

File No. 241208

Committee Item No. 7

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date: April 21, 2025

Board of Supervisors Meeting:

Date: _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance - VERSION 3 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest - VERSION 3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract / DRAFT Mills Act Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
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OTHER

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Planning Commission Transmittal – April 16, 2025</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>CEQA Determinations – April 1, March 11, and February 3, 2025</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referrals CEQA, PC, and FYI – March 25, February 7, 2025 and</u> |
| | | <u>December 26, 2024</u> |
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Prepared by: John Carroll

Date: April 17, 2025

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

[Planning Code - Entertainment Uses in South of Market]

Ordinance amending the Planning Code to eliminate the 200-foot buffer restriction in the Western SoMa Special Use District for Nighttime Entertainment uses located within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District and delete references to the buffer restriction in the SALI (Service/Arts/Light Industrial) and WMUO (WSoma Mixed-Use Office) Districts; principally permit General Entertainment and Nighttime Entertainment uses at 655 Folsom Street (Assessor's Parcel Block No. 3750, Lot No. 050) located in the MUR (Mixed-Use Residential) District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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

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

Section 1. Environmental and Land Use Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of

Supervisors in File No. 241208 and is incorporated herein by reference. The Board affirms this determination.

(b) On April 10, 2025, the Planning Commission, in Resolution No. 21724, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 241208, and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, this Board finds that this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 21724, and incorporates such reasons by this reference thereto. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File No. 241208.

Section 2. Background and General Findings.

(a) For over 50 years, the South of Market area ("SoMa"), specifically the Folsom Street corridor, has been one of San Francisco's major nightlife and entertainment hubs, in which innumerable bars and nightclubs were established catering to diverse populations.

(b) The Western SoMa Special Use District ("Western SoMa SUD") allows but imposes restrictions on the establishment of new Nighttime Entertainment uses, including requiring a 200-foot buffer between such uses and any property within a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District, subject to certain exceptions.

(c) In 2023, the City enacted Ordinance No. 22-23 to promote and enhance the vitality of nightlife in SoMa, specifically in portions of the neighborhood located within the Leather and LGBTQ Cultural District ("Cultural District"), the boundaries of which are established in Administrative Code Section 107.3(e). The ordinance principally permitted Nighttime

1 Entertainment uses at specified locations within the Cultural District and exempted such uses
2 from the 200-foot buffer requirement. However, Ordinance No. 22-23 did not address
3 properties that fall outside of the Cultural District's boundaries.

4 (d) This ordinance removes the buffer restrictions in the Western SoMa SUD. General
5 Entertainment and Nighttime Entertainment uses are already principally permitted in the SALI
6 (Service/Arts/Light Industrial) and WMUO (WSoMa Mixed Use-Office) Districts. The portions
7 of those Districts that are also within the Western SoMa SUD will no longer be subject to the
8 buffer restrictions.

9 (e) This ordinance also principally permits General Entertainment and Nighttime
10 Entertainment uses at 655 Folsom Street in the MUR (Mixed-Use Residential) District. The
11 property at 655 Folsom Street is surrounded by properties zoned C-3 (Downtown
12 Commercial), where more commercial uses are permitted, including General Entertainment
13 and Nighttime Entertainment uses. Unlike its commercially-zoned neighbors, this property is
14 zoned MUR (Mixed-Use Residential), which allows a more limited subset of commercial uses.
15 This property is at an active location fronting Folsom Street, in the heart of the Yerba
16 Buena/Downtown area, and close to other commercial uses. In the near term, the currently
17 vacant property can be activated as an entertainment use and will contribute to the recovery
18 of the Downtown area. In the future, the property may be the site of a housing development.
19 Therefore, at this time, a narrow expansion of permitted uses for this property, as opposed to
20 a complete rezoning, is an appropriate mechanism to balance the interests of immediately
21 activating vacant properties and supporting the long-term goal of developing much-needed
22 housing in the City.

23
24 Section 3. Articles 2 and 8 of the Planning Code are hereby amended by revising
25 Sections 249.39, 833, 836, and 840, to read as follows:

1 **SEC. 249.39. WESTERN SOMA SPECIAL USE DISTRICT.**

2 * * * *

3 (c) **Controls.** All provisions of the Planning Code shall apply except as otherwise
4 provided in this subsection (c).

