

BOARD of SUPERVISORS



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

Date: February 10, 2025
To: Planning Department / Commission
From: Victor Young, Clerk of the Rules Committee
Subject: Board of Supervisors Legislation Referral - File No. 250126
Administrative Code – Castro Upper Market Entertainment Zone

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

Please send the Planning Department/Commission recommendation/determination to Victor Young at Victor.Young@sfgov.org.



City and County of San Francisco

Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 250126	File Type: Ordinance	Status: 30 Day Rule
Enacted:	Effective:	
Version: 1	In Control: Rules Committee	
File Name: Administrative Code - Castro Upper Market Entertainment Zone	Date Introduced: 02/04/2025	
Requester:	Cost:	Final Action:
Comment:	Title: Ordinance amending the Administrative Code to create the Castro Upper Market Entertainment Zone, located on 18th Street between Diamond and Sanchez Streets, Castro Street between 19th and States Streets, Market Street between Collingwood and Church Streets, Church Street between 14th and 15th Streets, 14th Street between Belcher and Landers Streets, and Noe Street between Beaver and Market Streets; to clarify the boundaries of the existing Arena Entertainment Zone; and affirming the Planning Department’s determination under the California Environmental Quality Act.	
Sponsor: Mandelman		

History of Legislative File 250126

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	02/04/2025	ASSIGNED UNDER 30 DAY RULE	Rules Committee	03/06/2025	

[Administrative Code - Castro Upper Market Entertainment Zone]

Ordinance amending the Administrative Code to create the Castro Upper Market Entertainment Zone, located on 18th Street between Diamond and Sanchez Streets, Castro Street between 19th and States Streets, Market Street between Collingwood and Church Streets, Church Street between 14th and 15th Streets, 14th Street between Belcher and Landers Streets, and Noe Street between Beaver and Market Streets; to clarify the boundaries of the existing Arena Entertainment Zone; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

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

Section 1. CEQA Findings.

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

1 Section 2. Chapter 94B of the Administrative Code is hereby amended by revising
2 Section 94B.4, to read as follows (portion of Section 94B.2 reprinted for informational
3 purposes only):
4

5 **SEC. 94B.2. ENTERTAINMENT ZONE CONTROLS.**

6 * * * *

7 (c) All open alcoholic beverages consumed during an Entertainment Zone Event shall
8 be purchased only from a premises located within the Entertainment Zone that is authorized
9 under California Business and Professions Code Section 23357, 23358, or 23396, as may be
10 amended from time to time, to permit consumers to leave the premises with open containers
11 of alcoholic beverages for consumption off the premises, or an organization that is authorized
12 by an ABC special event permit or license to make such sales within the Entertainment Zone.
13

14 **SEC. 94B.4. ENTERTAINMENT ZONE LOCATIONS.**

15 * * * *

16 (b) **Additional Entertainment Zones.**

17 * * * *

18 (2) **Arena Entertainment Zone.**

19 (A) The area bounded by the southern side of Warriors Way on the
20 north, the western side of Terry A. Francois Boulevard on the east, the northern side of 16th
21 Street on the south, and the eastern side of 3rd Street on the west, including all sidewalks but
22 excluding public streets and other rights-of-way, and all premises specified in Section 94B.2(c) that
23 are adjacent thereto, ~~is~~are hereby designated as the Arena Entertainment Zone under Sections
24 23039.5 and 25690 of the California Business and Professions Code.
25

* * * *

1 **(4) Castro Upper Market Entertainment Zone.**

2 (A) All public streets, public rights-of-way, and sidewalks in front of storefronts
3 abutting the following locations, and all premises specified in Section 94B.2(c) that are adjacent
4 thereto, are hereby designated as the Castro Upper Market Entertainment Zone under Sections 23039.5
5 and 25690 of the California Business and Professions Code:

6 (i) 18th Street between Diamond and Sanchez Streets;

7 (ii) Castro Street between 19th and States Streets;

8 (iii) Market Street between Collingwood and Church Streets;

9 (iv) Church Street between 14th and 15th Streets;

10 (v) 14th Street between Belcher and Landers Streets; and

11 (vi) Noe Street between Beaver and Market Streets.

12 (B) Notwithstanding subsection (c), if an Entertainment Zone Event within the
13 Castro Upper Market Entertainment Zone does not involve the closure of a public street, it need not
14 receive a permit for the use of a public street under Transportation Code Division I, Section 6.6 or 6.16
15 or Transportation Code Division II, Section 206, or other applicable authority of the San Francisco
16 Municipal Transportation Agency (SFMTA).

17 (c) Except as otherwise specified in this Section 94B.4, an Entertainment Zone
18 Event must take place in conjunction with a permit for the use of a public street under
19 Transportation Code Division I, Section 6.6 or 6.16 or Transportation Code Division II, Section
20 206, or other applicable authority of the SFMTA.

21 (d) Outdoor consumption of alcoholic beverages within ~~this~~an Entertainment Zone is
22 authorized during any Entertainment Zone Event on any day of the year between the hours of
23 noon and 11:59 p.m., inclusive, subject to any additional limitations imposed by any ABC
24 permit or license and by the Management Plan, or if none, the Downtown Activation Permit,

1 for the Entertainment Zone, including but not limited to more restrictive days and hours during
2 which outdoor consumption of alcoholic beverages is authorized.

