submit it to the ERO for review and approval. If the time needed for preparation and review of a comprehensive archeological data recovery plan would result in a significant construction delay, the scope of data recovery may instead be agreed upon in consultation between the project archeologist and the ERO and documented by the project archeologist in a memo to the ERO. The archeological data recovery plan/memo shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the archeological data recovery plan/memo will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to</p>	Project sponsor, project archeologist, ERO, tribal representative (if requested)	Upon discovery of significant cultural resource	Planning Department (ERO, cultural resources staff)	After implementation of Archeological Data Recovery Program following the approval Archeological Data Recovery report.

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resource that would not otherwise be disturbed by construction if nondestructive methods are practical. The archeological data recovery plan shall include the following elements:</p> <ul style="list-style-type: none"> <li>• Field Methods and Procedures: Descriptions of proposed field strategies, procedures, and operations</li> <li>• Cataloguing and Laboratory Analysis: Description of selected cataloguing system and artifact analysis procedures</li> <li>• Discard Policy: Description of and rationale for field and post-field discard and deaccession policies</li> <li>• Security Measures: Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities</li> <li>• Report of Data Recovery Results: Description of proposed report format and distribution of results</li> <li>• Public Interpretation: Description of potential types of interpretive products and locations of interpretive exhibits based on consultation with project sponsor</li> <li>• Curation: Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities</li> </ul> <p>The project archeologist shall implement the archeological data recovery program upon approval of the archeological data recovery plan/memo by the ERO.</p> <p><b>Coordination of Archeological Data Recovery Investigations.</b> In cases in which the same resource has been or is being affected by another project, such as 2700 Sloat Blvd., for which data recovery has been conducted, is in progress, or is planned, the following measures shall be implemented to maximize the scientific and interpretive value of the data recovered from both archeological investigations:</p>				

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<ul style="list-style-type: none"> <li>In cases where an investigation has not yet begun, project archeologists for each project impacting the same resource and the ERO, as applicable, shall consult on coordinating and collaborating on archeological research design, data recovery methods, analytical methods, reporting, curation and interpretation to ensure consistent data recovery and treatment of the resource.</li> <li>In cases where archeological data recovery investigation is under way or has been completed for a project, the project archeologist for the subsequent project shall consult with the prior project archeologist, if available; review prior treatment plans, findings and reporting; and inspect and assess existing archeological collections/inventories from the site prior to preparation of the archeological treatment plan for the subsequent discovery, and shall incorporate prior findings in the final report for the subsequent investigation. The objectives of this coordination and review of prior methods and findings shall be to identify refined research questions; determine appropriate data recovery methods and analyses; assess new findings relative to prior research findings; and integrate prior findings into subsequent reporting and interpretation.</li> </ul>				
<p><b>Treatment of Human Remains and Funerary Objects.</b> If human remains or suspected human remains are encountered during construction, the contractor and project sponsor shall ensure that ground-disturbing work within 50 feet of the remains is halted immediately and shall arrange for the protection in place of the remains until appropriate treatment and disposition have been agreed upon and implemented in accordance with this measure. The treatment of any human remains and funerary objects discovered during any soil- disturbing activity shall comply with applicable state laws, including Health and Safety Code section 7050.5 and Public Resources Code section 5097.98. Upon determining that the remains are human, the project archeologist shall immediately notify the Medical Examiner of the City and County of San Francisco, the ERO, and the project sponsor of the find.</p> <p>If the remains cannot be permanently preserved in place, the landowner or designee shall consult with the most likely descendant and may consult with the project archeologist, project sponsor and the ERO on recovery of the remains and any scientific treatment alternatives. The landowner shall then make all reasonable efforts to develop a burial agreement (agreement) with the most likely descendant, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and funerary objects (as detailed in CEQA Guidelines</p>	Project sponsor, archeological consultant in consultation with the San Francisco Medical Examiner, ERO, and Native American Heritage Commission and most likely descendant as warranted.	Discovery of human remains	Planning Department (ERO, cultural resources staff), Medical Examiner, and Native American Heritage Commission and most likely descendant as warranted.	Considered complete on finding by the ERO that all state laws regarding human remains/burial objects have been adhered to, consultation with the most likely descendant is completed as warranted, and disposition of human remains has occurred as specified in agreement

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p>section 15064.5(d)). Per Public Resources Code section 5097.98(c)(1), the agreement shall address, as applicable and to the degree consistent with the wishes of the most likely descendant, the appropriate excavation, removal, recordation, scientific analysis, custodianship prior to reinternment or curation, and final disposition of the human remains and funerary objects. If the most likely descendant agrees to scientific analyses of the remains and/or funerary objects, the project archeologist shall retain possession of the remains and funerary objects until completion of any such analyses, after which the remains and funerary objects shall be reinterred or curated as specified in the agreement.</p> <p>If the landowner or designee and the most likely descendant are unable to reach an agreement on scientific treatment of the remains and/or funerary objects, the ERO, in consultation with the project sponsor shall ensure that the remains and/or funerary objects are stored securely and respectfully until they can be reinterred on the project site, with appropriate dignity, in a location not subject to further or future subsurface disturbance, in accordance with the provisions of state law.</p> <p>Treatment of historic-period human remains and/or funerary objects discovered during any soil-disturbing activity shall be in accordance with protocols laid out in the research design in the project archeological monitoring plan, archeological testing plan, archeological data recovery plan, and other relevant agreements established between the project sponsor, medical examiner, and the ERO. The project archeologist shall retain custody of the remains and associated materials while any scientific study scoped in the treatment document is conducted and the remains shall then be curated or respectfully reinterred by arrangement on a case-by case-basis.</p>				
<p><b>Cultural Resources Public Interpretation Plan and Land Acknowledgement.</b> If a significant archeological resource (i.e., a historical resource or unique archeological resources as defined by CEQA Guidelines section 15064.5) is identified and the ERO determines that the public interpretation is warranted, the project archeologist shall prepare a Cultural Resources Public Interpretation Plan. The Cultural Resources Public Interpretation Plan shall describe the interpretive products, locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long-term maintenance program.</p>	<p>Archeological consultant at the direction of the ERO will prepare Cultural Resources Public Interpretation Plan in consultation with Native American</p>	<p>Following completion of treatment and analysis of significant archeological resource by archeological consultant</p>	<p>Planning Department (ERO, cultural resources staff )</p>	<p>Cultural Resources Public Interpretation Plan is complete on review and approval of ERO. Interpretive program is complete on notification to Environmental Review Officer from the project</p>



Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p>If the archeological resource is a tribal cultural resource, the department shall notify Native American tribal representatives that public interpretation is being planned. If requested by tribal representatives, the Cultural Resources Public Interpretation Plan shall be prepared in consultation with Native American tribal representatives and the interpretive products shall be developed with the participation of Native American tribal representatives,</p> <p>For public projects or projects that include dedicated public spaces, the interpretive materials may include an acknowledgement that the project is located upon traditional Ohlone lands. For interpretation of a tribal cultural resource, the interpretive program may include a combination of artwork, preferably by local Native American artists, educational panels or other informational displays, a plaque, or other interpretative elements including digital products that address Native American experience and the layers of history. As feasible, and where landscaping is proposed, the interpretive effort may include the use and the interpretation of native and traditional plants incorporated into the proposed landscaping.</p> <p>The project archeologist shall submit the Cultural Resources Public Interpretation Plan and drafts of any interpretive materials that are subsequently prepared to the ERO for review and approval. The project sponsor shall ensure that the cultural resources public interpretation plan is implemented prior to occupancy of the project.</p>	tribal representatives as warranted. Measures laid out in Cultural Resources Public Interpretation Plan are implemented by project sponsor			sponsor that program has been implemented
<p><b>Archeological Resources Report.</b> If significant archeological resources, as defined by CEQA Guidelines section 15064.5, are encountered, the project archeologist shall submit a confidential draft Archeological Resources Report to the ERO. This report shall evaluate the significance of any discovered archeological resource, describe the archeological and historical research methods employed in the archeological programs undertaken, the results and interpretation of analyses, and discuss curation arrangements.</p> <p>Once approved by the ERO, the project archeologist shall distribute the approved Archeological Resources Report as follows: copies that meet current information center requirements at the time the report is completed to the California Archeological Site Survey Northwest Information Center, and a copy of the transmittal of the approved Archeological Resources Report to the Northwest Information Center to the ERO; one bound hardcopy of the Archeological Resources Report, along with digital files that include an unlocked, searchable PDF version of</p>	Archeological consultant at the direction of the ERO	Following completion of treatment by archeological consultant as determined by the Environmental Review Officer	Planning Department (ERO, cultural resources staff)	Complete on certification to ERO that copies of the approved Archeological Resources Report have been distributed

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
the Archeological Resources Report, GIS shapefiles of the site and feature locations, any formal site recordation forms (CA DPR 523 series), and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources, via USB or other stable storage device, to the environmental planning division of the planning department; and, if a descendant group was consulted, a digital or hard copy of the Archeological Resources Report to the descendant group, depending on their preference.				
<b>Curation.</b> If archeological data recovery is undertaken, the project archeologist and the project sponsor shall ensure that any significant archeological collections and paleoenvironmental samples of future research value shall be permanently curated at an established curatorial facility. The facility shall be selected in consultation with the ERO. Upon submittal of the collection for curation the project sponsor or archeologist shall provide a copy of the signed curatorial agreement to the ERO.	Project archeologist prepares collection for curation and project sponsor pays for curation costs	In the event a significant archeological resource is discovered and upon acceptance by the ERO of the Archeological Resources Report	Planning Department (ERO, cultural resources staff)	Considered complete upon acceptance of the collection by the curatorial facility

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p><b>Project Mitigation Measure M-CR-2 (implements Housing Element EIR Mitigation Measure M-CR-2c): Archeological Testing Program</b></p> <p>The project archeologist shall develop and implement an archeological testing program as specified herein, and shall conduct an archeological monitoring and/or data recovery program if required to address archeological discoveries or the assessed potential for archeological discoveries, pursuant to this measure and Mitigation Measure M-CR-1: Procedures for Discovery of Archeological Resources for Projects Involving Soil Disturbance.</p> <p><b>Qualified Archeologist Identification.</b> After the first project approval action or as directed by the ERO, the project sponsor shall contact the department archeologist to obtain the names and contact information for the next three qualified archeological consultants on the department’s list and shall retain a qualified archeologist (hereinafter “project archeologist”) from this list of three to develop and implement the archeological testing program.</p>	<p>Required for future development consistent with the housing element update based on the outcome of preliminary archeological review conducted by department staff</p> <p>Project sponsor/ archeological consultant at the direction of the ERO</p>	<p>After the first project approval action or as directed by the Environmental Review Officer and prior to issuance of construction permits and throughout the construction period</p>	<p>Planning Department (ERO, cultural resources staff)</p>	<p>Complete when project sponsor retains qualified archeological consultant</p>
<p><b>Construction Crew Archeological Awareness.</b> Prior to any soils-disturbing activities being undertaken, the project archeologist shall conduct a brief on-site archeological awareness training that describes the types of resources that might be encountered and how they might be recognized, and requirements and procedures for work stoppage, resource protection and notification in the event of a potential archeological discovery. The project archeologist also shall distribute an “Alert” wallet card, based on the department’s “ALERT” sheet, that summarizes stop work requirements and provides necessary contact information for the project archeologist, project sponsor and the to all field personnel involved in soil disturbing activities, including machine operators, field crew, pile drivers, supervisory personnel, etc., have received. The project archeologist shall repeat the training at intervals during construction, as determined necessary by the ERO, including when new construction personnel start work and prior to periods of soil disturbing work when the project archeologist will not be on site.</p> <p><b>Tribal Cultural Resources Sensitivity Training.</b> In addition to and concurrently with the archeological awareness training, the project sponsor shall ensure that a local</p>	<p>Project archeologist for awareness training, Native American representative for Native American cultural resources sensitivity training (if requested)</p>	<p>Prior to any soil-disturbing activity</p>	<p>Planning Department (ERO, cultural resources staff)</p>	<p>Considered complete when project sponsor informs the ERO that all trainings were conducted</p>

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
Native American representative is afforded the opportunity to provide a Native American cultural resources sensitivity training to all construction personnel.				
<p><b>Archeological Testing Program.</b> The project archeologist shall develop and undertake an archeological testing program as specified herein to determine to the extent possible the presence or absence of archeological resources in areas of project soil disturbance and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required to address archeological discoveries or the assessed potential for archeological discoveries, pursuant to this measure.</p> <p>A local Native American representative shall be present throughout the portion of the archeological investigation program that focuses on testing for Native American resources.</p> <p><b>Archeological Testing Plan.</b> The project archeologist shall consult with the ERO reasonably prior to the commencement of any project-related soils disturbing activities to determine the appropriate scope of archeological testing. The archeological testing program shall be conducted in accordance with an approved Archeological Testing Plan, prepared by the project archeologist consistent with the approved scope of work. The Archeological Testing Plan shall be submitted first and directly to the ERO for review and comment and shall be considered a draft subject to revision until final approval by the ERO. Project-related soils disturbing activities shall not commence until the testing plan has been approved and any testing scope to occur in advance of construction has been completed. The project archeologist shall implement the testing as specified in the approved Archeological Testing Plan prior to and/or during construction.</p> <p>The Archeological Testing Plan shall include the following:</p> <ul style="list-style-type: none"> <li>Project Description: Description of all anticipated soil disturbing activities, with locations and depths of disturbance, including foundation and utility demolition, hazardous soils remediation, site grading, shoring excavations, piles or soil improvements, and foundation, elevator, car stacker, utility and landscaping</li> </ul>	Project archeologist at the direction of the ERO	Prior to issuance of construction permits and throughout the construction period	Planning Department (ERO, cultural resources staff)	After consultation with and approval by the ERO of Archeological Testing Plan and review and approval of archeological testing results memo by ERO

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>excavations, with project plans and profiles, as needed, to illustrate the locations of anticipated soil disturbance.</p> <ul style="list-style-type: none"> <li>Site Specific Environmental and Cultural Context: Pre-contact and historic environmental and cultural setting of the project site as pertinent to potential Native American use and historic period development, any available information pertaining to past soil disturbance; soils information, such as stratigraphic and water table data from prior geotechnical testing. As appropriate based on the scale and scope of the project, the Archeological Testing Plan should include historic maps as a basis for predicting resource types that might be encountered and their potential locations. An overlay of the project site on the city’s prehistoric sensitivity model mapping should be included, as should the locations of all known archeological sites within 0.25 mile of the project site.</li> <li>Brief Research Design: Scientific/historical research questions applicable to the expected resource(s), what data classes potential resources may be expected to possess, and how the expected data classes would address the applicable research questions.</li> <li>Anticipated Resources or Resource Types: Likely resources that might be encountered and at what locations and depths, based on known resources in the vicinity, the site’s predevelopment setting and development history, and the anticipated depth and extent of project soil disturbances.</li> <li>Proposed Scope of Archeological Testing and Rationale: Testing methods to be used (e.g., coring, mechanical trenching, manual excavation, or combination of methods); locations and depths of testing in relation to anticipated project soil disturbance; strata to be investigated; any uncertainties on stratigraphy that would affect locations or depths of tests and might require archeological monitoring of construction excavations subsequent to testing.</li> <li>Resource Documentation and Significance Assessment Procedures: ERO and Native American consultation requirements upon making a discovery; pre-data recovery assessment process, burial treatment procedures, and reporting and curation requirements, consistent with the specifications of Mitigation Measure M-CR-2a.</li> </ul> <p><b>Archeological Testing Results Memo.</b> Irrespective of whether archeological resources are discovered, the project archeologist shall submit a written summary of the</p>				

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
findings to the ERO at the completion of the archeological testing program. The findings report/memo shall describe each resource, provide an initial assessment of the integrity and significance of encountered archeological deposits encountered during testing, and provide recommendations for subsequent treatment of any resources encountered.				
<p><b>Resource Evaluation and Treatment Determination.</b> Upon discovery of a suspected archeological resource during construction or archeological testing, Mitigation Measure M-CR-1's Resource Evaluation and Treatment Determination stipulations shall be implemented as specified in that measure.</p> <p><b>Additional Applicable Measures.</b> If a significant archeological resource is identified, and data recovery is required under Mitigation Measure M-CR-2a's Resource Evaluation and Treatment Determination stipulations, the following additional measures identified in the Mitigation Measure M-CR-2a shall be implemented as specified in that measure:</p> <ul style="list-style-type: none"> <li>• Archeological Data Recovery Program</li> <li>• Treatment of Human Remains and Funerary Objects (as applicable)</li> <li>• Coordination of Archeological Data Recovery Investigations</li> <li>• Cultural Resources Public Interpretation Plan and Land Acknowledgement (as applicable)</li> <li>• Archeological Resources Report</li> <li>• Curation</li> </ul>	Project archeologist at the direction of the ERO	Upon discovery of suspected archeological resource	Planning Department (ERO, cultural resources staff)	Completed when ERO concurs that the status of the additional measures identified in Mitigation Measure M-CR-2a are completed

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<b>TRIBAL CULTURAL RESOURCES</b>				
<p><b>Project Mitigation Measure M-TCR-1 (implements Housing Element EIR Mitigation Measure M-TCR-1): Tribal Notification and Consultation</b></p> <p>If a significant Native American archeological resource (i.e., a historical resource or unique archeological resources as defined by CEQA Guidelines section 15064.5) is identified during the course of the archeological testing program, the project sponsor shall hold an event wherein Native American representatives and the archeological consultant involved in the project mitigation effort educate the landowner, prospective tenants/occupants, and the general public about the archeology and history of the project site. This event should occur after the installation of interpretive materials associated with the archeological testing program.</p>	Project sponsor archeological consultant, and ERO, in consultation with the affiliated Native American tribal representatives.	If a significant tribal cultural resource is identified during implementation of the project.	Planning Department (ERO, cultural resources staff).	Considered complete upon completion of tribal cultural resources public education event, if required.
<b>TRANSPORTATION AND CIRCULATION</b>				
<p><b>Project Mitigation Measure M-TR-1 (implements Housing Element EIR Mitigation Measure M-TR-4a): Parking Maximums and Transportation Demand Management</b></p> <p>The project sponsor shall reduce vehicle trips through one of the following measures A or B:</p> <ul style="list-style-type: none"> <li>• Measure A: Reduce its parking by 50 percent or more than the planning code parking maximums for residential uses (sections 151 and 151.1) allow as of April 2022 for the project site; OR</li> <li>• Measure B: Increase planning code transportation demand management requirements (section 169) for residential uses or its associated program standards for residential uses by an equivalent amount to achieve the vehicle trip reduction estimated by implementation of a 50 percent reduction in planning code parking maximums, compared to parking maximums as of April 2022.</li> </ul>	Project sponsor	Prior to the commencement of any project-related soils disturbing activities	Planning Department	Considered complete at issuance of development project's entitlement
<b>NOISE AND VIBRATION</b>				
<p><b>Project Mitigation Measure M-NO-1 (implements Housing Element EIR Mitigation Measure M-NO-1): Construction Noise Control</b></p> <p>The project sponsor shall submit a project-specific construction noise control plan to the environmental review officer (ERO) for approval prior to issuance of any demolition or building permit. The construction noise control plan shall be prepared</p>	Project sponsor, project sponsor's qualified acoustical consultant	Prior to issuance of demolition or building permit	Planning Department	Considered complete upon implementation of Planning Department approved project-specific construction