5 * * * *

6 (4) **Nonconforming Uses.** A legal nonconforming Nighttime Entertainment use
7 located in a building that is demolished may be re-established within a newly constructed
8 replacement building on the same lot with a Conditional Use authorization pursuant to Section
9 303 of this Code, and pursuant to the following criteria:

10 (A) The Gross Floor Area of the re-established nonconforming Nighttime
11 Entertainment use may be increased up to 25% ~~percent~~ more than the area it occupied in the
12 building proposed for demolition;

13 * * * *

14 (7) **Recreation Facilities.** The demolition of recreation facilities, as defined in
15 subsection 249.39(c)(~~7~~8)(A) of this Code, shall be governed by the following:

16 * * * *

17 ~~(7) **Buffers from Nighttime Entertainment.** Additional requirements applicable to~~
18 ~~Nighttime Entertainment uses, as defined in Section 102, are as follows:~~

19 ~~(A) **Nighttime Entertainment.** No portion of a non-accessory Nighttime~~
20 ~~Entertainment use, as defined in Section 102 of this Code, shall be permitted within 200 linear feet of~~
21 ~~any property within a RED or RED-MX District. This buffer shall not apply to (i) any Nighttime~~
22 ~~Entertainment use within the WMUO District where a Nighttime Entertainment use that was~~
23 ~~established with a building permit application or a permit from the Entertainment Commission or~~
24 ~~Police Department was in operation within five years prior to submission of a building permit~~
25 ~~application to re-establish a Nighttime Entertainment use, or (ii) a Nighttime Entertainment Use~~

~~established within the Regional Commercial District Pursuant to Section 703.9(b) of this Code, or (iii) properties fronting Folsom Street between 7th Street and Division Street and properties fronting 11th Street between Howard Street and Division Street.~~

* * * *

SEC. 833. MUR – MIXED USE-RESIDENTIAL DISTRICT.

The Mixed Use-Residential District (MUR) is intended to facilitate the development of high-density, mid-rise housing, including family-sized housing and residential hotels. The district is also designed to encourage the expansion of retail, business service, and commercial and cultural arts activities. Accessory Dwelling Units are permitted within the district pursuant to Section 207.1 of this Code.

Continuous ground floor commercial frontage with pedestrian-oriented retail activities along major thoroughfares is encouraged. Hotels, ~~nighttime entertainment~~, adult entertainment, and heavy manufacturing uses are not permitted. Nighttime entertainment uses generally are not permitted. Office is limited by residential-to-non residential ratio in new construction.

Table 833

MUR – MIXED USE-RESIDENTIAL DISTRICT ZONING CONTROL TABLE

Zoning Category	§ References	Mixed Use-Residential District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Entertainment, Arts and Recreation Use Category		
Entertainment, Arts and Recreation Uses*	§§ 102, 181(f), 249.78, 803.9(b)	NP(1)(3)

Arts Activities	§ 102	P
Entertainment, General	§ 102	NP(7)(8)
<i>Entertainment, Nighttime</i>	<i>§§ 102, 181(f)</i>	<i>NP(8)</i>
Movie Theater	§ 102	P up to three screens-
* * * *		

* Not listed below

* * * *

(7) C for Pool Hall.

(8) General Entertainment and Nighttime Entertainment uses are P for Assessor's Block 3750, Lot 050.

SEC. 836. SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT.

The Service/Arts/Light Industrial (SALI) District is largely comprised of low-scale buildings with production, distribution, and repair uses. The district is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, and light manufacturing activities, with an emphasis on preserving and expanding arts activities. Nighttime Entertainment is permitted, ~~although limited by buffers around RED and RED-MX districts.~~ Residential Uses, Offices, Hotels, and Adult Entertainment uses are not permitted, except that certain Affordable Housing Projects are permitted within the district pursuant to Section ~~846.24~~ 803.8 of this Code, and Accessory Dwelling Units are permitted within the district pursuant to Section 207.1 of this Code.