3 (e) A Downtown Activation Permit is not required to hold an Entertainment Zone
4 Event.

5
6 Section 3. Effective Date. This ordinance shall become effective 30 days after
7 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
8 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
9 of Supervisors overrides the Mayor's veto of the ordinance.

10
11 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
12 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
13 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
14 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
15 additions, and Board amendment deletions in accordance with the "Note" that appears under
16 the official title of the ordinance.

17
18 APPROVED AS TO FORM:
19 DAVID CHIU, City Attorney

20 By: /s/ Victoria Wong
21 VICTORIA WONG
Deputy City Attorney

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23
24
25

LEGISLATIVE DIGEST

[Administrative Code - Castro Upper Market Entertainment Zone]

Ordinance amending the Administrative Code to create the Castro Upper Market Entertainment Zone, located on 18th Street between Diamond and Sanchez Streets, Castro Street between 19th and States Streets, Market Street between Collingwood and Church Streets, Church Street between 14th and 15th Streets, 14th Street between Belcher and Landers Streets, and Noe Street between Beaver and Market Streets; to clarify the boundaries of the existing Arena Entertainment Zone; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Under Administrative Code Chapter 94B, open alcoholic beverages can be consumed on any public street, avenue, sidewalk, stairway, alley, or thoroughfare within an Entertainment Zone during an Entertainment Zone Event, subject to state and local law, when those beverages are purchased from a licensed premises within the Entertainment Zone.

Administrative Code Section 94B.1 defines an Entertainment Zone Event as “a special event permitted or licensed by ABC that occurs within the boundaries of an Entertainment Zone established in accordance with this Chapter 94B and within the hours permitted by this Chapter 94B and the Management Plan or the Downtown Activation Permit issued pursuant to Administrative Code Chapter 94D for the Entertainment Zone.” Administrative Code Section 94B.4 establishes Entertainment Zone locations.

Amendments to Current Law

This ordinance would create the Castro Upper Market Entertainment Zone on 18th Street between Diamond and Sanchez Streets, Castro Street between 19th and States Streets, Market Street between Collingwood and Church Streets, Church Street between 14th and 15th Streets, 14th Street between Belcher and Landers Streets, and Noe Street between Beaver and Market Streets.

This ordinance would also clarify the description of the boundaries of the existing Arena Entertainment Zone, using language consistent with the description of boundaries of other Entertainment Zones.

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Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor [] inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. [] from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No. []
- ☐ 9. Reactivate File No. []
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on []

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor:

Rafael Mandelman

From: [Ha, Anh \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [WONG, VICTORIA \(CAT\)](#); [Ho, Calvin \(BOS\)](#)
Subject: Castro Upper Market Entertainment Zone
Date: Tuesday, February 4, 2025 10:43:18 AM
Attachments: [Castro Upper Market Entertainment Zone Introduction Form.pdf](#)
[01816246 Legislation.DOCX](#)
[01816262 Legislative Digest.DOCX](#)

Hello Legislation Team,

Attached is the introduction form and legislation for an amendment to the administrative code that President Mandelman is introducing today to establish the Castro Upper Market Entertainment Zone.

Best regards,

Anh

Anh Ha
Legislative Aide
Office of President Rafael Mandelman, District 8
415-554-6986
he/him/his

From: [Wong, Victoria \(CAT\)](#)
To: [BOS Legislation, \(BOS\)](#); [Ha, Anh \(BOS\)](#)
Cc: [Ho, Calvin \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Subject: Re: Castro Upper Market Entertainment Zone
Date: Tuesday, February 4, 2025 11:47:35 AM

Approved as to form, thank you.

PRIVILEGED AND CONFIDENTIAL
ATTORNEY CLIENT COMMUNICATION
ATTORNEY WORK PRODUCT

Victoria Wong
Deputy City Attorney
Office of City Attorney David Chiu
(415) 554-4721 Direct
www.sfcityattorney.org
Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

*Please note: I am primarily working remotely. The most efficient way to reach me is by email.

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Tuesday, February 4, 2025 11:08:50 AM
To: Ha, Anh (BOS) <anh.v.ha@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: Wong, Victoria (CAT) <Victoria.Wong@sfcityatty.org>; Ho, Calvin (BOS) <calvin.ho@sfgov.org>;
Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>
Subject: RE: Castro Upper Market Entertainment Zone

Hi Anh,

As a reminder, please include the Supervisor during the email submission, as a silent approval for his submission (unless the introduction form has a wet signature). We request that Supervisor Mandelman to reply back with his approval to this email. We are also seeking the approval from Deputy City Attorney Victoria Wong for use of her electronic signature on the proposed Ordinance and approval as to form, also by reply to this email. Thank you in advance.

Best regards,
Jocelyn Wong
Legislative Clerk
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Click [HERE](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

From: Ha, Anh (BOS) <anh.v.ha@sfgov.org>

Sent: Tuesday, February 4, 2025 10:43 AM

To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Cc: WONG, VICTORIA (CAT) <Victoria.Wong@sfcityatty.org>; Ho, Calvin (BOS) <calvin.ho@sfgov.org>

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Legislative Aide
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415-554-6986
he/him/his

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17
18 APPROVED AS TO FORM:
19 DAVID CHIU, City Attorney

20 By: /s/ Victoria Wong
21 VICTORIA WONG
22 Deputy City Attorney

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