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>by a qualified acoustical engineer, with input from the construction contractor, and include all feasible measures to reduce construction noise. The construction noise control plan shall identify noise control measures to ensure that construction noise levels shall not exceed 90 dBA 1-hour <math>L_{eq}</math>, 10 dBA above the ambient noise level, nor an interior level of 45 dBA during nighttime hours at noise sensitive receptors (residences, hospitals, convalescent homes, schools, churches, hotels, and motels). The project sponsor shall ensure that requirements of the construction noise control plan are included in contract specifications.</p> <p>The construction noise control plan shall include the following measures to the degree feasible, or other effective measures, to reduce construction noise levels:</p> <ul style="list-style-type: none"> <li>• Use construction equipment that is in good working order, and inspect mufflers for proper functionality;</li> <li>• Select “quiet” construction methods and equipment (e.g., improved mufflers, use of intake silencers, engine enclosures);</li> <li>• Use construction equipment with lower noise emission ratings whenever possible, particularly for air compressors;</li> <li>• Prohibit the idling of inactive construction equipment for more than five minutes;</li> <li>• Locate stationary noise sources (such as compressors) as far from nearby noise sensitive receptors as possible, muffle such noise sources, and construct barriers around such sources and/or the construction site.</li> <li>• Avoid placing stationary noise-generating equipment (e.g., generators, compressors) within noise-sensitive buffer areas (as determined by the acoustical engineer) immediately adjacent to neighbors.</li> <li>• Enclose or shield stationary noise sources from neighboring noise-sensitive properties with noise barriers to the extent feasible. To further reduce noise, locate stationary equipment in pit areas or excavated areas, if feasible; and</li> <li>• Install temporary barriers, barrier-backed sound curtains and/or acoustical panels around working powered impact equipment and, if necessary, around the project site perimeter. When temporary barrier units are joined together, the mating surfaces shall be flush with each other. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, shall be closed</li> </ul>				noise control plan and following completion of all construction activities



Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>with material that completely closes the gaps, and dense enough to attenuate noise.</p> <p>The construction noise control plan shall include the following measures for notifying the public of construction activities, complaint procedures and monitoring of construction noise levels:</p> <ul style="list-style-type: none"> <li>• Designation of an on-site construction noise manager for the project;</li> <li>• Notification of neighboring noise sensitive receptors within 300 feet of the project construction area at least 30 days in advance of high-intensity noise-generating activities (e.g., pier drilling, pile driving, and other activities that may generate noise levels greater than 90 dBA at noise sensitive receptors) about the estimated duration of the activity;</li> <li>• A sign posted on-site describing noise complaint procedures and a complaint hotline number that shall always be answered during construction;</li> <li>• A procedure for notifying the planning department of any noise complaints within one week of receiving a complaint;</li> <li>• A list of measures for responding to and tracking complaints pertaining to construction noise. Such measures may include the evaluation and implementation of additional noise controls at sensitive receptors; and</li> <li>• Conduct noise monitoring (measurements) at the beginning of major construction phases (e.g., demolition, grading, excavation) and during high-intensity construction activities to determine the effectiveness of noise attenuation measures and, if necessary, implement additional noise control measures.</li> </ul>				
<b>WIND</b>				
<p><b>Project Mitigation Measure M-WI-1 (implements Housing Element EIR Mitigation Measure M-WI-1a): Wind Minimization</b></p> <p>If the screening-level assessment conducted by the department determines wind tunnel testing is required due to the potential for one or more proposed buildings to create or exacerbate a wind hazard exceedance, such testing shall be conducted by a professionally qualified firm. The proposed buildings tested in the wind tunnel may incorporate wind baffling features or landscaping. Such features must be tested in</p>	Project sponsor, professionally qualified wind consultant	During permit review of future development project consistent with the housing element update	In coordination with San Francisco Municipal Transportation Agency and San Francisco Public Works, the	Considered complete upon approval of final demolition, building, or site permit

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p>the wind tunnel and discussed in a wind report in the order of preference discussed below, with the overall intent being to reduce ground-level wind speeds such that the project shall not cause equivalent wind speeds to reach or exceed the 26-mph wind hazard criterion for a single hour of the year in areas of substantial use by people walking (e.g., sidewalks, plazas, building entries, etc.):</p> <ol style="list-style-type: none"> <li><b>Building Massing.</b> New buildings and additions to existing buildings shall be shaped to minimize ground-level wind speeds. Examples of these shapes include setbacks, stepped façades, and vertical steps in the massing to help disrupt wind flows.</li> <li><b>Wind Baffling Measures on the Building or on the Project Site.</b> Wind baffling measures shall be included on future buildings and/or on the project site to disrupt vertical wind flows along tower façades and through the project site. Examples of these may include staggered balcony arrangements on main tower façades, screens and canopies attached to the buildings, rounded building corners, covered walkways, colonnades, art, free-standing canopies, or wind screens.  Only after incorporating all feasible features to reduce wind impacts via building massing and wind baffling, and documenting any such features deemed infeasible shall the following be considered:</li> <li><b>Landscaping on or off the Project Site and/or Wind Baffling Measures in the Public Right-of-Way.</b> Landscaping and/or wind baffling measures shall be installed in the public right-of-way to slow winds along sidewalks and protect places where people walking are expected to gather or linger. Landscaping and/or wind baffling measures shall be installed on the windward side (i.e., the direction from which the wind is blowing) of the areas of concern. Examples of wind baffling measures may include street art to provide a sheltered area for people to walk and free-standing canopies and wind screens in areas where people walking are expected to gather or linger. If landscaping on or off the project site or wind baffling measures in the public right-of-way are required as one of the features to mitigate wind impacts, Mitigation Measure M-WI-1b shall also apply.</li> </ol>			Planning Department to review and approve wind testing	
<b>Project Mitigation Measure M-WI-2 (implements Housing Element EIR Mitigation Measure M-WI-1b): Landscaping Maintenance</b>	Project sponsor with a roof height	During the permit review of a future development project consistent with the	In coordination with San Francisco Municipal Transportation	Ongoing and in perpetuity for the lifetime of the building

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
The project sponsor shall prepare a maintenance plan for review and approval by the department to ensure maintenance of the features required pursuant to Mitigation Measure M-WI-1 in perpetuity. The maintenance plan shall also be reviewed and approved by public works for landscaping or wind baffling measures in the public right-of-way.	greater than 85 feet	housing element update	Agency and San Francisco Public Works, Planning Department to review and approve	

NOTES:

<sup>a</sup> Definitions of MMRP Column Headings:

*Adopted Mitigation and Improvements Measures:* Full text of the mitigation measure(s) copied verbatim from the final CEQA document.

*Implementation Responsibility:* Entity who is responsible for implementing the mitigation measure. Project sponsor for a future development project consistent with the housing element update may also include the project's sponsor's contractor/consultant.

*Mitigation Schedule:* Identifies milestones for when the actions in the mitigation measure need to be implemented. Occupancy permit may refer to a temporary certificate and/or a final permit.

*Monitoring/Reporting Responsibility:* Identifies who is responsible for monitoring compliance with the mitigation measure and any reporting responsibilities. In most cases it is the planning department that is responsible for monitoring compliance with the mitigation measure. If a department or agency other than the planning department is identified as responsible for monitoring, there should be an expressed agreement between the planning department and that other department/agency. In most cases the project sponsor of the future development project consistent with the housing element update, their contractor, or their consultant is responsible for any reporting requirements.

*Monitoring Actions/Completion Criteria:* Identifies the milestone at which the mitigation measure is considered complete. This may also identify requirements for verifying compliance.

PAGE INTENTIONALLY BLANK

## AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Record No.: 2022-001407ENV  
 Project Title: 2700 45<sup>th</sup> Avenue (United Irish Cultural Center)  
 BPA Nos: n/a  
 Zoning: NC-2 (Neighborhood Commercial) Use District  
 100-A Height and Bulk District

Block/Lot: 2513/026  
 Lot Size: 16,120 square feet  
 Project Sponsor: Dane Bunton, Studio BANAA,  
 (510) 612-7758  
 Lead Agency: San Francisco Planning Department  
 Staff Contact: Josh Pollak, josh.pollak@sfgov.org, (628) 652-7493  
 Ryan Shum, ryan.shum@sfgov.org, (628) 652-7542

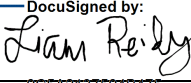
The table below indicates when compliance with each mitigation measure must occur. Some mitigation measures span multiple phases. Substantive descriptions of each mitigation measure’s requirements are provided on the following pages in the Mitigation Monitoring and Reporting Program.

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
<b>Project Mitigation Measure M-CR-1</b> (implements Housing Element EIR Mitigation Measure M-CR-2a): Procedures for Discovery of Archeological Resources for Projects Involving Soil Disturbance	X	X	X	
<b>Project Mitigation Measure M-CR-2</b> (implements Housing Element EIR Mitigation Measure M-CR-2c): Archeological Testing Program	X	X	X	
<b>Project Mitigation Measure M-TCR-1</b> (implements Housing Element EIR Mitigation Measure M-TCR-1): Tribal Notification and Consultation	X			
<b>Project Mitigation Measure M-TR-1</b> (implements Housing Element EIR Mitigation Measure M-TR-4a): Parking Maximums and Transportation Demand Management	X			
<b>Project Mitigation Measure M-NO-1</b> (implements Housing Element EIR Mitigation Measure M-NO-1): Construction Noise Control	X	X		
<b>Project Mitigation Measure M-WI-1</b> (implements Housing Element EIR Mitigation Measure M-WI-1a): Wind Minimization	X			X
<b>Project Mitigation Measure M-WI-2</b> (implements Housing Element EIR Mitigation Measure M-WI-1b): Landscaping Maintenance	X		X	

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	

NOTES:  
 \* Prior to any ground disturbing activities at the project site.  
 \*\* Construction is broadly defined to include any physical activities associated with construction of a development project including, but not limited to: site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction.

\_\_\_\_\_ I agree to implement the attached mitigation measure(s) as a condition of project approval.

DocuSigned by:  
  
 \_\_\_\_\_  
9C5A2137594B475...  
 Property Owner or Legal Agent Signature

7/17/2023  
 \_\_\_\_\_  
 Date

Note to sponsor: Please contact [CPC.EnvironmentalMonitoring@sfgov.org](mailto:CPC.EnvironmentalMonitoring@sfgov.org) to begin the environmental monitoring process prior to the submittal of your building permits to the San Francisco Department Building Inspection.

## MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<b>MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR</b>				
<b>CULTURAL RESOURCES</b>				
<p><b>Project Mitigation Measure M-CR-1 (implements Housing Element EIR Mitigation Measure M-CR-2a): Procedures for Discovery of Archeological Resources for Projects Involving Soil Disturbance.</b></p> <p>The project sponsor shall implement the following measures.</p> <p><b>ALERT sheet.</b> The project sponsor shall distribute the planning department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils-disturbing activities within the project site. Prior to any soils-disturbing activities being undertaken, each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the environmental review officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) confirming that all field personnel involved in soil-disturbing activities have received copies of the “ALERT” sheet.</p> <p><b>Procedures Upon Discovery of a Suspected Archeological Resource.</b> The following measures shall be implemented in the event of a suspected archeological discovery during project soil-disturbing activities:</p> <p><b>Discovery Stop Work and Environmental Review Officer Notification.</b> Should any indication of an archeological resource be encountered during any soils-disturbing activity of the project, the project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery and protect the find in place until the significance of the find has been evaluated and the ERO has determined whether and what additional measures are warranted, and these measures have been implemented, as detailed below.</p>	Project sponsor	Prior to and during soils-disturbing activities	Planning Department (ERO, cultural resources staff)	Considered complete when ERO receives the signed affidavit

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p><b>Archeological Consultant Identification.</b> If the preliminary archeological review did not require archeological monitoring or testing, and an archeological discovery during construction occurs prior to the identification of a project archeologist, and the ERO determines that the discovery may represent a significant archeological resource, the project sponsor shall retain the services of an archeological consultant (hereinafter “project archeologist”) from a firm listed on the Qualified Archeological Consultant list maintained by the department to identify, document, and evaluate the resource, under the direction of the ERO. The project sponsor shall ensure that the project archeologist or designee is empowered, for the remainder of soil-disturbing project activity, to halt soil disturbing activity in the vicinity of potential archeological finds, and that work remains halted until the discovery has been assessed and a treatment determination made, as detailed below.</p> <p><b>Resource Evaluation and Treatment Determination.</b> If an archeological find is encountered during construction or archeological monitoring or testing, the project archeologist shall redirect soil-disturbing and heavy equipment activity in the vicinity away from the find. If in the case of pile driving activity (e.g., foundation, shoring, etc.), the project archeologist has cause to believe that the pile driving activity may affect an archeological resource, the project sponsor shall ensure that pile driving is halted until an appropriate evaluation of the resource has been made. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p> <p><u>Initial documentation and assessment.</u> The project archeologist shall document the find and make a reasonable effort to assess its identity, integrity, and significance of the encountered archeological deposit through sampling or testing, as needed. The project sponsor shall make provisions to ensure that the project archeologist can safely enter the excavation, if feasible. The project sponsor shall ensure that the find is protected until the ERO has been consulted and has determined appropriate subsequent treatment in consultation with the project archeologist, and the treatment has been implemented, as detailed below.</p> <p>The project archeologist shall make a preliminary assessment of the significant and physical integrity of the archeological resource and shall present the findings to the ERO. If, based on this information, the ERO determines that construction would result in impacts to a significant resource, the ERO shall consult with the project sponsor</p>	Project sponsor, archeological consultant/ project archeologist, ERO	During soils-disturbing activities if archeological resources are encountered	Planning Department (ERO, cultural resources staff)	Considered complete when archeological consultant completes additional measures as directed by the ERO as warranted



Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p>and other parties regarding the feasibility and effectiveness of preservation-in-place of the resource, as detailed below.</p> <p><u>Native American Archeological Deposits and Tribal Notification.</u> All Native American archeological deposits shall be assumed to be significant unless determined otherwise in consultation with the ERO. If a Native American archeological deposit is encountered, soil disturbing work shall be halted as detailed above. In addition, the ERO shall notify any tribal representatives who, in response to the project tribal cultural resource notification, requested to be notified of discovery of Native American archeological resources in order to coordinate on the treatment of archeological and tribal cultural resources. Further the project archeologist shall offer a Native American representative the opportunity to monitor any subsequent soil disturbing activity that could affect the find.</p> <p><u>Submerged Paleosols.</u> Should a submerged paleosol be identified, the project archeologist shall extract and process samples for dating, paleobotanical analysis, and other applicable special analyses pertinent to identification of possible cultural soils and for environmental reconstruction.</p> <p><u>Archeological Site Records.</u> After assessment of any discovered resources, the project archeologist shall prepare an archeological site record or primary record (DPR 523 series) for each documented resource. In addition, a primary record shall be prepared for any prehistoric isolate. Each such record shall be accompanied by a map and GIS location file. Records shall be submitted to the planning department for review as attachments to the archeological resources report (see below) and once approved by the ERO, to the Northwest Information Center.</p> <p><u>Plans and Reports.</u> All archeological plans and reports identified herein and in the subsequent measures, shall be submitted by the project archeologist directly to the ERO for review and comment and shall be considered draft reports subject to revision until final approval by the ERO. The project archeologist may submit draft reports to the project sponsor simultaneously with submittal to ERO.</p> <p><u>Limit on Construction Delays for Archeological Treatment.</u> Archeological testing and as applicable data recovery programs required to address archeological discoveries, pursuant to this measure, could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible</p>				

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines.</p> <p><u>Preservation-in-Place Consideration.</u> Should an archeological resource that meets California register significance criteria be discovered during construction, archeological testing, or monitoring, preservation-in-place (i.e., permanently protect the resource from further disturbance and take actions, as needed, to preserve depositional and physical integrity) of the entire deposit or feature is the preferred treatment option. The ERO shall consult with the project sponsor and, for Native American archeological resources, with tribal representatives, if requested, to consider 1) the feasibility of permanently preserving the resource in place, feasible and effective, the project archeologist, in consultation with the ERO, shall prepare a Cultural Resources Preservation Plan. For Native American archeological resources, the project archeologist shall also consult with the tribal representatives, and the Cultural Resources Preservation Plan shall take into consideration the cultural significance of the tribal cultural resource to the tribes. Preservation options may include measures such as design of the project layout to place open space over the resource location; foundation design to avoid the use of pilings or deep excavations in the sensitive area; a plan to expose and conserve the resource and include it in an on-site interpretive exhibit; tribal representatives for review and for ERO approval. The project sponsor shall ensure that the approved plan is implemented and shall coordinate with the department to ensure that disturbance of the resource will not occur in future, such as establishing a preservation easement.</p> <p>If, based on this consultation, the ERO determines that preservation-in-place is infeasible or would be ineffective in preserving the significance of the resource, archeological data recovery and public interpretation of the resource shall be carried out, as detailed below. The ERO in consultation with the project archeologist shall also determine whether and what additional treatment is warranted, which may include additional testing, construction monitoring, and public interpretation of the resource, as detailed below.</p> <p><u>Coordination with Descendant Communities.</u> On discovery of an archeological site associated with descendant Native Americans, Chinese, or other identified descendant cultural group, the project archeologist shall contact an appropriate representative of the descendant group and the ERO. The representative of the descendant group shall be offered the opportunity to monitor archeological field</p>				

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site and data recovered from the site, and, if applicable, any interpretative treatment of the site. The project archeologist shall provide a copy of the Archeological Resources Report (ARR) to the representative of the descendant group.</p> <p><u>Compensation.</u> Following on the initial tribal consultation, the ERO, project sponsor and project archeologist, as appropriate, shall work with the tribal representative or other descendant or descendant community representatives to identify the scope of work for a representative to fulfill the requirements of this mitigation measure, which may include participation in archeological monitoring, preparation, and review of deliverables (e.g., plans, interpretive materials, artwork). Tribal representatives or other descendant community representatives for archeological resources or tribal cultural resources, who complete tasks in the agreed upon scope of work project, shall be compensated for their work as identified in the agreed upon scope of work.</p>				
<p><b>Archeological Data Recovery Program.</b> The project archeologist shall prepare an archeological data recovery plan if all three of the following apply: (1) a potentially significant resource is discovered, (2) preservation-in-place is not feasible, as determined by the ERO after implementation of the Preservation-in-Place Consideration procedures, and (3) the ERO determines that archeological data recovery is warranted. When the ERO makes such a determination, the project archeologist, project sponsor, ERO and, for tribal cultural archeological resources, the tribal representative, if requested by a tribe, shall consult on the scope of the data recovery program. The project archeologist shall prepare a draft archeological data recovery plan and submit it to the ERO for review and approval. If the time needed for preparation and review of a comprehensive archeological data recovery plan would result in a significant construction delay, the scope of data recovery may instead be agreed upon in consultation between the project archeologist and the ERO and documented by the project archeologist in a memo to the ERO. The archeological data recovery plan/memo shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the archeological data recovery plan/memo will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to</p>	Project sponsor, project archeologist, ERO, tribal representative (if requested)	Upon discovery of significant cultural resource	Planning Department (ERO, cultural resources staff)	After implementation of Archeological Data Recovery Program following the approval Archeological Data Recovery report.