* * * *

Table 836

SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE

Zoning Category	§ References	Service/Arts/Light Industrial District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Entertainment, Arts and Recreation Use Category		
Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	P (10)
Movie Theater	§ 102	P up to three screens-
Outdoor Entertainment	§ 102	NP
Sports Stadium	§ 102	NP
* * * *		

* Not listed below

* * * *

~~(10) Nighttime Entertainment subject to buffer in Section 249.39(c)(7).~~

SEC. 840. WMUO – WSOMA MIXED USE-OFFICE DISTRICT.

* * * *

Table 840

WMUO – WSOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE

Zoning Category	§ References	Western SoMa Mixed Use-Office District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Entertainment, Arts and Recreation Use Category		
Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	P (9)
Movie Theater	§ 102	P, up to three screens
Outdoor Entertainment	§ 102	NP

Sports Stadium	§ 102	NP
* * * *		

* Not listed below

* * * *

~~(9) Nighttime Entertainment is subject to restrictions in Section 249.6(e)(9).~~

Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the 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.

Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ HEATHER GOODMAN
HEATHER GOODMAN
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(Substituted, March 18, 2025)

[Planning Code - Entertainment Uses in South of Market]

Ordinance amending the Planning Code to eliminate the 200-foot buffer restriction in the Western SoMa Special Use District for Nighttime Entertainment uses located within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District and delete references to the buffer restriction in the SALI (Service/Arts/Light Industrial) and WMUO (WSMa Mixed-Use Office) Districts; principally permit General Entertainment and Nighttime Entertainment uses at 655 Folsom Street (Assessor's Parcel Block No. 3750, Lot No. 050) located in the MUR (Mixed-Use Residential) District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Existing Law

The Planning Code regulates allowable uses for the MUR (Mixed Use-Residential), SALI (Service/Arts/Light-Industrial), and WMUO (WSMa Mixed-Use Office) districts. Nighttime Entertainment is "a Retail Entertainment, Arts and Recreation Use that includes dance halls, discotheques, nightclubs, private clubs, and other similar evening-oriented entertainment activities. . . ." General Entertainment is "a Retail Entertainment, Arts and Recreation Use that provides entertainment or leisure pursuits to the general public including dramatic and musical performances where alcohol is not served during performances, arcades that provide eleven or more amusement game devices . . . billiard halls, bowling alleys, skating rinks, and mini-golf. . . ." (Planning Code Section 102.)

In the SALI and WMUO districts, General Entertainment and Nighttime Entertainment are principally permitted. (Planning Code Sections 836 and 840.) In the MUR district, General Entertainment and Nighttime Entertainment are not permitted. (Planning Code Section 833.)

Portions of the MUR, SALI, and WMUO districts are also within the Western SoMa Special Use District ("SUD"). The SUD imposes additional restrictions on Nighttime Entertainment. Within the SUD, Nighttime Entertainment is not permitted within 200 feet of any property located in a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) district, subject to certain exceptions. (Planning Code Section 249.39(c)(7).)

Amendments to Current Law

This ordinance amends the SUD to delete the 200-foot buffer requirement, and delete the references to this requirement from the SALI and WMUO districts. The ordinance also

principally permits General Entertainment and Nighttime Entertainment uses at 655 Folsom Street.

Background Information

In 2023, the City enacted Ordinance No. 22-23 to promote and enhance the vitality of nightlife in SoMa, specifically in portions of the neighborhood located within the Leather and LGBTQ Cultural District ("Cultural District"). However, Ordinance No. 22-23 did not address properties outside of the Cultural District's boundaries.

The ordinance was originally introduced on December 17, 2024 (Version 1). A substitute ordinance was introduced on February 4, 2025 (Version 2). Versions 1 and 2 of the ordinance would have permitted General Entertainment and Nighttime Entertainment uses in the MUR district on properties fronting Folsom Street. Versions 1 and 2 of the ordinance would also have created an exemption from the SUD's buffer restrictions for Nighttime Entertainment uses in the MUR district on properties fronting Folsom Street and in the SALI district on properties fronting Brannan Street.

This ordinance is a further substitute ordinance, introduced on March 18, 2024 (Version 3). Version 3 deletes the 200-foot buffer restriction and principally permits General Entertainment and Nighttime Entertainment uses at 655 Folsom Street in the MUR district. Provisions in the SALI and WMUO districts referencing the buffer are deleted, since the buffer no longer exists.