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resource that would not otherwise be disturbed by construction if nondestructive methods are practical. The archeological data recovery plan shall include the following elements:</p> <ul style="list-style-type: none"> <li>• Field Methods and Procedures: Descriptions of proposed field strategies, procedures, and operations</li> <li>• Cataloguing and Laboratory Analysis: Description of selected cataloguing system and artifact analysis procedures</li> <li>• Discard Policy: Description of and rationale for field and post-field discard and deaccession policies</li> <li>• Security Measures: Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities</li> <li>• Report of Data Recovery Results: Description of proposed report format and distribution of results</li> <li>• Public Interpretation: Description of potential types of interpretive products and locations of interpretive exhibits based on consultation with project sponsor</li> <li>• Curation: Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities</li> </ul> <p>The project archeologist shall implement the archeological data recovery program upon approval of the archeological data recovery plan/memo by the ERO.</p> <p><b>Coordination of Archeological Data Recovery Investigations.</b> In cases in which the same resource has been or is being affected by another project, such as 2700 Sloat Blvd., for which data recovery has been conducted, is in progress, or is planned, the following measures shall be implemented to maximize the scientific and interpretive value of the data recovered from both archeological investigations:</p>				

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<ul style="list-style-type: none"> <li>In cases where an investigation has not yet begun, project archeologists for each project impacting the same resource and the ERO, as applicable, shall consult on coordinating and collaborating on archeological research design, data recovery methods, analytical methods, reporting, curation and interpretation to ensure consistent data recovery and treatment of the resource.</li> <li>In cases where archeological data recovery investigation is under way or has been completed for a project, the project archeologist for the subsequent project shall consult with the prior project archeologist, if available; review prior treatment plans, findings and reporting; and inspect and assess existing archeological collections/inventories from the site prior to preparation of the archeological treatment plan for the subsequent discovery, and shall incorporate prior findings in the final report for the subsequent investigation. The objectives of this coordination and review of prior methods and findings shall be to identify refined research questions; determine appropriate data recovery methods and analyses; assess new findings relative to prior research findings; and integrate prior findings into subsequent reporting and interpretation.</li> </ul>				
<p><b>Treatment of Human Remains and Funerary Objects.</b> If human remains or suspected human remains are encountered during construction, the contractor and project sponsor shall ensure that ground-disturbing work within 50 feet of the remains is halted immediately and shall arrange for the protection in place of the remains until appropriate treatment and disposition have been agreed upon and implemented in accordance with this measure. The treatment of any human remains and funerary objects discovered during any soil- disturbing activity shall comply with applicable state laws, including Health and Safety Code section 7050.5 and Public Resources Code section 5097.98. Upon determining that the remains are human, the project archeologist shall immediately notify the Medical Examiner of the City and County of San Francisco, the ERO, and the project sponsor of the find.</p> <p>If the remains cannot be permanently preserved in place, the landowner or designee shall consult with the most likely descendant and may consult with the project archeologist, project sponsor and the ERO on recovery of the remains and any scientific treatment alternatives. The landowner shall then make all reasonable efforts to develop a burial agreement (agreement) with the most likely descendant, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and funerary objects (as detailed in CEQA Guidelines</p>	Project sponsor, archeological consultant in consultation with the San Francisco Medical Examiner, ERO, and Native American Heritage Commission and most likely descendant as warranted.	Discovery of human remains	Planning Department (ERO, cultural resources staff), Medical Examiner, and Native American Heritage Commission and most likely descendant as warranted.	Considered complete on finding by the ERO that all state laws regarding human remains/burial objects have been adhered to, consultation with the most likely descendant is completed as warranted, and disposition of human remains has occurred as specified in agreement

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p>section 15064.5(d)). Per Public Resources Code section 5097.98(c)(1), the agreement shall address, as applicable and to the degree consistent with the wishes of the most likely descendant, the appropriate excavation, removal, recordation, scientific analysis, custodianship prior to reinternment or curation, and final disposition of the human remains and funerary objects. If the most likely descendant agrees to scientific analyses of the remains and/or funerary objects, the project archeologist shall retain possession of the remains and funerary objects until completion of any such analyses, after which the remains and funerary objects shall be reinterred or curated as specified in the agreement.</p> <p>If the landowner or designee and the most likely descendant are unable to reach an agreement on scientific treatment of the remains and/or funerary objects, the ERO, in consultation with the project sponsor shall ensure that the remains and/or funerary objects are stored securely and respectfully until they can be reinterred on the project site, with appropriate dignity, in a location not subject to further or future subsurface disturbance, in accordance with the provisions of state law.</p> <p>Treatment of historic-period human remains and/or funerary objects discovered during any soil-disturbing activity shall be in accordance with protocols laid out in the research design in the project archeological monitoring plan, archeological testing plan, archeological data recovery plan, and other relevant agreements established between the project sponsor, medical examiner, and the ERO. The project archeologist shall retain custody of the remains and associated materials while any scientific study scoped in the treatment document is conducted and the remains shall then be curated or respectfully reinterred by arrangement on a case-by case-basis.</p>				
<p><b>Cultural Resources Public Interpretation Plan and Land Acknowledgement.</b> If a significant archeological resource (i.e., a historical resource or unique archeological resources as defined by CEQA Guidelines section 15064.5) is identified and the ERO determines that the public interpretation is warranted, the project archeologist shall prepare a Cultural Resources Public Interpretation Plan. The Cultural Resources Public Interpretation Plan shall describe the interpretive products, locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long-term maintenance program.</p>	Archeological consultant at the direction of the ERO will prepare Cultural Resources Public Interpretation Plan in consultation with Native American	Following completion of treatment and analysis of significant archeological resource by archeological consultant	Planning Department (ERO, cultural resources staff )	Cultural Resources Public Interpretation Plan is complete on review and approval of ERO. Interpretive program is complete on notification to Environmental Review Officer from the project

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p>If the archeological resource is a tribal cultural resource, the department shall notify Native American tribal representatives that public interpretation is being planned. If requested by tribal representatives, the Cultural Resources Public Interpretation Plan shall be prepared in consultation with Native American tribal representatives and the interpretive products shall be developed with the participation of Native American tribal representatives,</p> <p>For public projects or projects that include dedicated public spaces, the interpretive materials may include an acknowledgement that the project is located upon traditional Ohlone lands. For interpretation of a tribal cultural resource, the interpretive program may include a combination of artwork, preferably by local Native American artists, educational panels or other informational displays, a plaque, or other interpretative elements including digital products that address Native American experience and the layers of history. As feasible, and where landscaping is proposed, the interpretive effort may include the use and the interpretation of native and traditional plants incorporated into the proposed landscaping.</p> <p>The project archeologist shall submit the Cultural Resources Public Interpretation Plan and drafts of any interpretive materials that are subsequently prepared to the ERO for review and approval. The project sponsor shall ensure that the cultural resources public interpretation plan is implemented prior to occupancy of the project.</p>	tribal representatives as warranted. Measures laid out in Cultural Resources Public Interpretation Plan are implemented by project sponsor			sponsor that program has been implemented
<p><b>Archeological Resources Report.</b> If significant archeological resources, as defined by CEQA Guidelines section 15064.5, are encountered, the project archeologist shall submit a confidential draft Archeological Resources Report to the ERO. This report shall evaluate the significance of any discovered archeological resource, describe the archeological and historical research methods employed in the archeological programs undertaken, the results and interpretation of analyses, and discuss curation arrangements.</p> <p>Once approved by the ERO, the project archeologist shall distribute the approved Archeological Resources Report as follows: copies that meet current information center requirements at the time the report is completed to the California Archeological Site Survey Northwest Information Center, and a copy of the transmittal of the approved Archeological Resources Report to the Northwest Information Center to the ERO; one bound hardcopy of the Archeological Resources Report, along with digital files that include an unlocked, searchable PDF version of</p>	Archeological consultant at the direction of the ERO	Following completion of treatment by archeological consultant as determined by the Environmental Review Officer	Planning Department (ERO, cultural resources staff)	Complete on certification to ERO that copies of the approved Archeological Resources Report have been distributed

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
the Archeological Resources Report, GIS shapefiles of the site and feature locations, any formal site recordation forms (CA DPR 523 series), and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources, via USB or other stable storage device, to the environmental planning division of the planning department; and, if a descendant group was consulted, a digital or hard copy of the Archeological Resources Report to the descendant group, depending on their preference.				
<b>Curation.</b> If archeological data recovery is undertaken, the project archeologist and the project sponsor shall ensure that any significant archeological collections and paleoenvironmental samples of future research value shall be permanently curated at an established curatorial facility. The facility shall be selected in consultation with the ERO. Upon submittal of the collection for curation the project sponsor or archeologist shall provide a copy of the signed curatorial agreement to the ERO.	Project archeologist prepares collection for curation and project sponsor pays for curation costs	In the event a significant archeological resource is discovered and upon acceptance by the ERO of the Archeological Resources Report	Planning Department (ERO, cultural resources staff)	Considered complete upon acceptance of the collection by the curatorial facility



Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p><b>Project Mitigation Measure M-CR-2 (implements Housing Element EIR Mitigation Measure M-CR-2c): Archeological Testing Program</b></p> <p>The project archeologist shall develop and implement an archeological testing program as specified herein, and shall conduct an archeological monitoring and/or data recovery program if required to address archeological discoveries or the assessed potential for archeological discoveries, pursuant to this measure and Mitigation Measure M-CR-1: Procedures for Discovery of Archeological Resources for Projects Involving Soil Disturbance.</p> <p><b>Qualified Archeologist Identification.</b> After the first project approval action or as directed by the ERO, the project sponsor shall contact the department archeologist to obtain the names and contact information for the next three qualified archeological consultants on the department’s list and shall retain a qualified archeologist (hereinafter “project archeologist”) from this list of three to develop and implement the archeological testing program.</p>	<p>Required for future development consistent with the housing element update based on the outcome of preliminary archeological review conducted by department staff</p> <p>Project sponsor/ archeological consultant at the direction of the ERO</p>	<p>After the first project approval action or as directed by the Environmental Review Officer and prior to issuance of construction permits and throughout the construction period</p>	<p>Planning Department (ERO, cultural resources staff)</p>	<p>Complete when project sponsor retains qualified archeological consultant</p>
<p><b>Construction Crew Archeological Awareness.</b> Prior to any soils-disturbing activities being undertaken, the project archeologist shall conduct a brief on-site archeological awareness training that describes the types of resources that might be encountered and how they might be recognized, and requirements and procedures for work stoppage, resource protection and notification in the event of a potential archeological discovery. The project archeologist also shall distribute an “Alert” wallet card, based on the department’s “ALERT” sheet, that summarizes stop work requirements and provides necessary contact information for the project archeologist, project sponsor and the to all field personnel involved in soil disturbing activities, including machine operators, field crew, pile drivers, supervisory personnel, etc., have received. The project archeologist shall repeat the training at intervals during construction, as determined necessary by the ERO, including when new construction personnel start work and prior to periods of soil disturbing work when the project archeologist will not be on site.</p> <p><b>Tribal Cultural Resources Sensitivity Training.</b> In addition to and concurrently with the archeological awareness training, the project sponsor shall ensure that a local</p>	<p>Project archeologist for awareness training, Native American representative for Native American cultural resources sensitivity training (if requested)</p>	<p>Prior to any soil-disturbing activity</p>	<p>Planning Department (ERO, cultural resources staff)</p>	<p>Considered complete when project sponsor informs the ERO that all trainings were conducted</p>

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
Native American representative is afforded the opportunity to provide a Native American cultural resources sensitivity training to all construction personnel.				
<p><b>Archeological Testing Program.</b> The project archeologist shall develop and undertake an archeological testing program as specified herein to determine to the extent possible the presence or absence of archeological resources in areas of project soil disturbance and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required to address archeological discoveries or the assessed potential for archeological discoveries, pursuant to this measure.</p> <p>A local Native American representative shall be present throughout the portion of the archeological investigation program that focuses on testing for Native American resources.</p> <p><b>Archeological Testing Plan.</b> The project archeologist shall consult with the ERO reasonably prior to the commencement of any project-related soils disturbing activities to determine the appropriate scope of archeological testing. The archeological testing program shall be conducted in accordance with an approved Archeological Testing Plan, prepared by the project archeologist consistent with the approved scope of work. The Archeological Testing Plan shall be submitted first and directly to the ERO for review and comment and shall be considered a draft subject to revision until final approval by the ERO. Project-related soils disturbing activities shall not commence until the testing plan has been approved and any testing scope to occur in advance of construction has been completed. The project archeologist shall implement the testing as specified in the approved Archeological Testing Plan prior to and/or during construction.</p> <p>The Archeological Testing Plan shall include the following:</p> <ul style="list-style-type: none"> <li>Project Description: Description of all anticipated soil disturbing activities, with locations and depths of disturbance, including foundation and utility demolition, hazardous soils remediation, site grading, shoring excavations, piles or soil improvements, and foundation, elevator, car stacker, utility and landscaping</li> </ul>	Project archeologist at the direction of the ERO	Prior to issuance of construction permits and throughout the construction period	Planning Department (ERO, cultural resources staff)	After consultation with and approval by the ERO of Archeological Testing Plan and review and approval of archeological testing results memo by ERO

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>excavations, with project plans and profiles, as needed, to illustrate the locations of anticipated soil disturbance.</p> <ul style="list-style-type: none"> <li>Site Specific Environmental and Cultural Context: Pre-contact and historic environmental and cultural setting of the project site as pertinent to potential Native American use and historic period development, any available information pertaining to past soil disturbance; soils information, such as stratigraphic and water table data from prior geotechnical testing. As appropriate based on the scale and scope of the project, the Archeological Testing Plan should include historic maps as a basis for predicting resource types that might be encountered and their potential locations. An overlay of the project site on the city’s prehistoric sensitivity model mapping should be included, as should the locations of all known archeological sites within 0.25 mile of the project site.</li> <li>Brief Research Design: Scientific/historical research questions applicable to the expected resource(s), what data classes potential resources may be expected to possess, and how the expected data classes would address the applicable research questions.</li> <li>Anticipated Resources or Resource Types: Likely resources that might be encountered and at what locations and depths, based on known resources in the vicinity, the site’s predevelopment setting and development history, and the anticipated depth and extent of project soil disturbances.</li> <li>Proposed Scope of Archeological Testing and Rationale: Testing methods to be used (e.g., coring, mechanical trenching, manual excavation, or combination of methods); locations and depths of testing in relation to anticipated project soil disturbance; strata to be investigated; any uncertainties on stratigraphy that would affect locations or depths of tests and might require archeological monitoring of construction excavations subsequent to testing.</li> <li>Resource Documentation and Significance Assessment Procedures: ERO and Native American consultation requirements upon making a discovery; pre-data recovery assessment process, burial treatment procedures, and reporting and curation requirements, consistent with the specifications of Mitigation Measure M-CR-2a.</li> </ul> <p><b>Archeological Testing Results Memo.</b> Irrespective of whether archeological resources are discovered, the project archeologist shall submit a written summary of the</p>				

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
findings to the ERO at the completion of the archeological testing program. The findings report/memo shall describe each resource, provide an initial assessment of the integrity and significance of encountered archeological deposits encountered during testing, and provide recommendations for subsequent treatment of any resources encountered.				
<p><b>Resource Evaluation and Treatment Determination.</b> Upon discovery of a suspected archeological resource during construction or archeological testing, Mitigation Measure M-CR-1's Resource Evaluation and Treatment Determination stipulations shall be implemented as specified in that measure.</p> <p><b>Additional Applicable Measures.</b> If a significant archeological resource is identified, and data recovery is required under Mitigation Measure M-CR-2a's Resource Evaluation and Treatment Determination stipulations, the following additional measures identified in the Mitigation Measure M-CR-2a shall be implemented as specified in that measure:</p> <ul style="list-style-type: none"> <li>● Archeological Data Recovery Program</li> <li>● Treatment of Human Remains and Funerary Objects (as applicable)</li> <li>● Coordination of Archeological Data Recovery Investigations</li> <li>● Cultural Resources Public Interpretation Plan and Land Acknowledgement (as applicable)</li> <li>● Archeological Resources Report</li> <li>● Curation</li> </ul>	Project archeologist at the direction of the ERO	Upon discovery of suspected archeological resource	Planning Department (ERO, cultural resources staff)	Completed when ERO concurs that the status of the additional measures identified in Mitigation Measure M-CR-2a are completed

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<b>TRIBAL CULTURAL RESOURCES</b>				
<p><b>Project Mitigation Measure M-TCR-1 (implements Housing Element EIR Mitigation Measure M-TCR-1): Tribal Notification and Consultation</b></p> <p>If a significant Native American archeological resource (i.e., a historical resource or unique archeological resources as defined by CEQA Guidelines section 15064.5) is identified during the course of the archeological testing program, the project sponsor shall hold an event wherein Native American representatives and the archeological consultant involved in the project mitigation effort educate the landowner, prospective tenants/occupants, and the general public about the archeology and history of the project site. This event should occur after the installation of interpretive materials associated with the archeological testing program.</p>	Project sponsor archeological consultant, and ERO, in consultation with the affiliated Native American tribal representatives.	If a significant tribal cultural resource is identified during implementation of the project.	Planning Department (ERO, cultural resources staff).	Considered complete upon completion of tribal cultural resources public education event, if required.
<b>TRANSPORTATION AND CIRCULATION</b>				
<p><b>Project Mitigation Measure M-TR-1 (implements Housing Element EIR Mitigation Measure M-TR-4a): Parking Maximums and Transportation Demand Management</b></p> <p>The project sponsor shall reduce vehicle trips through one of the following measures A or B:</p> <ul style="list-style-type: none"> <li>• Measure A: Reduce its parking by 50 percent or more than the planning code parking maximums for residential uses (sections 151 and 151.1) allow as of April 2022 for the project site; OR</li> <li>• Measure B: Increase planning code transportation demand management requirements (section 169) for residential uses or its associated program standards for residential uses by an equivalent amount to achieve the vehicle trip reduction estimated by implementation of a 50 percent reduction in planning code parking maximums, compared to parking maximums as of April 2022.</li> </ul>	Project sponsor	Prior to the commencement of any project-related soils disturbing activities	Planning Department	Considered complete at issuance of development project's entitlement
<b>NOISE AND VIBRATION</b>				
<p><b>Project Mitigation Measure M-NO-1 (implements Housing Element EIR Mitigation Measure M-NO-1): Construction Noise Control</b></p> <p>The project sponsor shall submit a project-specific construction noise control plan to the environmental review officer (ERO) for approval prior to issuance of any demolition or building permit. The construction noise control plan shall be prepared</p>	Project sponsor, project sponsor's qualified acoustical consultant	Prior to issuance of demolition or building permit	Planning Department	Considered complete upon implementation of Planning Department approved project-specific construction

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>by a qualified acoustical engineer, with input from the construction contractor, and include all feasible measures to reduce construction noise. The construction noise control plan shall identify noise control measures to ensure that construction noise levels shall not exceed 90 dBA 1-hour <math>L_{eq}</math>, 10 dBA above the ambient noise level, nor an interior level of 45 dBA during nighttime hours at noise sensitive receptors (residences, hospitals, convalescent homes, schools, churches, hotels, and motels). The project sponsor shall ensure that requirements of the construction noise control plan are included in contract specifications.</p> <p>The construction noise control plan shall include the following measures to the degree feasible, or other effective measures, to reduce construction noise levels:</p> <ul style="list-style-type: none"> <li>• Use construction equipment that is in good working order, and inspect mufflers for proper functionality;</li> <li>• Select “quiet” construction methods and equipment (e.g., improved mufflers, use of intake silencers, engine enclosures);</li> <li>• Use construction equipment with lower noise emission ratings whenever possible, particularly for air compressors;</li> <li>• Prohibit the idling of inactive construction equipment for more than five minutes;</li> <li>• Locate stationary noise sources (such as compressors) as far from nearby noise sensitive receptors as possible, muffle such noise sources, and construct barriers around such sources and/or the construction site.</li> <li>• Avoid placing stationary noise-generating equipment (e.g., generators, compressors) within noise-sensitive buffer areas (as determined by the acoustical engineer) immediately adjacent to neighbors.</li> <li>• Enclose or shield stationary noise sources from neighboring noise-sensitive properties with noise barriers to the extent feasible. To further reduce noise, locate stationary equipment in pit areas or excavated areas, if feasible; and</li> <li>• Install temporary barriers, barrier-backed sound curtains and/or acoustical panels around working powered impact equipment and, if necessary, around the project site perimeter. When temporary barrier units are joined together, the mating surfaces shall be flush with each other. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, shall be closed</li> </ul>				noise control plan and following completion of all construction activities

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p>with material that completely closes the gaps, and dense enough to attenuate noise.</p> <p>The construction noise control plan shall include the following measures for notifying the public of construction activities, complaint procedures and monitoring of construction noise levels:</p> <ul style="list-style-type: none"> <li>• Designation of an on-site construction noise manager for the project;</li> <li>• Notification of neighboring noise sensitive receptors within 300 feet of the project construction area at least 30 days in advance of high-intensity noise-generating activities (e.g., pier drilling, pile driving, and other activities that may generate noise levels greater than 90 dBA at noise sensitive receptors) about the estimated duration of the activity;</li> <li>• A sign posted on-site describing noise complaint procedures and a complaint hotline number that shall always be answered during construction;</li> <li>• A procedure for notifying the planning department of any noise complaints within one week of receiving a complaint;</li> <li>• A list of measures for responding to and tracking complaints pertaining to construction noise. Such measures may include the evaluation and implementation of additional noise controls at sensitive receptors; and</li> <li>• Conduct noise monitoring (measurements) at the beginning of major construction phases (e.g., demolition, grading, excavation) and during high-intensity construction activities to determine the effectiveness of noise attenuation measures and, if necessary, implement additional noise control measures.</li> </ul>				
<b>WIND</b>				
<p><b>Project Mitigation Measure M-WI-1 (implements Housing Element EIR Mitigation Measure M-WI-1a): Wind Minimization</b></p> <p>If the screening-level assessment conducted by the department determines wind tunnel testing is required due to the potential for one or more proposed buildings to create or exacerbate a wind hazard exceedance, such testing shall be conducted by a professionally qualified firm. The proposed buildings tested in the wind tunnel may incorporate wind baffling features or landscaping. Such features must be tested in</p>	Project sponsor, professionally qualified wind consultant	During permit review of future development project consistent with the housing element update	In coordination with San Francisco Municipal Transportation Agency and San Francisco Public Works, the	Considered complete upon approval of final demolition, building, or site permit

Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
<p>the wind tunnel and discussed in a wind report in the order of preference discussed below, with the overall intent being to reduce ground-level wind speeds such that the project shall not cause equivalent wind speeds to reach or exceed the 26-mph wind hazard criterion for a single hour of the year in areas of substantial use by people walking (e.g., sidewalks, plazas, building entries, etc.):</p> <ol style="list-style-type: none"> <li><b>Building Massing.</b> New buildings and additions to existing buildings shall be shaped to minimize ground-level wind speeds. Examples of these shapes include setbacks, stepped façades, and vertical steps in the massing to help disrupt wind flows.</li> <li><b>Wind Baffling Measures on the Building or on the Project Site.</b> Wind baffling measures shall be included on future buildings and/or on the project site to disrupt vertical wind flows along tower façades and through the project site. Examples of these may include staggered balcony arrangements on main tower façades, screens and canopies attached to the buildings, rounded building corners, covered walkways, colonnades, art, free-standing canopies, or wind screens.  Only after incorporating all feasible features to reduce wind impacts via building massing and wind baffling, and documenting any such features deemed infeasible shall the following be considered:</li> <li><b>Landscaping on or off the Project Site and/or Wind Baffling Measures in the Public Right-of-Way.</b> Landscaping and/or wind baffling measures shall be installed in the public right-of-way to slow winds along sidewalks and protect places where people walking are expected to gather or linger. Landscaping and/or wind baffling measures shall be installed on the windward side (i.e., the direction from which the wind is blowing) of the areas of concern. Examples of wind baffling measures may include street art to provide a sheltered area for people to walk and free-standing canopies and wind screens in areas where people walking are expected to gather or linger. If landscaping on or off the project site or wind baffling measures in the public right-of-way are required as one of the features to mitigate wind impacts, Mitigation Measure M-WI-1b shall also apply.</li> </ol>			Planning Department to review and approve wind testing	
<b>Project Mitigation Measure M-WI-2 (implements Housing Element EIR Mitigation Measure M-WI-1b): Landscaping Maintenance</b>	Project sponsor with a roof height	During the permit review of a future development project consistent with the	In coordination with San Francisco Municipal Transportation	Ongoing and in perpetuity for the lifetime of the building



Adopted Mitigation Measure	Monitoring and Reporting Program <sup>a</sup>			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
The project sponsor shall prepare a maintenance plan for review and approval by the department to ensure maintenance of the features required pursuant to Mitigation Measure M-WI-1 in perpetuity. The maintenance plan shall also be reviewed and approved by public works for landscaping or wind baffling measures in the public right-of-way.	greater than 85 feet	housing element update	Agency and San Francisco Public Works, Planning Department to review and approve	

NOTES:

<sup>a</sup> Definitions of MMRP Column Headings:

*Adopted Mitigation and Improvements Measures:* Full text of the mitigation measure(s) copied verbatim from the final CEQA document.

*Implementation Responsibility:* Entity who is responsible for implementing the mitigation measure. Project sponsor for a future development project consistent with the housing element update may also include the project's sponsor's contractor/consultant.

*Mitigation Schedule:* Identifies milestones for when the actions in the mitigation measure need to be implemented. Occupancy permit may refer to a temporary certificate and/or a final permit.

*Monitoring/Reporting Responsibility:* Identifies who is responsible for monitoring compliance with the mitigation measure and any reporting responsibilities. In most cases it is the planning department that is responsible for monitoring compliance with the mitigation measure. If a department or agency other than the planning department is identified as responsible for monitoring, there should be an expressed agreement between the planning department and that other department/agency. In most cases the project sponsor of the future development project consistent with the housing element update, their contractor, or their consultant is responsible for any reporting requirements.

*Monitoring Actions/Completion Criteria:* Identifies the milestone at which the mitigation measure is considered complete. This may also identify requirements for verifying compliance.

# EXHIBIT E



## LAND USE INFORMATION

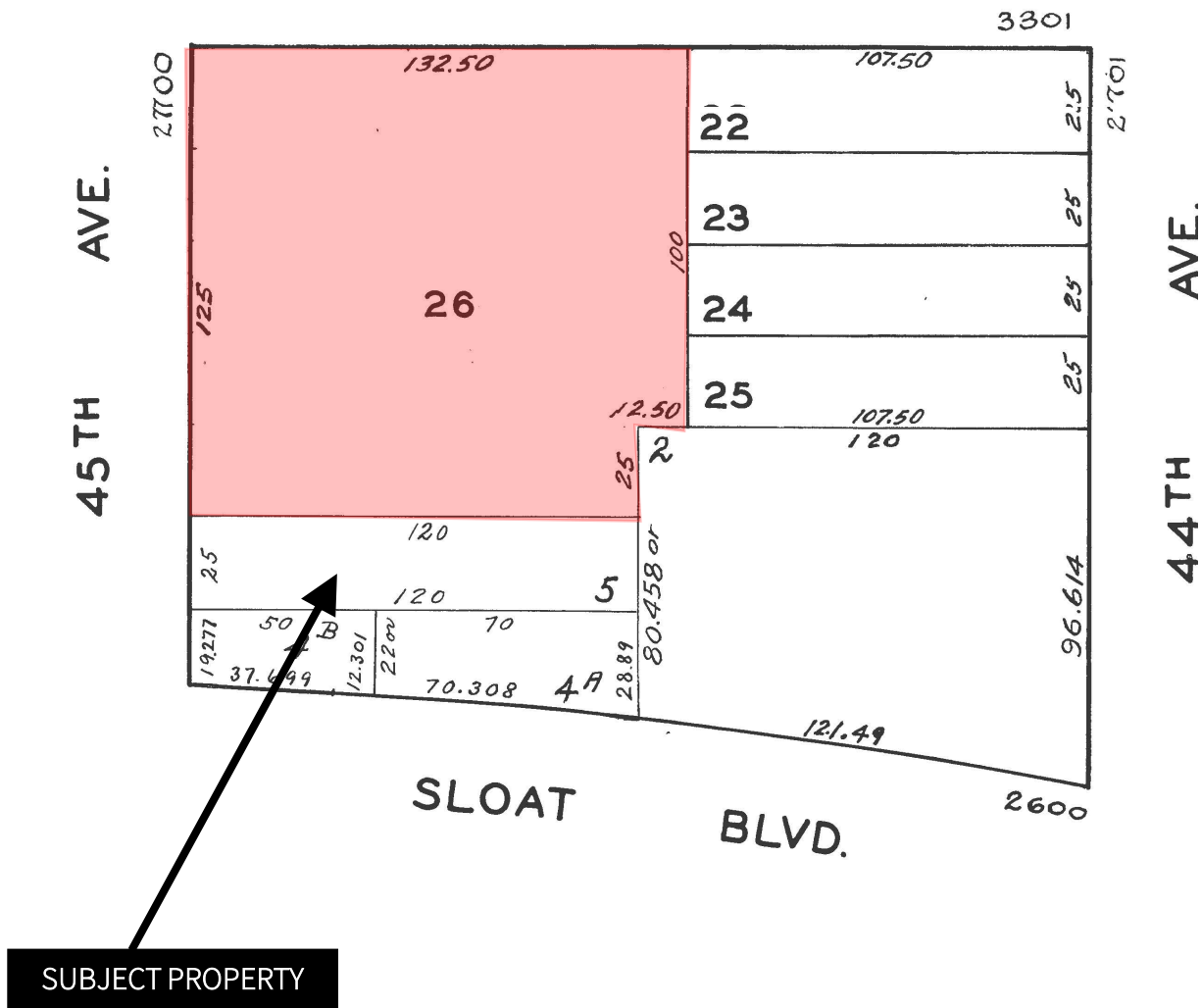
PROJECT ADDRESS: 2700 45TH AVE  
RECORD NO.: 2022-001407CTZ/CUA/MAP/PCA/SHD

	EXISTING	PROPOSED	NET NEW
<b>GROSS SQUARE FOOTAGE (GSF)</b>			
Parking GSF	4,968	16,250	11,282
Residential GSF	0	0	0
Retail/Commercial GSF	0	18,889	18,889
Office GSF	0	8,831	8,831
Industrial/PDR GSF <i>Production, Distribution, &amp; Repair</i>	0	0	0
CIE GSF	21,263	93,881	72,618
	EXISTING	NET NEW	TOTALS
<b>PROJECT FEATURES (Units or Amounts)</b>			
Number of Buildings	1	1	0
Number of Stories	3	6	3
Parking Spaces	12	54	42
Loading Spaces	0	1	1
Bicycle Spaces	0	86	86
Car Share Spaces	0	2	2

# EXHIBIT F

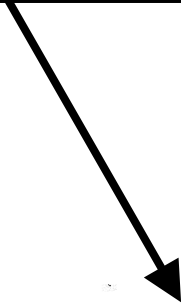
# PARCEL MAP

WAWONA

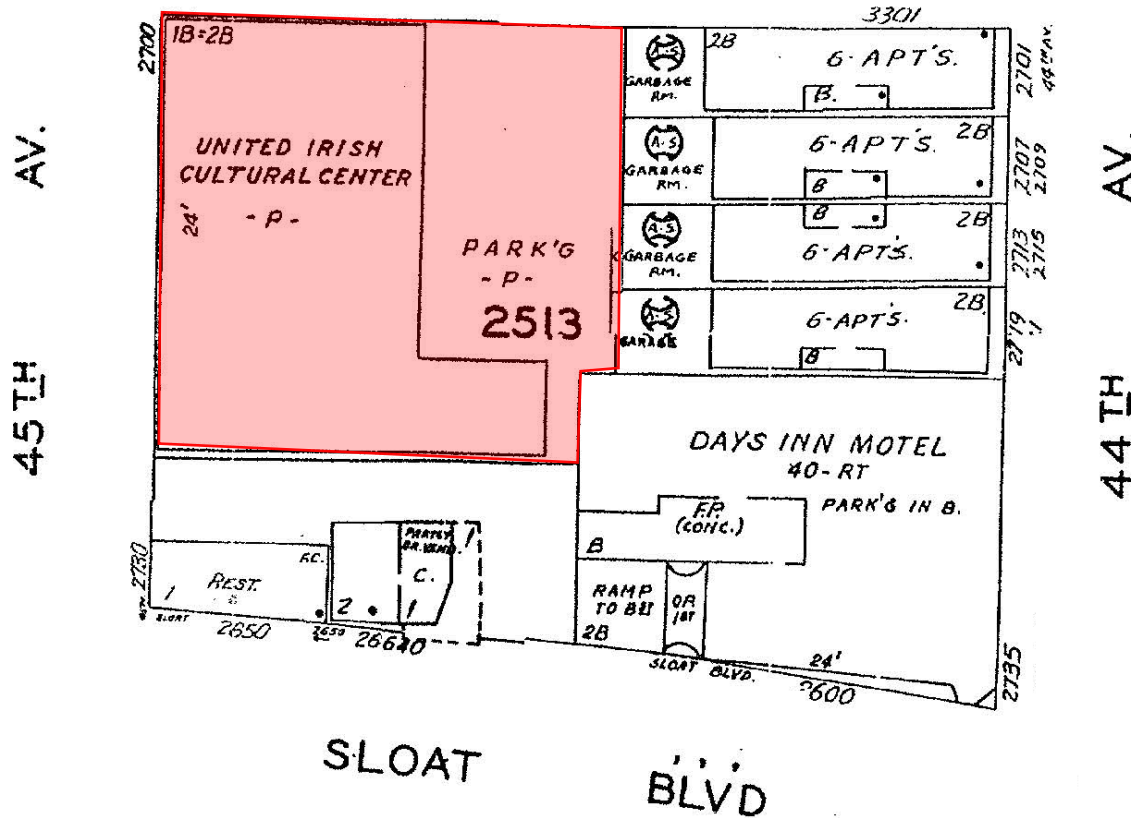


# SANBORN MAP\*

SUBJECT PROPERTY



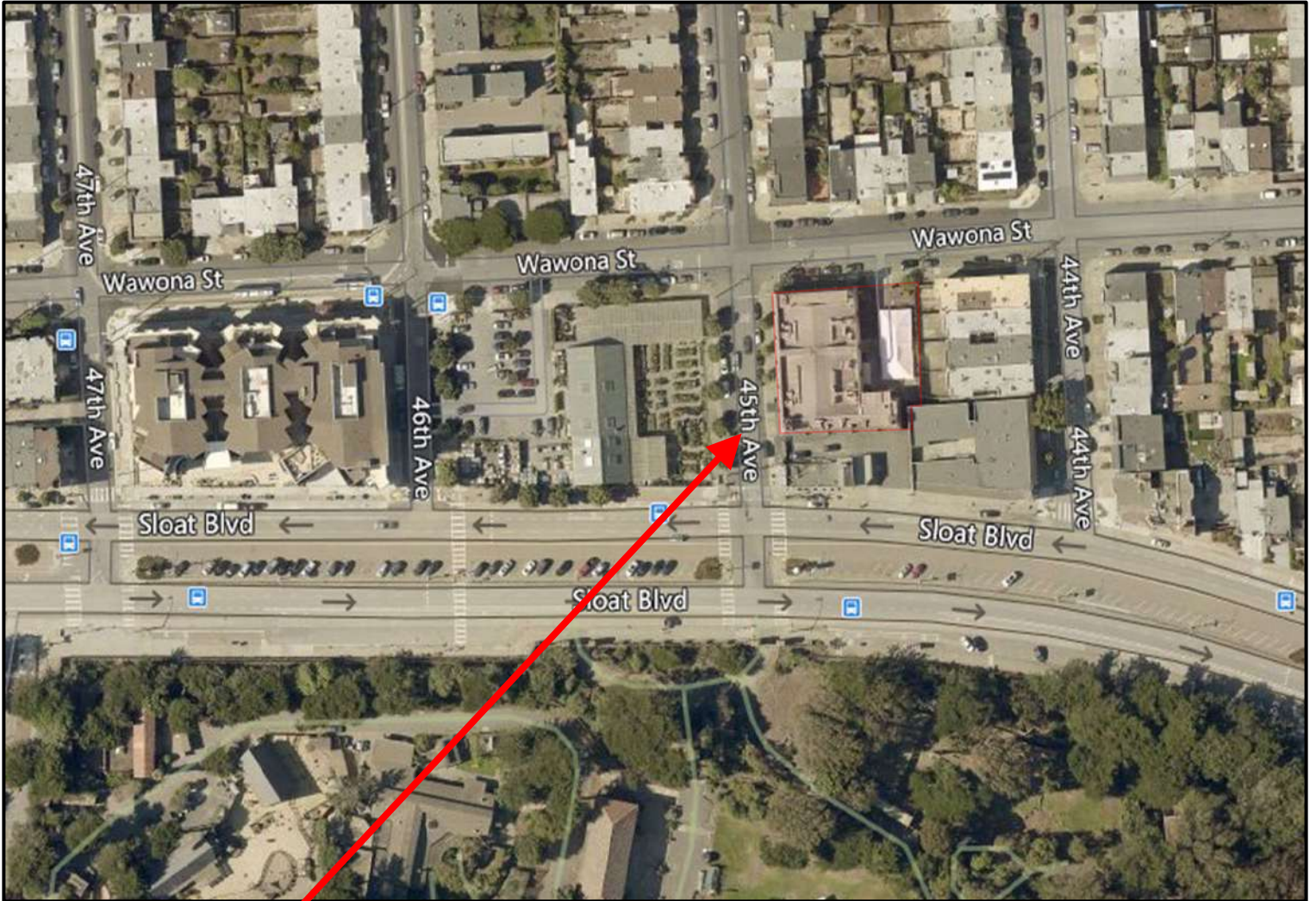
WAWONA



\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



# AERIAL PHOTO



SUBJECT PROPERTY



Planning Commission Hearing  
**Case No. 2022-001407CTZCUMAPPCASHD**  
United Irish Cultural Center  
2700 45<sup>th</sup> Avenue

# ZONING MAP



**SUBJECT PROPERTY**



Planning Commission Hearing  
Case No. 2022-001407CTZCUMAPPCASHD  
United Irish Cultural Center  
2700 45<sup>th</sup> Avenue



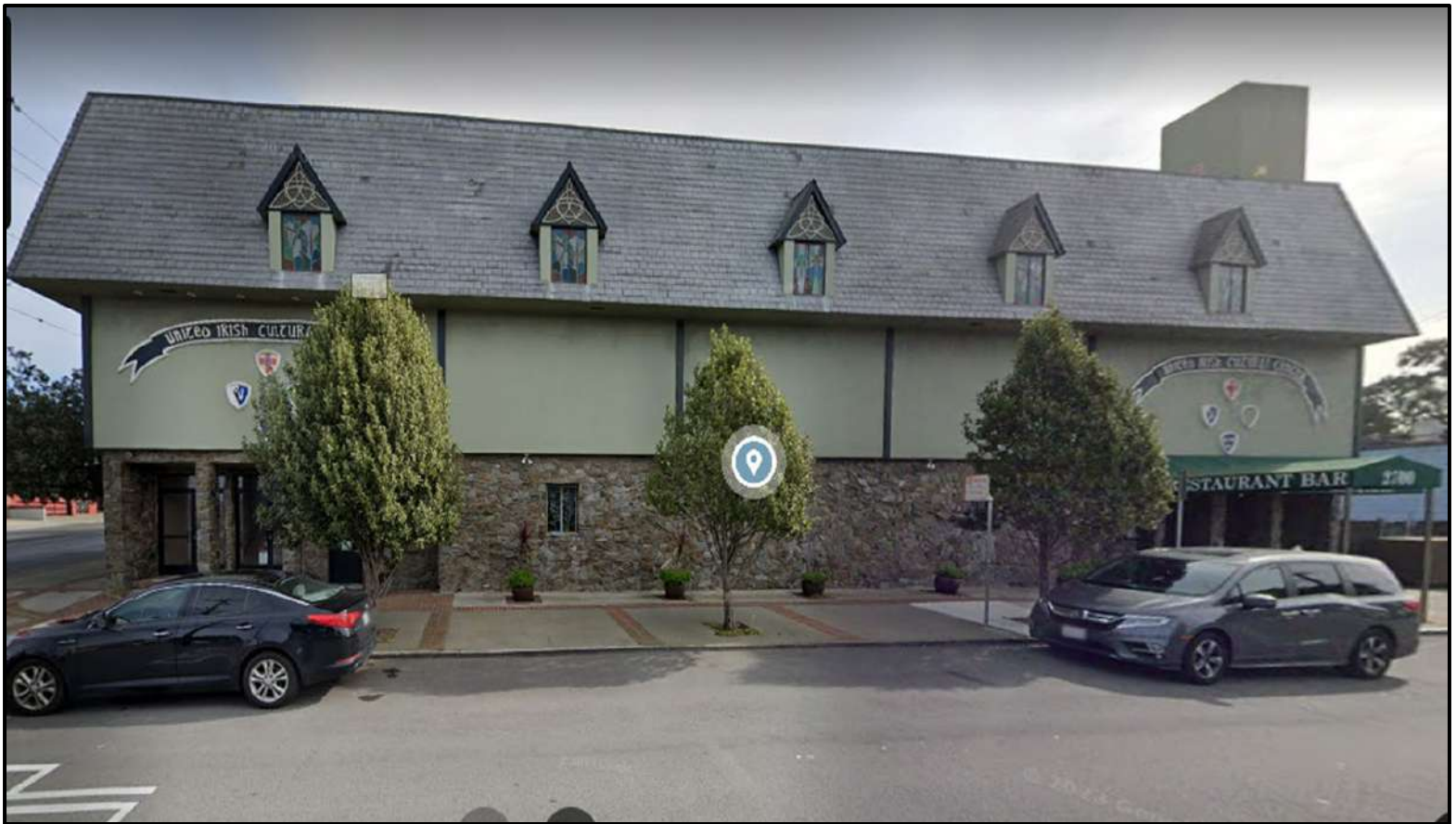
# HEIGHT AND BULK MAP



**SUBJECT PROPERTY**



# SITE PHOTO- 45<sup>TH</sup> AVENUE



# SITE PHOTO- WAWONA ST.



Planning Commission Hearing  
**Case No. 2022-001407CTZCUAMAPPCASHD**  
United Irish Cultural Center  
2700 45<sup>th</sup> Avenue

# EXHIBIT G

# REUBEN, JUNIUS & ROSE, LLP

John Kevlin  
jkevin@reubenlaw.com

July 16, 2023

**Delivered Via E-Mail** ([Gabriela.Pantoja@sfgov.org](mailto:Gabriela.Pantoja@sfgov.org))

Rachael Tanner, President  
San Francisco Planning Commission  
49 South Van Ness Ave., Suite 1400  
San Francisco, CA 94103

**Re: 2700 45<sup>th</sup> Avenue**  
**Planning Case Number: 2022-001407**  
**Hearing Date: July XX, 2023**  
Our File No.: 12056.01

Dear President Tanner and Commissioners:

This office represents the United Irish Cultural Center, a California Nonprofit Public Benefit Corporation and 501(c)(3) non-profit (the “**Cultural Center**”), which seeks to redevelop the San Francisco Irish Center (“**Irish Center**”) located at 2700 45<sup>th</sup> Avenue (the “**Site**”) with a 121,601 square foot building that contains space dedicated to cultural, educational, and recreational programming (the “**Project**”). The Cultural Center’s mission is to celebrate and promote Irish culture & heritage for the benefit of the SF Bay Area community as a whole and to carry out charitable & educational events, activities & programs.

The Cultural Center envisions that the Project will serve as a focal point for the expression of Irish culture through a variety of activities, events and programs, which promote and showcase Irish culture in the San Francisco Bay Area. As one of only two Irish cultural centers west of the Mississippi River, the Cultural Center aims to cultivate and expand the unique cultural bonds of Ireland with the west coast of the United States through gatherings and festivals, and by promoting cultural programming such as music, theater, literature, and language. Further, the Cultural Center aspires for its new facility to be a place of wellness for its members.

The Irish Center has operated at the Site for almost 50 years, providing a strong community presence, but the Cultural Center has outgrown the available space. The redevelopment and expansion of the Cultural Center facility through the Project will provide the public with additional education, cultural, social, entertainment, recreational, and retail uses. Ultimately, the Cultural Center’s new facility has the potential to be a cultural, education, and recreational destination within the Parkside neighborhood and within the City of San Francisco as a whole.

San Francisco Office  
One Bush Street, Suite 600, San Francisco, CA 94104  
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office  
492 9<sup>th</sup> Street, Suite 200, Oakland, CA 94607  
tel: 510-527-5589

[www.reubenlaw.com](http://www.reubenlaw.com)

## **A. Project Description and Building Design**

The Project Site is situated on the corner of 45<sup>th</sup> Avenue and Wawona Street. The Site is currently occupied by the Cultural Center's existing aging facility, which was constructed in 1974, and is approximately 21,263 gross square feet, three stories, and 35 feet in height. The Cultural Center, a cultural institution in the City, currently serves a variety of community functions, including a large event space (the St. Patrick's Room), a library, a restaurant/pub, and several non-profit office spaces. In particular, the St. Patrick's Room, being one of the only event spaces on the west side of the City, has hosted countless neighbors, community groups, family events and political gatherings.

For nearly 50 years, the Cultural Center has been operating out of its current building, which has not been significantly renovated since it was first constructed in 1974. Based on a feasibility study performed in early 2020, it was determined that the Cultural Center's current facility cannot be sustained long term and has outgrown the original space. To ensure the long-term viability of the Cultural Center and its ability to continue serving the San Francisco community, a larger space that can better accommodate ongoing cultural, educational, and recreational activities is necessary. The Cultural Center intends to replace the existing building with a new center, which would continue and expand the long-standing community use.

The proposed Project will demolish the existing building to construct a 121,601 gross square foot, six-story, state-of-the-art cultural and community center that will reactivate the street frontages and beautify the neighborhood. The new building design is inspired by the form of the Irish Ogham standing stones and the traditional thatched roof cottages of Ireland and will be expressed as a massing split into four distinct pieces, representing the four provinces of Ireland.

Educational, cultural, social, entertainment, recreational, and retail uses proposed by the Project and open to the general public include the following: a gym and aquatic center, including a kiddie pool and youth basketball court, art gallery, banquet event space, library, 99-person screening theater, cafes, restaurants, and a pub. The Cultural Center will also include office space for the non-profit, classrooms, a children's playroom, and a member's lounge.

## **B. Public Outreach**

Having been in the neighborhood for nearly 50 years, the Cultural Center has strong roots in the community, which have been demonstrated by the public outreach and response. The Cultural Center kicked off the entitlement process with a series of three meetings at the Site in mid-2021. Members also walked the immediate neighborhood and spoke with neighbors directly. As a result, the following written support has been provided:

- Cub Scout Pack 0108
- The Kennelly School of Irish Dance
- Michael Dillon School of Irish Dance

- S.F. Connaught Social and Athletic Club
- 260 letters and petition signatures from neighbors and City residents

The Cultural Center has deep community roots and looks forward to continuing its service to the neighborhood.

### **C. Planning Approvals Sought**

The Project requires Legislative Amendments to the Zoning Map and Planning Code. The Project proposes to add Section 249.92 – Wawona Street and 45th Avenue – Cultural Center Special Use District to the Planning Code. Section 249.92 would be created for the purpose of providing for the development of a community center to serve both the immediate neighborhood and larger San Francisco community. The Special Use District would allow Office, Instructional Services, Bar, and Restaurant uses on all floors, impose a floor area ratio limit of 7 to 1, make rear yard setbacks inapplicable to nonresidential uses, and provide a bulk limit of a maximum length of 130 feet and a maximum diagonal of 176 feet, applying at a height of 40 feet and above.

The proposed amendments will fulfill a public purpose and serve the public convenience and general welfare by facilitating the continued operation and expansion of the longstanding Cultural Center at the Property. As described above, the expansion of the Cultural Center will provide the public with additional educational, cultural, social, entertainment, recreational, and retail uses, benefiting area residents and visitors for years to come.

### **D. Conclusion**

The Project proposes to replace an outdated existing building with a new thoughtfully designed state-of-the-art community center that will beautify the neighborhood and provide community space for both the neighborhood and the broader San Francisco area. We look forward to presenting this Project to you. Please let me know if you have any questions.

Sincerely,

**REUBEN, JUNIUS & ROSE, LLP**



John Kevlin

San Francisco Planning commission  
President Rachael Tanner  
July 16, 2023  
Page 4

cc: Kathrin Moore, Commission Vice-President  
Derek W. Braun, Commissioner  
Sue Diamond, Commissioner  
Joel Koppel, Commissioner  
Theresa Imperial, Commissioner  
Gabriella Ruiz, Commissioner  
Gabriela Pantoja, Project Planner



# EXHIBIT H



# AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM - ADMINISTRATIVE CODE CHAPTER 83

## APPLICATION

### Project Sponsor's Information

---

Name: \_\_\_\_\_

Email Address: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

### Property Information and Related Applications

---

Project Address: \_\_\_\_\_

Block/Lot(s): \_\_\_\_\_

Building Permit Application No(s): \_\_\_\_\_

Estimated Residential Units: \_\_\_\_\_ Estimated SQ FT Commercial Space: \_\_\_\_\_

Estimated Height/Floors: \_\_\_\_\_ Estimated Construction Cost: \_\_\_\_\_

Anticipated Start Date: \_\_\_\_\_

### FIRST SOURCE HIRING PROGRAM VERIFICATION

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	YES
Project is wholly residential	
Project is wholly commercial	
Project is mixed use	
A: The project consists of ten (10) or more residential units.	
B: The project consists of 25,000 square feet or more of gross commercial floor area/	
C: Neither A nor B apply	

*Notes:*

- If you checked C, this project is NOT subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.
- If you checked A or B, your project IS subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.
- For questions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or 415.701.4848. For more information about the First Source Hiring Program visit [www.workforcedevelopmentsf.org](http://www.workforcedevelopmentsf.org)
- If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.

# FIRST SOURCE HIRING PROGRAM - WORKFORCE PROJECTION

Per Section 83.11 of Administrative Code Chapter 83, it is the developer's responsibility to complete the following information to the best of their knowledge.

Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

Check the anticipated trade(s) and provide accompanying information (Select all that apply):

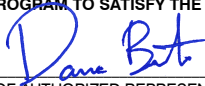
TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer				Laborer			
Boilermaker				Operating Engineer			
Bricklayer				Painter			
Carpenter				Pile Driver			
Cement Mason				Plasterer			
Drywaller/Latherer				Plumber and Pipefitter			
Electrician				Roofer/Water proofer			
Elevator Constructor				Sheet Metal Worker			
Floor Coverer				Sprinkler Fitter			
Glazier				Taper			
Heat & Frost Insulator				Tile Layer/ Finisher			
Ironworker				Other:			
		<b>TOTAL:</b>				<b>TOTAL:</b>	

- |  |                          |                          |
|--|--------------------------|--------------------------|
|  | YES                      | NO                       |
| 1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage?  | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Will hiring and retention goals for apprentices be established?   | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. What is the estimated number of local residents to be hired?  | _____                    |                          |

## DECLARATION OF SPONSOR OF PRINCIPAL PROJECT

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER

I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.



(SIGNATURE OF AUTHORIZED REPRESENTATIVE)

(DATE)

**FOR PLANNING DEPARTMENT STAFF ONLY:** PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT [CITYBUILD@SFGOV.ORG](mailto:CITYBUILD@SFGOV.ORG)

Cc: Office of Economic and Workforce Development, CityBuild  
 Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415.701.4848  
 Website: [www.workforcedevelopmentsf.org](http://www.workforcedevelopmentsf.org) Email: [CityBuild@sfgov.org](mailto:CityBuild@sfgov.org)

# Exhibit G

0:00 / 1:55



## THE FUTURE STARTS NOW

*Established 1975 | Re-Established 2025*

The whole Irish American community is buzzing with optimism since we revealed a bold new visionary proposal to rebuild The Center. While the Building Working Group committee explored several options in the Spring of 2021, the option to redevelop the existing site was the concept that made most sense. A new building provides the community with a greater variety of spaces devoted to cultural programming uses that is currently not available.

One of the options during the period of discovery and brainstorming

was to sell the existing building and move elsewhere in the city or develop a new center outside the city. This option did not enthuse or energize the group. Neither did the idea of remodeling the center or adding couple of more floors to the existing structure. The reasoning was the high cost of rehabbing the building and tearing everything back to the studs to structurally support the addition of any new floors on top of the existing structure.

Pre-construction cost analysis for the new building comes in at \$74 million dollars. The grand redevelopment plan proposed by Redmond Lyons and his committee calls on the entire community to contribute and participate with their **Time, Talent or Treasure**. Many in the community will be able to donate money to help rebuild, but there are others who have graciously already offered their time and talents to the committee to rebuild the Center.

Check back here for updates on the **2025 Project** and ways you can contribute your **Time, Talent or Treasure**.

## Renderings

Initial Concepts to help convey the potential for the new space

[Click on photos to see an expanded view](#)

# Exhibit H



# NOTICE OF PUBLIC HEARING

Hearing Date: **THURSDAY, JULY 27, 2023**  
Time: **Not before 12:00 PM**  
Location: **City Hall, 1 Dr. Carlton B. Goodlett Place Room 400 and Remote - <https://sfplanning.org/remotecomment>**  
Case Type: **Zoning Map and Planning Code Text Amendments**  
Hearing Body: **Planning Commission**

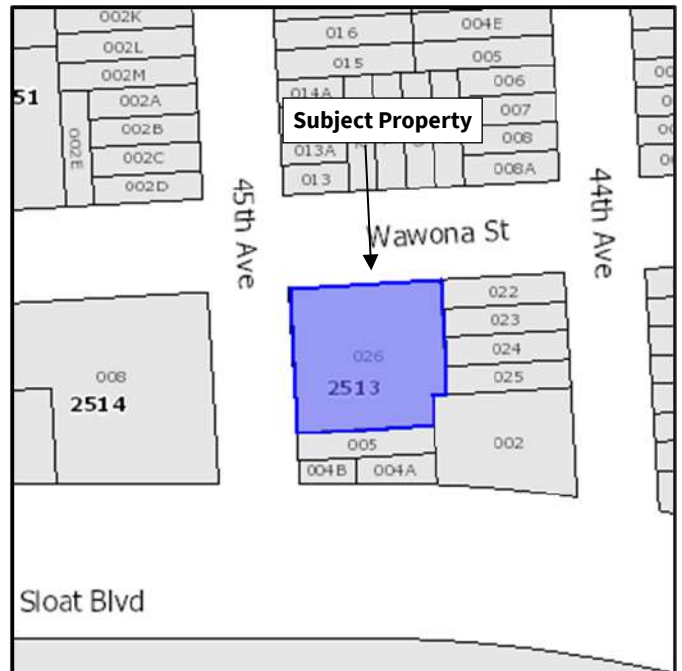
## ORDINANCE INFORMATION

Project Name: **2700 45<sup>th</sup> Avenue (Irish Cultural Center)**  
Block / Lot No.: **2513 / 026**  
Existing Zoning: **NC-2 / 100-A**  
Proposed Zoning: **NC-2 / 100-A, Wawona St. and 45<sup>th</sup> Ave. Cultural Center Special Use District**

Case No.: **2022-001407MAPPCA**  
Board File No: **230505**  
Sponsor: **Joel Engardio**  
Telephone: **(415) 554-7460**  
Email: **[joel.engardio@sfgov.org](mailto:joel.engardio@sfgov.org)**

## ORDINANCE DESCRIPTION

The proposed ordinance would amend the Planning Code and Zoning Map to illustrate and create the Wawona Street and 45<sup>th</sup> Avenue Cultural Center Special Use District (SUD) and facilitate the redevelopment of a cultural center (Irish Cultural Center). The Wawona St. and 45<sup>th</sup> Ave. Cultural Center SUD outlines permitted land uses and the process for seeking exceptions from specific Planning Code requirements including floor area ratio, rear yard, and bulk. The Planning Commission hearing will be advisory to the Board of Supervisors who has final approval authority over the Planning Code Text Amendment and the Zoning Map Amendment.



**For more information, please contact Planning Department staff:**

Planner: **Gabriela Pantoja**

Telephone: **628-652-7380**

Email: **[Gabriela.Pantoja@sfgov.org](mailto:Gabriela.Pantoja@sfgov.org)**



## General Information About Procedures

### REVIEW PROCESS

The Planning Commission hearing will be advisory to the Board of Supervisors who has final approval authority. After the Planning Commission hearing, this item will be considered by the Board of Supervisor's Land Use and Transportation Committee where there will also be an opportunity for public comment. Following the Land Use and Transportation Committee hearing, this item will be heard by the Full Board of Supervisors, which must pass the ordinance twice before it can be sent to the Mayor. If passed by the Board and signed by the Mayor, the proposed change will become effective 30 days after the Mayor signs the ordinance.

### HEARING INFORMATION

You are receiving this notice because you are either a property owner or resident that is adjacent to the proposed project or are an interested party on record with the Planning Department. **You are not required to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant or Planner listed on this notice as soon as possible.** Additionally, you may wish to discuss the project with your neighbors and/or neighborhood association as they may already be aware of the project.

Persons who are unable to attend the public hearing may submit written comments regarding this application to the Planner listed on the front of this notice, Planning Department, 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103, by 5:00 pm the day before the hearing. These comments will be made a part of the official public record and will be brought to the attention of the person or persons conducting the public hearing.

Comments that cannot be delivered by 5:00 pm the day before the hearing may be taken directly to the hearing at the location listed on the front of this notice. Comments received at 49 South Van Ness Avenue after the deadline will be placed in the project file, but may not be brought to the attention of the Planning Commission at the public hearing.

### ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination will be prepared and can be obtained through the Exemption Map at [www.sfplanning.org](http://www.sfplanning.org) prior to the approval action. An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

# Exhibit I



## **United Irish Cultural Center of San Francisco**

2700 45th Avenue, San Francisco, CA 94116

PRJ Application - Exhibit A

02/17/2022

- 1. Property Description**
- 2. Project Description**
- 3. Requested Supplemental Information and Material from PPA Letter (2021-010236PPA)**

### **1. Property Description**

The property is comprised of one lot located on 2700 45<sup>th</sup> Avenue (Accessor's Block 2513, Lot 026), situated on the corner of 45<sup>th</sup> Avenue and Wawona Street. It has a collective area of approximately 16,250 square feet and currently is home to the United Irish Cultural Center (UICC), an active 501c3 non-profit organization.

The property is located at the southern edge of the Parkside neighborhood, and just across Sloat Boulevard from the San Francisco Zoo. It is zoned within a neighborhood commercial, Small Scale, (NC-2) zoning district, and a 100-A Height and Bulk District.

Notably, to the West of the property (directly across 45<sup>th</sup> Avenue) holds the proposed development site of the Sloat Garden Center, which has been proposed to be developed into a 12-story (125') mixed use residential building containing approximately 400 dwelling units in addition to retail functions. South of the property is home to the Java Beach Café, and South-West of the property holds the Mirage Inn & Suites.

The existing steel and wood-frame building, constructed in 1975, is approximately 21,263 gross square feet, three stories, and 35' in height.

The building, which is very loosely based on vernacular Irish building traditions, has served the UICC for the last 46 years – providing a place to socialize and participate in cultural programs. The UICC was built in this location to be convenient to members of the Irish immigrant community, many of whom have lived in the Sunset and Parkside districts.

### **2. Project Description**

The United Irish Cultural Center of San Francisco (aka the UICC) is a 501c3 nonprofit organization that has operated in the original three-story building since 1975. The Center, a cultural institution in the City of San Francisco, currently serves a variety of community functions, including a large event space (the St Patrick's Room), a library, a restaurant/pub, and several non-profit office spaces. For more than 45 years, the UICC has been operating out of it's current building which has not been significantly renovated since it was first constructed in 1975. Based on a feasibility



study performed in early 2020, it was determined that the Cultural Center's current facility cannot be sustained long term, and has outgrown the original space built over 45 years ago. To ensure the long-term viability of the Cultural Center and its ability to continue serving the San Francisco community, a larger space that can better accommodate its ongoing cultural, educational, and recreational activities is necessary. The Cultural Center intends to replace the existing building with a new center, which would continue and expand the long-standing community use, necessitating the Planning Code text amendment.

The proposed project will demolish the existing building, which fallen into a state of disrepair, in order to construct a 109,384 gross square foot, 91' height (six-story) state-of-the-art cultural and community center that will reactivate the street frontages and beautify the neighborhood. The new building design is inspired by the form of the Irish Ogham "standing stones and the traditional thatched roof cottages of Ireland, and is expressed as a massing split into four distinct pieces, representing the four provinces of Ireland. The new building aims to become an iconic destination for Irish culture and activity on the Western Coast of the United States, as well as a local hub for community in the western part of the city. The building's exterior façade utilizes a slate rainscreen cladding which evokes the slate roofs found in traditional Irish architecture.

The new UICC facility holds a variety of cultural and community based activities and will be fully open for the public's use:

- **Basement B2** – Swimming pool, kiddie pool, hot and cold tubs, and locker room facilities. Youth half court basketball court. Mezzanine for storage purposes.
- **Basement B1** – 52 parking spaces (some via parking lifts)
- **Floor 1** – Lobby/Entrance from the corner of 45<sup>th</sup> and Wawona will include an interactive art piece as well as a digital gallery displaying an immersive historical exhibit. Full service restaurant and commercial kitchen (same location as the original building) with entry from Wawona Street. Entry to the subterranean parking garage from Wawona Street.
- **Floor 2** – the "St. Patrick's Room" (carried over from the original building), will be a banquet and performance space holding approximately 300-800 people on the ground floor and approximately 200 more on the mezzanine above. In addition, a 99-person screening room theater and bar is located to the South-West corner of the floor.
- **Floor 3** – Museum and Library. Museum will hold digital/interactive displays involving Irish cultural, history, and heritage. Library will hold an Irish book collection and place to study.
- **Floor 4** – Offices (administrative for the UICC and other non-profits) and Classrooms (for Irish Music/Dance/Language classes)
- **Floor 5** – Gym with full locker room facilities, café and juice bar
- **Floor 6** – Rooftop restaurant with access to roof deck and garden. Member's Room (lounge and bar).

The UICC has held three public meetings and have held Q&A sessions with members of the neighborhood, as well as members of the Irish Center, some of whom have been original members of the Center. The project has received hundreds of letters of support.



The building will employ green building and sustainability practices, including the use of green roofs and solar power (panels located at the roof level). The project will require approval of a new Special Use District and Zoning Map amendment.

**3. Requested Supplemental Information and Material from PPA Letter (2021-010236PPA)**

All supplemental applications required by the PPA Letter have been submitted concurrent with this application, itemized below:

Requirement	Response
<b><u>Planning Code Review</u></b>	
1. Preapplication Meeting	Preapplication meeting was conducted on August 4 <sup>th</sup> , 2021. Please reference Preapplication Meeting notice form, Meeting Minutes, and Letters of Support
2. Conditional Use Authorization	Conditional Use Authorization application form is attached.
3. Legislative Amendment – Planning Code Text and Zoning Map	Legislative Amendment related to Special Use District is attached
4. Coastal Zone Permit	Coastal Zone Permit application form is attached
5. Transportation Demand Management Program	TDM form is attached
6. First Source Hiring	First Source Hiring form is attached
<b><u>Environmental Review</u></b>	
Environmental Review Fees	Fees will be paid.
Historic Resource Evaluation, Part 1 Draft	HRE is attached.
Site Circulation Study / Section Scope of Work	Child care function has been removed from project scope.
Noise Study / Section Scope of Work	Noise Study (complete) is attached.
Air Quality for Criteria Air Pollutants Scope of Work	Unclear what scope of work is needed for outside consultant based on PPA Table 1.
Greenhouse Gas Analysis Compliance Checklist	GHG Attached.
Wind Memorandum Scope of Work	Wind Scope of Work attached.
Consultant-Prepared Shadow Fan	Shadow Fan attached.
Geotechnical Study with foundation recommendations	Geotechnical Study with foundation recommendations is attached.
Phase 1 Environmental Site Assessment	Phase 1 Environmental Site Assessment is Attached.
Additional Information noted in 2.1c – general changes to public facilities; 2.3a – roadway changes during construction, 2.3b – roadway	Reference specific sections below.

changes – operation; 2.3c – school and child care drop-off and pickup management plan; 2.3i – transportation fees; 2.4b – mechanical equipment or other noise sources; 2.5a – stationary sources	
<b>Other Required Approvals</b>	
Shadow Impacts on Property under the Jurisdiction of the Recreation & Parks Commission	Shadow fan attached.
Variance	Building has been set back to accommodate a rear yard of 15' (sometimes more) on floors 2+, added to Special Use District language.
<b>Additional Planning Code Requirements</b>	
<b>Gross Floor Area</b> – Provide a breakdown of the Gross Floor Area, as defined in the Planning Code Section 102, for the proposed subject building	A0.1 Gross Floor Area breakdown has been provided, ref. “SQUARE FOOTAGE MATRIX – BY FLOOR”
<b>Public Community Facility</b> – given the provided definition, please identify and indicate those areas to be limited to paid members of the community facility	<p>Areas limited to paid members of the UICC: Gym, Aquatics Center, Locker Facilities, Member’s Room, Offices</p> <p>Areas open to the public (with ticket/reservation): Lobby, Museum/Library, Digital Gallery, St Patrick’s Room, Bar, &amp; Screening Theater, Bar/Restaurants (at ground and 6<sup>th</sup> Floors), 6<sup>th</sup> Floor Roof deck</p>
<b>Private Community Facility</b> – given the provided definition, please identify and indicate those areas to be limited to paid members of the community facility. Note a private community facility requires a CUA at the second and above floors	See above.
<b>Restaurant</b> – Note, a restaurant use is not permitted beyond the second floor	Restaurant use beyond the second floor added to Special Use District.
<b>Floor Area Ratio</b> – the subject property is limited to a FAR of 2.5 to 1	FAR of 7 to 1 added to Special Use District.
<b>Rear yard</b> – the subject property is required to provide a rear yard setback equal to 25% of the lot’s depth at the second floor and above. Please revise the Project to comply with Planning Code Section 134 or submit and justify a Variance from the Rear Yard requirement.	Building has been set back to accommodate a rear yard of 15' (sometimes more) on floors 2+, added to Special Use District language.
<b>Permitted Obstructions</b> – see above comment regarding rear yard	See above re: rear yard. No obstructions protrude into the rear yard 15' setback on levels 2+

<p><b>Streetscape Plan</b> – see attached appendix E for additional comments</p>	<p>See below responses to Appendix E.</p>
<p><b>Bird Safety</b> – the subject property is located within 300 feet of a possible urban bird refuge and shall comply with the Planning Code Section 139. Please review the “Standards of Bird Safe Buildings” and revise the development accordingly</p>	<p>Bird collision zone indicated on the Exterior Elevations sheets A5 series. Note indicating that glass in the collision zone shall receive film to reflect UV light.</p>
<p><b>Required Active Use</b> – please revise the project to provide an active use for the first 25’ of the building depth along the street frontages and at the first 15’ on the floors above. An active use excludes any area used for the storage of goods or vehicles and any mechanical, electrical, and plumbing features</p>	<p>The entire ground floor is an active use – lobby with art exhibit, Irish gift shop, public restaurant, digital art gallery.</p>
<p><b>Transparency &amp; Fenestration</b> – please provide information (calculation) indicating compliance with Planning Code Section 145c6 which indicates no less than 60% of the street frontage at the ground floor is fenestrated with transparent windows and doorways that allow visibility inside the proposed subject building</p>	<p>Transparency &amp; Fenestration indicated on the Exterior Elevations sheets A5 series</p>
<p><b>Required Off-Street Parking</b> – please provide a breakdown of the proposed subject building’s “occupied floor area” as defined in Planning Code Section 102. Given the Occupied Floor Area breakdown, please provide the respective amount of loading spaces as required per Planning Code Section 152.</p>	<p>Required off-street parking calculation for loading spaces provided on A0.1.</p>
<p><b>Bicycle Parking</b> – Please provide a breakdown of the proposed subject building’s “Occupied Floor Area” (OFA) as defined in Planning Code Section 102. Given the Occupied Floor Area breakdown, the Project will be required to provide one Class 1 bicycle parking space for each 5,000 square feet and one Class 2 bicycle parking space for each 2,500 square feet of private or public community facility OFA. One Class 1 bicycle space will be required for every 7,500 square feet of restaurant use OFA and one Class 2 space for every 750 square feet of restaurant OFA. Note that Planning Code Section 155.1(c)(1-2) indicates the design and location requirements for each type of bicycle parking space.</p>	<p>Bicycle Parking calculation provided on A0.1. 54 total bicycle spaces shown in the plans.</p>
<p><b>Required Showers &amp; Lockers</b> - Pursuant to Planning Code Section 155.4, the Project shall provide four showers and 14 clothes lockers for utilization by the employees and visitors of both the private and public community facility.</p>	<p>Showers and lockers on the B2 Aquatics level will be provided for the utilization of employees and visitors of the Center.</p>



<b>Parking Exemptions</b> - See comment above regarding required Off-Street Loading.	Required off-street loading calculation provided on A0.1.
<b>Car-Share</b> - Please provide one car-share parking space at the subject property. See Planning Code Section 166 for additional information.	Car sharing space added to sheet A2.3
<b>Transportation Demand Management</b> - See comments above regarding Car-Share, Showers and Lockers, and Bicycle Parking Spaces. Note that providing the required amount of the listed features required by the Planning Code provides the Project with a minimum number of points towards the Project's TDM target point total. Providing an abundance of the items provides additional points towards the target point total. See TDM Measures Appendix for more info.	TDM has been included in application.
<b>Height Measurement</b> - Please indicate on the provided plan set the street frontage elected to be utilized for a measurement and evaluation of the proposed building's height.	Note added to A5.2. Height measured from the 0'-0" level, property line at 45 <sup>th</sup> Avenue.
<b>Bulk</b> - Pursuant to Planning Code Section 270, the subject property is limited to a maximum length of 110 feet and a maximum diagonal dimension of 125 feet. The length and diagonal dimensions are applied at a height above 40 feet up to the height limit of 100 feet. Please revise the Project to comply with this requirement.	New bulk guidelines indicated in the Special Use District (" <i>The applicable Bulk limits shall be a maximum length of 140' feet and a maximum diagonal of 180' feet, applying at a height of 40 feet and above</i> ").  Note, current bulk of 135'-6" (max length) and 176'-4" (max diagonal).
<b>Development Impact Fees</b>	
Transportation Sustainability Fee (TSF)	Fee will be paid.
Bicycle Parking In-Lieu Fee	Bicycle spaces meet requirements, In-Lieu fee not applicable.
<b>Table 1. Potential Environmental Document</b>	
<b>1.1(a), 1.1(b), 1.1(e) – The proposal is a project subject to CEQA.</b> The project could potentially qualify for a Class 32 Categorical Exemption (Pay applicable fees.). The assigned environmental planner will determine if an Initial Study would be needed to determine the CEQA document.	Applicant would like to be considered Class 32 Categorical Exemption until planner determines otherwise.
<b>2.1(c) General – Changes to public facilities or infrastructure, excluding roadways.</b> Please detail any proposed projects to public facilities or infrastructure during construction or operation.	n/a



<p><b>2.2(a) Historic Preservation.</b> Requires consultant-prepared Historic Resource Evaluation, Part 1</p>	<p>Draft HRE by consultant included in the application.</p>
<p><b>2.3(a) Transportation, Roadway Changes – Construction.</b> The project sponsor must describe the location of any anticipated temporary changes to roadways during construction, including the duration and location of temporary construction closure or relocation of travel lanes, sidewalks, bus stops, etc.</p>	<p>It is expected construction traffic will require the closure of at least one lane of traffic along 45<sup>th</sup> and/or Wawona during the busiest times of construction loading/offloading. Sidewalks surrounding the project will be closed at some point during initial stages of construction or will provide a protected overhead barrier for pedestrian traffic to continue.</p>
<p><b>2.3(b) Transportation, Roadway Changes – Operation.</b> The project sponsor must describe the location and provide plans of typical roadway dimensions (e.g., lane dimensions/stripping drawings, on-street parking; loading; and bike, transit, and travel lane), including identifying any non-typical roadway dimension (e.g., turn pockets, bulb outs).</p>	<p>See Site Plan A1.1.</p>
<p><b>2.3(c) Transportation, Requires School and Child Care Drop-Off &amp; Pick-up Management Plan Application</b></p>	<p>Not applicable, Child Care function removed from scope.</p>
<p><b>2.3(e) Requires department transportation planner coordination</b></p>	<p>Noted.</p>
<p><b>2.3(f) Transportation, Requires consultant-prepared Site Circulation Study Scope of Work</b></p>	<p>Per 2.3(e), transportation planner provided by city.</p>
<p><b>2.3(h) Transportation, Scope of Work Checklist.</b> Refer to attached checklist which lists the likely transportation study scope requirements.</p>	<p>Per 2.3(e), transportation planner provided by city.</p>
<p><b>2.3(i) Transportation, Planning &amp; SFMTA Fees for Transportation.</b> Site Circulation Fee \$10,303 (Planning), Site-Circulation Review Fee \$5,720</p>	<p>Would like to be exempt from Site-Circulation Review fee, childcare function has been removed.</p>
<p><b>2.4(a) Noise –</b> Requires consultant prepared Noise Study Scope of Work</p>	<p>Noise study “Draft ENR” included in application.</p>
<p><b>2.4(b) Noise – Mechanical equipment or other noise sources.</b> The project sponsor must describe the location and provide plans with the number and size (horsepower) of stationary sources or mechanical equipment (e.g., fans, HVAC, backup diesel generators, fire pumps) or other noise sources.</p>	<p>Refer to Noise Study “Draft ENR” included in application</p>
<p><b>2.5(a) Air Quality – Stationary Sources.</b> The project sponsor must describe the location and provide plans with the number, size</p>	<p>A single powered generator will be required for the project. It will be located partially underground, but will require a flue to extend</p>

<p>(horsepower), and engine tier level of stationary sources (e.g., backup diesel generators, fire pumps).</p>	<p>to the exterior as required by code. It's size is pending loading information from the Electrical Contractors. A monthly test is common with this type of equipment.</p>
<p><b>2.5(c) Air Quality – Criteria Pollutants.</b> Due to the broad array of proposed uses and the size of ground disturbance a Criteria Air Pollutants analysis is required. The project sponsor must describe estimated hours and number of days per week of construction, including by phase as defined in the CalEEMod Manual (i.e., demolition, site preparation, grading, building construction, architectural coatings, paving). The project sponsor must describe estimated number, size (horsepower), and use (daily and annual) of construction equipment by type, including trucks and any impact equipment, by phase. The project sponsor must describe the estimated number of daily diesel vehicle trucks during operation.</p>	<p>Construction equipment and schedule matrix included in application.</p>
<p><b>2.6 Greenhouse Gas Emissions - Requires Greenhouse Gas Analysis Compliance Checklist</b></p>	<p>GHG compliance checklist included in application.</p>
<p><b>2.7(a) Wind - Requires consultant-prepared qualitative Wind Memorandum Scope of Work</b></p>	<p>Wind Memorandum Scope of Work included in application.</p>
<p><b>2.8 Wind/Shadow, Building Setbacks.</b> The project sponsor must provide labeled and dimensioned plans of building setbacks and coverage at each above-grade level, including height of the roof, parapet, ridge, towers, and penthouses.</p>	<p>Exterior Elevations and Site Plan show dimensioned setbacks</p>
<p><b>2.9 Shadow, Shadow Analysis.</b> The department prepared the attached Shadow Fan which shows potential net new shadow on publicly accessible open space under the jurisdiction of the Recreation and Park Commission, the San Francisco Zoo. A consultant-prepared shadow fan must be submitted with the Project Application. The consultant is not subject to a department list. The consultant-prepared shadow fan will be reviewed by staff to provide guidance on whether a scope of work and shadow study are required.</p>	<p>Shadow analysis included in application shows minimal impact on zoo (perimeter landscape area).</p>
<p><b>2.10(a) Biological Resources, Trees.</b> The project sponsor must describe location and show on plans the number of trees on, over, or adjacent to the project site, including those significant, landmark, and street trees (see Public Works article 16 for definitions) and those removed and added by the project.</p>	<p>Trees shown on Site Plan A1.0 and A1.1. Due to proximity to the building and potential for disturbances during construction, existing trees along the northern property line are to be removed and replaced with new street trees along Wawona curb.</p>



<p><b>2.11(b) Geology &amp; Soils</b> - The project sponsor must submit Geotechnical Study prepared by a qualified civil or geotechnical engineer with foundation recommendations and that addresses seismic hazard zones, if applicable to the site. The current geotechnical report must be updated to reflect current proposed design and building codes.</p>	Geotechnical Study included in application.
<p><b>2.12 Hazardous Materials</b> – the project sponsor must submit a Phase 1 E</p>	Phase 1 included in application.
<b>TABLE 3. POST-ACCEPTED APPLICATION REQUIREMENTS</b>	
<p>Project sponsor must submit these materials after the department deems the project application accepted.</p>	Noted, will provide answers upon request/acceptance of Project Application.

# Exhibit J

## • UNITED IRISH CULTURAL CENTER •

**Irish Government Officials Explore Future Vision Of The UICC**

ON JUNE 14TH, UICC President Liam Reidy, Vice President Anne Cassidy Carew, along with members of the Board and 2025 Project Building Committee, warmly welcomed a group of special guests from Ireland to the Center. The guests included a delegation of Irish government officials and San Francisco Irish Consul General Micheál Smith, who were eager to gain insights into #Project2025 and the exciting new vision for our Irish Center.

During their visit, the guests had the opportunity to explore various areas of the Center, including the Dowling Library. They were also able to witness the vibrant atmosphere of our summertime Irish Camp, which was in full swing. The sight of children immersed in Irish dance and song throughout the building added to the uplifting energy that permeated the Center during the officials' visit.



*Laura Pathe, Anne Cassidy Carew, Liam Reidy, Senator Malcolm Byrne, Niamh Smyth, TD, Consul General Micheál Smith, Suzie Sheedy, Redmond Lyons, and Leo Cassidy.*

The presence of our esteemed guests provided them with a firsthand glimpse into our commitment to building a Center that caters to the needs and aspirations of the next generation of Irish Americans. The enthusiasm and passion displayed by the children and the

overall atmosphere of the Center showcased the vibrant spirit that lies at the core of our mission.

As conversations unfolded during the workshop, the Irish government officials were able to gain a deeper understanding of 2025 Project and the transformative impact it will have on

the future of the Irish Center, not only in San Francisco but on the west coast of the US. The visit fostered an exchange of ideas and a strengthened sense of collaboration between our local community and our friends from Ireland. There was an acknowledgment from the visiting

party of future Irish government funding for the project.

The occasion served as a testament to the collective efforts and vision of UICC's leadership, Board members, and Project 2025 Building Committee. Together, they are driving the evolution of the Irish Center, ensuring its continued vitality and relevance for generations to come.

The visit from our special guests concluded with a shared sense of excitement and inspiration. It reinforced the belief that the Irish Center is not only a place of cultural significance but also a dynamic hub that nurtures the talents and passions of young Irish Americans. With renewed energy and purpose, the UICC remains committed to its mission of creating a Center that serves as a beacon for Irish culture, fostering connections, and providing a platform for the next generation to thrive.



• UNITED IRISH CULTURAL CENTER •

## San Francisco Irish Center Enters National Spotlight

by Liam Reidy, President, United Irish Cultural Center, (lreidy@irishcentersf.org)

THE CENTER HAS BEEN selected to host the 2023 Big Irish Campfire conference in San Francisco on August 24 and 25. The Campfire will bring together civic leaders, entrepreneurs, business leaders, politicians, and representatives from Irish Centers all across America and Canada to discuss matters relevant to our communities, share ideas, and develop long term strategic partnerships around Irish arts and culture programming. The Big Irish Campfire conference is the brainchild of Máirtín Ó Muilleoir, Publisher of The Irish Echo in New York. It was first hosted in New York in 2019.

### NICCoNA Annual Meeting

The annual meeting of the Network of Irish Cultural Centres of North America took place in New York City on January 13. Hosted on the 17th Floor of the Consulate General of Ireland, New York office at 345 Park Avenue, there was a great exchange of ideas and discussion centered around Irish artists performing in the US, immigration issues around visas for touring artists, and financial support for Irish Centers to host and underwrite programming originating from Ireland. The Irish Ambassador to the US, Geraldine Byrne Nason, was present, as was Sharon Barry, Director of Culture Ireland, and New York Consul General Helena Nolan. I made several new connections with repre-

sentatives from various Centers around the country and we will be developing those relationships as we move forward into 2023.

### New York Irish Arts Center

While in New York City I had the opportunity to visit the recently opened \$60 million dollar Irish Arts Center at 51st Street and 11th Avenue. Executive Director Aidan Connolly graciously hosted all of the visiting NICCoNA conference attendees. The new building is a very impressive 21,700 square foot space dedicated to Irish arts and culture which plays host to a range of artistic programs throughout the year. As part of the tour, we were treated to a spectacular showcase of new theatrical productions being produced in Ireland and touring the US in 2023. Fishamble, a Dublin based theatre company, will visit the Center in May to produce "The Humours of Bandon."

Following the conclusion of the showcase and the reception that followed, I filtered out of the building and into the New York evening. On my walk back to my midtown hotel I envisaged our new home at the corner of 45th Avenue and Wawona Street. I felt very confident that we too could have a similar destination and hub for Irish arts and culture back home in San Francisco. I have no doubt that with the ground-

swell of initial UICC member support, philanthropic, corporate, local, statewide, federal, and national government of Ireland funding that we can make it happen. I asked myself the question—Could we build it?—and came to the conclusion of a confident YES WE CAN!

### NYC Irish Theatre Scene

I was flabbergasted to learn that there is a very robust Irish theatre scene in NYC. There were Irish plays and dramas staged off Broadway almost every night of the week during the month of January alone, with two to three different offerings each night. Theatre-goers are certainly spoiled for choice!

### Spotlight on Education

Our community's current eighth grade students and high school seniors were kept busy over the holiday period applying to high school and college, as part of the next steps on their educational journeys. Now that all those applications have been completed, it serves as a reminder that the Leo T Walsh Scholarship program is now accepting applications for 2023. The deadline is Friday March 17, with winners to be announced in May.

### Building and Facilities

The onset of a series of powerful 'Pineapple Express' storms and bomb cyclones that

marched across the Bay Area in late December through the first two weeks of January put the Center's roof to the test. Though installed back in 1999, and despite the record rainfall, we are happy to report that the roof held up. We made some repairs to the heating system in the St Patrick's Room in late December. Thankfully those repairs did not impact our holiday parties and celebrations held during the festive season.

### Irish Secretary General

On January 23, along with our co-hosts at the local Consulate's Office, we welcomed the Irish Secretary General Joseph Hackett to the Center. I had an opportunity to present details of the 2025 project, while the United Irish Societies and SF Youth GAA presented their plans for the season ahead.

### Grand Marshal Dinner

Pat Uniacke will be honored as the Grand Marshal of the 2023 St Patrick's Day Parade at the Center on Friday, February 24. The theme of this year's parade is "Hurling into the Future." Youth Gaelic games will take center stage this year as they host the Continental Youth Championships in the east bay city of Dublin next July over a four-day festival.

### Kennelly Memorial Feis

We hosted the Kennelly Memorial Feis mid-month with

more than 200 step dancers taking to the stage, some of them for the first time, to ensure the continuation of the tradition for years to come.

### Youth Music Classes

Music classes have resumed for the spring. Thanks to the generous support of those who donated to our 2022 Year End Annual Appeal, we have thirty kids signed up to participate in banjo, fiddle, bodhrán, guitar, singing, tin whistle, and piping classes. Drumming classes resume on February 2.

### Amateur Boxing

The UICC is teaming up with Fire in the Ring Boxing to showcase a night of amateur boxing at the Center on Saturday March 18.

### The Black Brothers

Michael and Shay Black will present a concert of songs and music to kick off the St Patrick's festivities on March 3rd at the Center. Button accordion player Félím Egan and keyboardist, Eamonn Flynn will join them on stage.

### St Patrick's Season

It's hard to believe that the St Patrick's season is almost upon us again. We look forward to a great lineup of Irish music, singing, dancing, and hearty corned beef and dinner cabbage. The parade takes place on Saturday, March 11, with St Patrick's Day falling on a Friday.

## Irish Government Official Visits The Center

Joe Hackett, Secretary General of the Irish government visited the Irish Center on Monday January 23. Joe was accompanied by Ciara Delaney, Irish Embassy, Washington DC, Micheál Smith, Consul General, Jennifer Chadwick, Vice Consul, and Elizabeth Creely.

Joe met and chatted with representatives from San Francisco Youth GAA, United Irish Societies and the United Irish Cultural Center board. Youth GAA Chairman James Quinn spoke about the vibrant Gaelic games locally and the

upcoming Continental Youth Championships in the east bay city of Dublin later this summer. Liam Frost presented on the activities planned around the 2023 St Patrick's season and beyond while Liam Reidy presented on the 2025 project. There was lively discussion, back and forth on a number of topics including Irish government support for the new Irish Center building once we have planning approval for the city of San Francisco planning Department and the future of the Irish Center.



Liam Reidy, UICC President, Joe Hackett, and Liam Frost, President, UIS.



Leo Cassidy, Micheál Smith, Consul General and Redmond Lyons.



Brian Rogers, SF Youth GAA, Jennifer Chadwick, Vice Consul San Francisco, and Elizabeth Creely, Irish Consulate Office.



Ann McKiernan, SF Youth GAA, Ciara Delaney, Irish Embassy, Washington DC, and Chris Del Carlo, United Irish Societies.

**BRIEF SUBMITTED BY THE PERMIT HOLDER(S)**

# REUBEN, JUNIUS & ROSE, LLP

September 7, 2023

**Delivered Via E-Mail:** [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org) / [julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org)

Mr. Rick Swig, President  
San Francisco Board of Appeals  
49 South Van Ness Avenue, Suite 1475  
San Francisco, CA 94103

**Re: Appeal No. 23-35  
Permit Holder's Brief in Opposition of Appeal  
2700 45th Avenue (a.k.a. United The Irish Cultural Center)  
Hearing Date: September 13, 2023**

Dear President Swig and Commissioners:

Our office represents United Irish Cultural Center, Inc. (the “**Irish Center**”), the owner of the property at 2700 45th Avenue (“**Property**”) and holder of Coastal Zone Permit 2022-001407CTZ (“**Permit**”), which is the subject of Appeal No. 23-35 (“**Appeal**”). The Permit is for the development of a new six-story Irish Cultural Center on the site of the existing Irish Cultural Center (“**Project**”), and it was approved on July 27, 2023, along with a Conditional Use authorization, Shadow Study findings, and a recommendation of approval for related Special Use District (“**SUD**”) legislation proposed by District 4 Supervisor Engardio, in Planning Case No. 2022-001407. On August 10, 2023, Appellant Sunset Parkside Education and Action Committee (“**Appellant**”) filed the Appeal on the issuance of the Permit, arguing that the Planning Commission erred in finding that the Project conformed to the requirements and objectives of the San Francisco Local Coastal Program, as required by the Planning Code.

The Planning Commission correctly found the Permit to conform to the Local Coastal Program and did not err in issuing the Permit and therefore the Irish Center requests that the Board deny the Appeal and uphold the issuance of the Permit.



**A. Project Description & Approvals**

The Project proposes the demolition of the existing three-story Irish Cultural Center at the Property and the construction of a new six-story, 91-foot-tall Irish Cultural Center in its place. The Project proposes a combination of retail, restaurant, bar, office, and public/private community facilities within its six floors. In addition to the Permit, the Project sought and received Conditional Use Authorization under the proposed “Wawona Street and 45th Avenue Cultural Center SUD” pursuant to proposed Planning Code Section 249.96. The legislation for the SUD, under Board of Supervisors File No. 230505, was introduced on May 2, 2023, by Supervisor Engardio, and was subsequently heard and recommended by the Commission. Because the Project relied on the proposed SUD legislation, the Commission heard both matters jointly on July 27, 2023, and they were approved by a vote of 6-0-1.

**B. Background on Local Coastal Program**

The Property is subject to the Local Coastal Program under Planning Code Sections 330 *et seq.* (“**Permit Review Procedures**”). The Western Shoreline Plan was certified by the California Coastal Commission (“**Coastal Commission**”) in 1986 and amended once in 2018. San Francisco’s Coastal Zone extends approximately 6 miles along the western shoreline from the Fort Funston cliff area in the south to the Point Lobos recreational area in the north. With a few exceptions, the Coastal Zone extends approximately 300 feet from the shoreline inland and is divided into ten subareas.

Pursuant to Planning Code Section 330.5.1, the Planning Department, and the Board of Appeals on appeal, shall review coastal permits for consistency with the requirements and objectives of the Local Coastal Program. Under Section 330.2(d), the “Local Coastal Program” is clearly defined as “*the San Francisco Western Shoreline Plan, a part of the City's General Plan,*

*and any of its implementation programs issue papers and any other documents certified by the California Coastal Commission.”* By its own language, the Planning Code’s definition of Local Coastal Program does not include underlying zoning districts, consistent with San Francisco’s approach to its delegated Coastal Commission authority to simply apply General Plan policies to its Coastal Zone, rather than implementing specific zoning for the area.

**C. Coastal Commission Review is Not Required for Minor Changes to a Local Coastal Program**

The crux of Appellant’s arguments is that the proposed SUD does not conform to the Local Coastal Program because it has not been certified by the Coastal Commission. The SUD, however, makes very minor changes to a single 0.38-acre site within the 1,711-acre Local Coastal Program area. It does not make any fundamental alterations to the Local Coastal Program. Such minor amendments are contemplated and allowed under state law and do not trigger a need for certification from the Coastal Commission.

Appellant’s argument presupposes that certification is required for all amendments to the Local Coastal Program, but this is not the case. Planning Code Section 330.5(d)(2) provides that “*any proposed amendment...which may alter*” the Local Coastal Program shall be submitted for certification, which means there are a category of proposed zoning amendments that do not alter the Local Coastal Program. Further, Section 30523 of the California Public Resources Code expressly states that Coastal Commission review is not necessary for “*minor changes*” to a local coastal program:

*“It is the intent of the Legislature that local coastal programs certified by the commission should be sufficiently specific to meet the requirements of Section 30108.5, but not so detailed as to require amendment and commission review for **minor changes**, or to discourage the assumption by local governments of post-certification authority which ensures and implements effective protection of coastal resources. The Legislature also recognizes that the applicable policies and the level of specificity required to ensure*

*coastal resource protection may differ between areas on or near the shoreline and inland areas.” – California Public Resources Code, Section 30523.*

Also of note, this section of state law recognizes differing levels of specificity for inland development, and the Property in fact sits at the very eastern/inland edge of the city’s coastal zone.

***1. The SUD Proposes Only Minor Changes***

The SUD proposes minor amendments to refine the existing zoning at the Property to better effectuate the Western Shoreline Plan’s objectives, and it does not propose to fundamentally alter them.

With respect to use controls, all land uses proposed by the Project are permitted under the existing zoning, and the proposed SUD simply allows certain commercial uses above the second floor (when they are otherwise restricted to lower floors). This change is relatively minor in the context of the Local Coastal Program because it is not changing the type of uses allowed in the entire coastal zone (or on this specific site), but simply on what floors they can be located. Whether a restaurant is located on the second floor or the fifth floor does not change the essence of the underlying land use or its relationship to the coastal zone.

With respect to massing, the Project’s 91-foot height conforms to the existing 100 foot height limit. While the SUD relaxes certain physical development controls related to bulk and floor area ratio, these changes are relatively minor given the 100-foot height limit and context of the Property’s surroundings. Under the Property’s existing zoning, a mixed-use residential project larger than the proposed Irish Center would be permitted.

Appellant’s arguments place a great deal of focus on how the Neighborhood Commercial Rezoning’s guidelines and controls apply to the SUD and Project. Again, the “Local Coastal Plan” does not include zoning, and therefore changes to the zoning should not be considered amendments to the Local Coastal Plan.

Even if zoning were to be considered part of the Local Coastal Plan, any changes flowing from a rezoning must be viewed in the context of the entire Western Shoreline Plan. The 1985 Neighborhood Commercial Rezoning referred to by the Appellant was a major, city-wide rezoning that impacted zoning in multiple areas of the Local Coastal Plan (e.g. Sloat, La Playa, Lincoln, Fulton, Cabrillo, Balboa) and the rezoning was a fundamental change in how uses and buildings were regulated in those zoning districts. In contrast, the proposed SUD would not change the uses permitted at the Property, would not increase the height limit at the Property, and would have limited changes to how a building is sculpted at the Property.

A minor rezoning of a single property, a 0.38 acre site in the 1,711-acre Local Coastal Program area, to facilitate a project that has unique needs, that allows a building no larger than would otherwise be permitted, and that is consistent with the Western Shoreline Plan, is squarely within the Coastal Act's "minor change" exclusion from Coastal Commission review.

**D. The Project Conforms to Local Coastal Program**

What was contemplated by the Planning Commission, and what is relevant under the Permit Review Procedures, is that proposed Project is consistent with policies and objectives of the Western Shoreline Plan.

***1. Consistency with the Western Shoreline Plan Policies***

As confirmed by the Planning Commission, the Project is, on balance, consistent with the Western Shoreline Plan, as follows:

Policy 11.1: Preserve the scale and character of existing residential neighborhoods by setting allowable densities at the density generally prevailing in the area and regulating new development so its appearance is compatible with adjacent buildings.

The Property sits in close proximity to Sloat Boulevard, which is a major arterial road with median parking for visitors. To the east, west, and south, there are large-lot developments

comprising non-residential uses, like tourist hotels and the Zoo. Further, at 2800 Sloat Boulevard, two blocks to the west, there is a new 6 story mixed-use development that occupies its entire block. Despite being a non-residential building, the Project has been designed to provide a rear yard setback, in order to provide a greater distance from existing residential structures along 44th Avenue.

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 Project furthers this policy objective by revitalizing an important community facility that has and will continue to serve the resident population of the Outer Sunset and surrounding neighborhoods, as well as providing visitor-oriented services in the area. The neighborhood has few restaurants and other visitor-oriented uses, and the Project would remedy this and revitalize the corridor. We also note that the Plan defines the corridor as “community business”, which suggests a higher intensity than “neighborhood commercial” (*see* Planning Code Section 210.1).

Policy 6.5: Enhance the enjoyment of visitors to Ocean Beach by providing convenient visitor-oriented services, including take-out food facilities.

Policy 4.6: Enhance the entrance to the Zoo by providing visitor amenities at the northwest corner.

The Project fulfills these objectives by providing new community facilities and visitor amenities, such as restaurants and cultural activities in close proximity to the Zoo and Ocean Beach. Such amenities must be contemplated within commercial areas like the Property because the Ocean Beach subarea ends at the Great Highway and could not otherwise develop visitor-oriented uses.

#### **E. Conclusion**

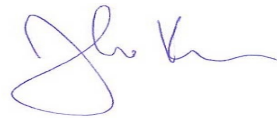
The Project’s Permit was approved consistent with the Coastal Act and the San Francisco Planning Code. San Francisco’s Local Coastal Program does not include associated zoning. Even

if the underlying zoning is considered part of the Local Coastal Program, the Coastal Act allows for such “minor changes” without Coastal Commission review. The Project’s SUD does not expand the land uses permitted at the Property and does not fundamentally alter the character of development permitted at the Property. The Planning Commission properly confirmed that the Project is consistent with the San Francisco’s Local Coastal Program, known as the Western Shoreline Plan.

For these reasons and those described in the sections above, we respectfully request that the Board deny the Appeal and uphold the issuance of the Permit.

Very truly yours,

**REUBEN, JUNIUS & ROSE, LLP**

A handwritten signature in blue ink, appearing to read "John Kevlin", written in a cursive style.

---

John Kevlin

**BRIEF(S) SUBMITTED BY RESPONDENT DEPARTMENT(S)**



# BOARD OF APPEALS BRIEF

**HEARING DATE: July 17, 2024**

July 11, 2024

**Appeal Nos.:** 23-035  
**Project Address:** 2700 45<sup>th</sup> Avenue  
**Block/Lot:** 2513/026  
**Zoning District:** NC-2 (Neighborhood Commercial, Small Scale)  
Wawona St and 45th Ave Cultural Center SUD  
**Height District:** 100-A  
**Staff Contact:** Corey A. Teague, Zoning Administrator – (628) 652-7328  
[corey.teague@sfgov.org](mailto:corey.teague@sfgov.org)

## Background

This brief is intended to provide a concise response to the appeal filed against the Coastal Zone Permit (“Permit”) issued for the property at 2700 45<sup>th</sup> Avenue by the Planning Commission on July 27, 2023, per Motion No. 21375. Beyond the Permit in question, the City has taken numerous actions over the past year to fully authorize the development of the new Irish Cultural Center (“ICC”) at the subject property, including:

1. Recreation and Park Commission approval of Resolution No. 2307-005 on July 20, 2023, recommending to the Planning Commission that shadow created by the project will not have a significant adverse impact on the San Francisco Zoo;
2. Planning Commission adoption of Motion No. 21374 on July 27, 2023, finding that that shadow



created by the project will not have a significant adverse impact on the San Francisco Zoo;

3. Planning Commission approval of the associated Conditional Use Authorization for the project on July 27, 2023, per Motion No. 21376;
4. Board of Supervisors adoption of Ordinance No. 241-23 on December 12, 2023, establishing the Wawona Street and 45th Avenue Cultural Center Special Use District (“SUD”);
5. Board of Supervisors adoption of Ordinance No. 111-24 on June 11, 2024, amending the SUD, and clarifying the height limit and principally permitted use within the SUD; and
6. Board of Supervisors adoption of Resolution No. 303-24 on June 11, 2024, authorizing the Director of the Planning Department to transmit Ordinance No. 111-24 to the California Coastal Commission (“CCC”) for certification (the transmittal occurred on June 14, 2024 [Exhibit A]).

It’s important to note that the Board heard two other Coastal Zone Permit appeals from this same Appellant over the last year. As part of those appeals, the City confirmed that additional work was needed to update the City’s Local Coastal Program (“LCP”), both specifically for the ICC project and more generally. However, that fact has not meant that projects cannot be found consistent with the City’s current LCP. To that point, the Board upheld the findings of LCP consistency for both prior Coastal Zone Permits.

Since this appeal was filed in August 2023, the City has coordinated directly with the CCC to ensure all the required steps were taken such that the proposed ICC project is consistent with the City’s LCP, and ultimately the California Coastal Act. The culmination of that collaboration was the CCC’s unanimous certification of the City’s proposed LCP amendment on July 11, 2024, specifically for the inclusion of the Wawona Street and 45th Avenue Cultural Center SUD. However, given the timing of the certification, the official documentation from the CCC could not be provided as an exhibit to this brief.

## Recommendation

Planning Code Section 330.5.1 states that Coastal Zone Permit “appeals shall be reviewed by the Board of Permit Appeals for consistency with the requirements and objectives of the San Francisco Local Coastal Program [LCP].” Planning Code Section 330.2 states that the City’s LCP “shall be the San Francisco Western Shoreline [Area] Plan, a part of the City’s General Plan, and any of its implementation programs issue papers and any other documents certified by the California Coastal Commission.”

The subject project is fully consistent with both the Planning Code and the Western Shoreline Area Plan, and is therefore consistent with the City’s LCP. Considering the feedback received from the Board on other Coastal Zone Permit appeals over the last year, as well as the recent CCC certification of the City’s amended LCP, the Department drafted updated findings of consistency for this permit (i.e., a new Coastal Zone Permit) for the Board’s consideration (Exhibit B).

## Conclusion

To conclude, the City and CCC took all the necessary actions to ensure the proposed ICC project is fully consistent with the Planning Code, the Western Shoreline Area Plan, and the Local Coastal Program. The manner in which the ICC project is fully consistent with the City’s LCP is detailed in the draft revised Coastal Zone Permit (i.e., findings of consistency) provided as Exhibit B.

Considering the information provided above, the Department respectfully requests that the Board of Appeals adopt the revised Coastal Zone Permit to allow the ICC project to move forward.

cc: Eileen Boken - SPEAK (Appellant)  
John Kevlin – Reuben, Junius & Rose LLP (Agent for Permit Holder)  
Dan Sider (Planning Department)  
Gaby Pantoja (Planning Department)

2700 45<sup>th</sup> Ave - Board of Appeals Brief  
Appeal No. 23-035  
Hearing Date: July 17, 2024

Enclosure:     Exhibit A – Local Coastal Plan Amendment Transmittal Letter  
                  Exhibit B – Draft Coastal Zone Permit for Adoption

## EXHIBIT A



June 14, 2024

California Coastal Commission  
North Central Coast District  
ATTN: Luke Henningsen  
455 Market Street, Suite #300  
San Francisco, CA 94105  
*via hand delivery and email to [luke.henningsen@coastal.ca.gov](mailto:luke.henningsen@coastal.ca.gov)*

**Re: Submittal of Local Coastal Program Amendment**

Dear Mr. Henningsen,

On behalf of the City and County of San Francisco, the Planning Department is pleased to transmit an amendment to the Implementation Program of San Francisco's certified Local Coastal Program ("LCP") to the Coastal Commission for review and certification.

The LCP Amendment would include the parcel located at 2700 45th Avenue in a newly created Wawona Street and 45th Avenue Cultural Center Special Use District ("SUD") along with amendments to 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. As you know, in December 2023 our office transmitted to you a similar proposed LCP Amendment that we have since withdrawn. In the time since, and thanks to your assistance and the ongoing collaboration of our two agencies, we have collectively refined the proposed Amendment into that which we are transmitting today.

The SUD would facilitate the redevelopment of the Irish Cultural Center. Located at this site since 1975, the Irish Cultural Center provides important facilities for social, recreational, athletic, and cultural activities for both the immediate neighborhood and the larger San Francisco community. The proposed LCP Amendments are a product of extensive neighborhood outreach and participation, along with numerous public hearings. The SUD would (1) clarify the applicable building height limit for the subject property of 100 feet, (2) eliminate a required special authorization for development on a large lot and for larger non-residential uses, (3) allow Planning Commission review and waivers for Floor Area Ratio, rear yard requirements, and bulk requirements, (4) principally permit office, institutional, retail, and wireless communication land uses, and (5) reduce the Transportation Demand Management requirement. The amendments to Planning Code Section 330 would designate the principally permitted uses for Residential Districts as residential uses, Parkmerced Residential District as residential uses, Neighborhood Commercial Districts as commercial uses, Public Districts as public uses where that shall be understood as public facility, open recreation area, or passive outdoor recreation, and the Wawona Street and 45<sup>th</sup> Avenue Cultural Center Special Use District as commercial as defined in the SUD.

We deeply appreciate the assistance that Coastal Commission staff has provided our Department during the LCP

Amendment process. We look forward to continuing our work and collaboration in the months and years to come.

Enclosed please find the following:

1. Signed and Adopted Transmittal Resolution (Board File No. 240563) and Ordinance (Board File No. 240228)
2. Hearing Notices
  - a. List of Hearing Dates
  - b. Proof of Noticing/Posting
3. Public Comment Information
  - a. Staff transcript and available minutes of Planning Commission on May 2, 2024, and public correspondence
  - b. Staff transcript and available minutes of Land Use and Transportation Committee Hearing on June 3, 2024 and public correspondence
  - c. Available minutes of Board of Supervisor hearings on June 4, 2024 and June 11, 2024
4. Mailing Lists
  - a. Copies of mailing lists and interested person and organization lists
5. Copy of the LCP Amendment
  - a. Signed and adopted Ordinance relating to the Wawona Street and 45th Avenue Cultural Center Special Use District (Planning Code Section 249.96) and Planning Code Section 330
  - b. Representative zoning map of Special Use District
6. Staff Reports
  - a. Planning Commission Resolution No. 21554
  - b. Staff Report for Planning Commission hearing on May 2, 2024, including Environmental Review Documents
7. Copies of the certified Land Use Plan (Western Shoreline Area Plan) and Coastal Zone Maps
8. Consistency Evaluation

We look forward to the Coastal Commission's review of this LCP Amendment. If you have any questions, please contact Gabriela Pantoja on my staff at [gabriela.pantoja@sfgov.org](mailto:gabriela.pantoja@sfgov.org).

Sincerely,



Daniel A. Sider, AICP  
Chief of Staff  
*for*  
Rich Hillis  
Director of Planning

Exhibits As Noted

**Mr. Luke Henningsen**

June 14, 2024

**Local Coastal Program Amendment**

**CC (all electronic)**

Gabriela Pantoja, SF Planning

Aaron Starr, SF Planning

Daniel Sider, SF Planning

Peter Miljanich, SF City Attorney's Office

Angela Calvillo, Clerk of the SF Board of Supervisors

## EXHIBIT B





# BOARD OF APPEALS – COASTAL ZONE PERMIT

**HEARING DATE: JULY 17, 2024**

**Record No.:** 2022-001407CTZ  
**Project Address:** 2700 45<sup>th</sup> Avenue  
**Zoning:** Neighborhood Commercial, Small Scale (NC-2) Zoning District  
Wawona Street and 45th Avenue SUD  
100-A Height and Bulk District  
**Cultural District:** Sunset Chinese Cultural District  
**Block/Lot:** 2513 / 026  
**Project Sponsor:** Dane Bunton  
Studio BANAA  
2169 Folsom Street, Suite #106  
San Francisco, CA 94110  
**Property Owner:** United Irish Cultural Center Inc.  
San Francisco, CA 94116  
**Staff Contact:** Gabriela Pantoja – (628) 652-7380  
Gabriela.Pantoja@sfgov.org

ADOPTING FINDINGS RELATING TO THE GRANTING OF A COASTAL ZONE PERMIT PURSUANT TO PLANNING CODE SECTION 330 TO ALLOW THE DEMOLITION OF A TWO-STORY, COMMUNITY FACILITY AND NEW CONSTRUCTION OF A SIX-STORY-OVER-BASEMENT, 91-FT TALL, MIXED-USE BUILDING (APPROXIMATELY 129,538 SSQUARE FEET) OPERATED BY THE UNITED IRISH CULTURAL CENTER THAT CONTAINS PUBLIC AND PRIVATE COMMUNITY FACILITIES, RESTAURANT, BAR, OFFICE, NIGHTTIME ENTERTAINMENT, AND INSTITUTIONAL LAND USES, 54 OFF-STREET PARKING SPACES, TWO CAR SHARE SPACES, 42 CLASS 1 AND 44 CLASS 2 BICYCLE PARKING SPACES LOCATED AT 2700 45<sup>TH</sup> AVENUE, BLOCK 2513 LOT 026 WITHIN THE NC-2 (NEIGHBORHOOD COMMERCIAL, SMALL SCALE) ZONING DISTRICT, WAWONA STREET AND 45<sup>TH</sup> AVENUE CULTURAL CENTER SPECIAL USE DISTRICT, AND 100-A HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMNETAL QUALITY ACT.

## PREAMBLE

On February 18, 2022, Dane Bunton of Studio BANAA (hereinafter "Project Sponsor") filed Application No. 2022-001407CTZ (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Coastal Permit Zone to allow the demolition of a two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet) operated by the United Irish Cultural

Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses, 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. (hereinafter “Project”) at 2700 45<sup>th</sup> Avenue, Block 2513 Lot 026 (hereinafter “Project Site”).

The Project is exempt from the California Environmental Quality Act (“CEQA”) as an Infill Exemption per CEQA Guidelines Section 15183.3.

On July 27, 2023, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Coastal Zone Permit Application No. 2022-001407CTZ and granted the requested Coastal Zone Permit per Motion No. 21375.

At this same hearing, the Commission considered the proposed Ordinance, on file with the Clerk of the Board File No. 230505, to create the Wawona Street and 45th Avenue Cultural Center Special Use District (“SUD”) and issued Conditional Use Authorization No. 2022-001407CUA, Motion No. 21376.

On August 10, 2023, Sunset Parkside Education and Action Committee (SPEAK) appealed the issuance of the Coastal Zone Permit No. 2022-001407CTZ (Motion No. 21375) to the Board of Appeals.

On December 12, 2023, the Board of Supervisors passed the Wawona Street and 45th Avenue Cultural Center 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”).

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.

Upon transmittal of the City’s Local Coastal Program Amendment to the Coastal Commission, Coastal Commission recommended revisions to the Ordinance No. 241-23, on file with the Clerk of the Board File No. 230505 including defining principal permitted uses (“PPU”) under the City’s Local Coastal Program for both the Wawona Street and 45<sup>th</sup> Avenue SUD 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.

On May 2, 2024, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed amended Ordinance, on file with the Clerk of the Board File No. 240228.

On June 11, 2024, the Board of Supervisors passed the amended Wawona Street and 45th Avenue Cultural Center SUD and Planning Code Section 330 (Ordinance No. 111-24, on file with the Clerk of the Board File No. 240228). That ordinance, which amended the Planning Code and Zoning Map was signed by the Mayor on June 13, 2024.

Similarly, on June 11, 2024, the Board of Supervisors also adopted Resolution No. 303-24, on file with the Clerk of the Board in File No. 240563. That resolution, which was signed by the Mayor on June 13, 2024, authorized the Director of the Planning Department to transmit Ordinance No. 111-24 to the Coastal Commission for certification.

The Department transmitted Ordinance No. 111-24 to the Coastal Commission for certification and was deemed received and complete by the Coastal Commission on June 28, 2024.

On July 11, 2024, the Coastal Commission certified Local Coastal Program (LCP) Amendment No. LCP-2-SNF-24-0024-1, consistent with Ordinance No. 111-24.

The Board of Appeals 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 the applicant, appellant, Department staff, and other interested parties.

**MOVED**, that the Board of Appeals hereby authorizes the Coastal Zone Permit as requested in Application No. 2022-001407CTZ, subject to the conditions contained in “EXHIBIT B” of this motion, based on the following findings:

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Board finds, concludes, and determines as follows:

- 1. The above recitals are accurate and constitute findings of this Board.**
- 2. Project Description.** The proposal is 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) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses. The proposed building will contain 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. The Project will improve the pedestrian walkways with new ADA curb ramps, a new bulb-out at the intersection of Wawona St. and 45th Ave., ADA passenger loading zones, street trees, and Class 2 bicycle parking spaces. A total of three signs will be erected at the site.
- 3. Site Description and Present Use.** The subject property is an approximately 16,250 square foot irregular shaped lot located on the west side of 45<sup>th</sup> Avenue, between Wawona Street and Sloat Boulevard. The lot at maximum measures 132 feet 6 inches in depth and 125 feet in width and is developed with a two-story L-shaped building. Developed in 1974, the building is approximately 21,263 square feet in size and is composed of a library, store, restaurant, bar, member’s lounge, office, ballroom, and social hall. A surface parking lot is located at the east section of the subject property and contains 12 off-street parking spaces. Since its opening in 1975, the “United Irish Cultural Center” has occupied the existing building and served the Irish community in San Francisco and the greater Bay Area.

- 4. Surrounding Properties and Neighborhood.** The subject property is located within the Neighborhood Commercial, Small Scale (NC-2) Zoning District, Wawona Street and 45th Avenue SUD, 100-A Height and Bulk District, and Coastal Zone area. The property is located within the Parkside neighborhood, adjacent to the Lakeshore neighborhood. The immediate neighborhood's context is predominantly mixed in character with one-to-three story residential and commercial developments. Immediately to the south of the subject property is a vacant parking lot and a one-story restaurant, Java Beach Café, to the east are four three-story multi-unit residential buildings, and to the southeast is a two-story motel. Across the street of the subject property is 2700 Sloat Blvd., the current home of the Sloat Garden Center. Other zoning districts in the vicinity of the subject property include RH-1 (Residential-House, One-Family), RM-2 (Residential-Mixed, Moderate Density), and P (Public) Zoning Districts.

The Project is located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The Sunset Chinese Cultural District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.

- 5. Public Outreach and Comments.** Prior to the submittal of the listed applications, the Project Sponsors 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 Sponsors have continued to provide community members with Project updates via a monthly newsletter and a dedicated website. Over 200 community members have already expressed support for the proposed development including Cub Scout Pack 0108, The Kennelly and Michael Dillon Schools of Irish Dance, SF Connaught Social and Athletic Club, and District 4 Board of Supervisor, Joel Engardio.
- 6. Local Coastal Plan Compliance.** Pursuant to Planning Code Section 330, the Project is consistent with the amended LCP as certified by the Coastal Commission under LCP Amendment No. LCP-2-SNF-24-0024-1, including the Western Shoreline Area Plan (Land Use Plan) and the applicable provisions of the Planning Code (Implementation Plan).
- 7. Planning Code Compliance.** The Board finds that the Project is consistent with the applicable provisions of the Planning Code in the following manner:

- A. **Use.** Pursuant to Planning Code Section 249.96, Wawona Street and 45<sup>th</sup> Avenue Cultural Center SUD, General Office, Institutional Uses, Retail Sales and Service Uses, and Nighttime Entertainment are principally permitted at all floors.

*The Project will comply with this requirement. The Project proposes the construction of a six-story-over-basement, mixed-use building (United Irish Cultural Center) that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Institutional land uses.*

- B. **Floor Area Ratio.** Planning Code Section 124 permits a Floor Area Ratio (FAR) of 2.5 to 1 for non-residential uses within the NC-2 Zoning District.

*The proposed development will have a FAR of 6.7. The Project was granted an exception via a*

*Conditional Use Authorization (Motion No. 21376) pursuant to the Wawona St. and 45<sup>th</sup> Avenue Cultural Center SUD (Section 249.96), which allows a maximum FAR of 7.0 to 1.*

- C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard at the second story and above for a depth equal to 25 percent of the total depth of the lot, but in no case less than 15 feet within the NC-2 Zoning District.

*The Project will provide a 15-foot rear yard at the third story and above. The Project was granted an exception via a Conditional Use Authorization (Motion No. 21376) pursuant to the Wawona Street and 45<sup>th</sup> Avenue Cultural Center SUD (Section 249.96).*

- D. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169, 249.46, and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve 31 percent of a target of 29 points, or 9 points.

*As currently proposed, the Project will achieve its required 9 points through the following TDM measures:*

- Bicycle Parking (Option A)
- Bicycle Repair Station
- Car-share Parking (Option A)
- Delivery Support Amenities
- Multimodal Wayfinding Signage
- Real Time Transportation Displays
- Tailored Transportation Marketing Services (Option B)

- E. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 100-A Height and Bulk District, which limits height to 100 feet.

*The Project complies with this requirement. The proposed six-story-over-basement building is approximately 91 feet in height.*

- F. **Bulk.** Planning Code Section 270 requires that properties located with Bulk District “A” above 40 feet in height measure a maximum length of 100 feet and a maximum diagonal length of 125.

*The proposed development will have a maximum length of 130 feet and a maximum diagonal length of 176 for any building massing above 40 feet. The Project was granted an exception from Bulk via a Conditional Use Authorization (Motion No. 21376) pursuant to the Wawona Street and 45<sup>th</sup> Avenue Cultural Center SUD (Section 249.96), which allows a maximum length of 130 feet and a maximum diagonal length of 176 feet for any building massing above 40 feet.*

8. **General Plan Compliance.** The Project is, on balance, 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.

### URBAN DESIGN ELEMENT

Objectives and Policies

### OBJECTIVE 3

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

#### POLICY 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

### OBJECTIVE 4

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

POLICY 4.12

Install, promote and maintain landscaping in public and private areas.

**TRANSPORTATION ELEMENT**

Objectives and Policies

**OBJECTIVE 25**

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

POLICY 25.2

Maintain and expand the planting of street trees and the infrastructure to support them.

POLICY 25.4

Preserve pedestrian-oriented building frontages

**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.

**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.



## RICHMOND AND SUNSET RESIDENTIAL NEIGHBORHOODS

### Objectives and Policies

#### OBJECTIVE 11

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

##### 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.

*On balance, the Project is consistent with the Objectives and Policies of the General Plan and the Western Shoreline Area Plan. The Project will develop 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 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, is a proven manager and operator of a large community facility.*

*The Project 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. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area and nearby Ocean Beach. The Project will not significantly affect the enjoyment of the adjacent recreation areas or parks including Ocean Beach.*

*Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area. The Project 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.*

*Located within proximity to public transportation, the Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the neighborhood's existing on-street parking availability. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will also be provided along both 45th Avenue and Wawona Street. The Project will also 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. 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 in the immediate public right-of-way.*

**9. Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The Project will not remove or displace an existing neighborhood serving retail uses. The Project site is currently and will continue to be occupied by a community facility (United Irish Cultural Center). The Project will, however, enhance and provide neighborhood serving retail use opportunities, job opportunities, and business opportunities to the residents of the neighborhood. Furthermore, the Project will introduce new patrons to the area, and therefore, strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.*

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The Project will conserve and protect the existing housing and neighborhood character, including the cultural and economic diversity of the neighborhood. The Project will maintain and help grow the presence of the United Irish Cultural Center within the Outer Sunset and Parkside neighborhoods by demolishing an existing two-story, community facility building and constructing a six-story-over-basement, mixed-use building with private and public community facilities, bar, restaurant, office, nighttime entertainment, and instructional uses. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.*

*Reflecting the history and aspirations of the Irish community, the proposed building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area while respecting the scale and form of the surrounding neighborhood.*

- C. That the City's supply of affordable housing be preserved and enhanced,

*The Project does not include any existing affordable housing.*

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the immediate neighborhood's existing on-street parking availability; the Project site is well served by public transportation. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street*

*passenger and freight loading will be provided along both 45<sup>th</sup> Ave. and Wawona Street.*

- E. 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 Project will not displace any service or industry sectors due to a commercial office development and will not affect residents' employment and ownership opportunities of industrial and service sector. Rather, the Project will increase the future employment and ownership opportunities. The Project will demolish a two-story, community facility building and construct a much larger mixed-use building that includes private and public community facilities, restaurant, bar, office, nighttime entertainment, and instructional uses.*

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings.*

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Project will create a new shadow on the San Francisco Zoo which is under the jurisdiction of the Recreation and Park Department. However, the amount of net new shadow cast onto the Zoo as a result of the Project will not be significant or adverse to the enjoyment of the park.*

- 10.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 11.** The Board hereby finds that approval of the Coastal Zone Permit would promote the health, safety, and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Board at the public hearing, and all other written materials submitted by all parties, the Board hereby **APPROVES Coastal Zone Permit Application No. 2022-001407CTZ** on July 17, 2024, subject to the following conditions attached hereto as "EXHIBIT B" in general conformance with plans on

file, dated July 18, 2023, and stamped “EXHIBIT C”, which is incorporated herein by reference as though fully set forth.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

DRAFT

# EXHIBIT B

## Authorization

This authorization is for a coastal zone permit to allow the demolition of an existing two-story, community facility and new construction of a six-story-over-basement, mixed-use building (approximately 129,538 square feet) to be operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses pursuant to Planning Code Sections 249.96, 303, and 330 within the NC-2 District, Wawona Street and 45<sup>th</sup> Avenue Cultural Center SUD, and a 100-A Height and Bulk District; in general conformance with plans, dated July 18, 2023, and stamped “EXHIBIT C” included in the docket for Record No. 2022-001407CTZ and subject to conditions of approval reviewed and approved by the Commission on July 27, 2023 under Motion No. 21376. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

## Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Board of Appeals on July 17, 2024.

## Printing of Conditions of Approval on Plans

The conditions of approval under the “Exhibit B” of this approval shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Coastal Zone Permit and any subsequent amendments or modifications.

## Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. “Project Sponsor” shall include any subsequent responsible party.

## Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require a new Coastal Zone Permit.

# CONDITIONS OF APPROVAL

## Performance

- 1. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the date of approval. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 2. Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing a new application for Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 3. Extension.** The time limits in the preceding paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal, or a legal challenge and only by the length of time for which such public agency, appeal, or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Monitoring - After Entitlement

- 4. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*