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April 16, 2025

Ms. Angela Calvillo, Clerk
Honorable Supervisor Dorsey
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Transmittal of Planning Department Case Number 2025-000444PCA:
Entertainment Uses in South of Market
Board File No. 241208

Planning Commission Recommendation: Approval with Modification

Dear Ms. Calvillo and Supervisor Dorsey,

On April 10, 2025, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Dorsey. The proposed ordinance would amend the Planning Code to eliminate the 200-foot buffer restriction in the Western SoMa Special Use District for Nighttime Entertainment uses located within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District. It would also principally permit General Entertainment and Nighttime Entertainment uses at 655 Folsom Street, which is in the MUR (Mixed-Use Residential) District.. At the hearing the Planning Commission adopted a recommendation for approval.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

Aaron D. Starr

Manager of Legislative Affairs

cc: Heather Goodman, Deputy City Attorney
Madison Tam, Aide to Supervisor Dorsey
John Carroll, Office of the Clerk of the Board

ATTACHMENTS :

Planning Commission Resolution
Planning Department Executive Summary



PLANNING COMMISSION RESOLUTION NO. 21724

HEARING DATE: April 10, 2025

Project Name: Entertainment Uses in South of Market
Case Number: 2025-000444PCA [Board File No. 241208]
Initiated by: Supervisor Dorsey / Introduced March 18, 2025
Staff Contact: Audrey Butkus, Legislative Affairs
Audrey.Butkus@sfgov.org, 628-652-7534
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE ELIMINATE THE 200-FOOT BUFFER RESTRICTION IN THE WESTERN SOMA SPECIAL USE DISTRICT FOR NIGHTTIME ENTERTAINMENT USES LOCATED WITHIN 200 FEET OF A RED (RESIDENTIAL ENCLAVE) OR RED-MX (RESIDENTIAL ENCLAVE-MIXED) DISTRICT, AND DELETE REFERENCES TO THE BUFFER RESTRICTION IN THE SALI (SERVICE/ARTS/LIGHT INDUSTRIAL) AND WMUO (WSOMA MIXED-USE OFFICE) DISTRICTS; PRINCIPALLY PERMIT GENERAL ENTERTAINMENT AND NIGHTTIME ENTERTAINMENT USES AT 655 FOLSOM STREET (ASSESSOR'S PARCEL BLOCK NO. 3750, LOT NO. 050) LOCATED IN THE MUR (MIXED-USE RESIDENTIAL) DISTRICT; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on March 18, 2025 Supervisor Dorsey introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 241208, which would amend the Planning Code to eliminate the 200-foot buffer restriction in the Western SoMa Special Use District for Nighttime Entertainment uses located within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District and delete references to the buffer restriction in the SALI (Service/Arts/Light Industrial) and WMUO (WSoMa Mixed-Use Office) Districts; principally permit General Entertainment and Nighttime Entertainment uses at 655 Folsom Street (Assessor's Parcel Block No. 3750, Lot No. 050) located in the MUR (Mixed-Use Residential) District;

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on April 10, 2025; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15378 and 15060(c)(2); 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 adopts a **recommendation for approval** of the proposed ordinance.

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 supports the proposed Ordinance because it streamlines land use controls, reduces confusion, and aligns with the neighborhood’s cultural identity. The 200-foot buffer in the Western SoMa SUD has been gradually weakened by multiple carve-outs, making it ineffective and hard to interpret. Removing the buffer creates clearer, more consistent regulations while preserving protections for the Youth and Family SUD. The remaining buffer parcels contain few viable structures for Nighttime Entertainment. Even where feasible, existing permit requirements and Good Neighbor Policy compliance will help mitigate negative impacts on adjacent uses. This balanced approach supports cultural vitality, encourages appropriate development, and ensures regulatory clarity.

The Ordinance also tailors entertainment permissions to a single parcel at 655 Folsom Street, outside the Youth and Family SUD, which is well-suited for entertainment due to its structure and surroundings. Activating this vacant property for entertainment will aid in the Downtown’s recovery, while retaining MUR zoning preserves its long-term housing potential.

General Plan Compliance

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

COMMERCE AND INDUSTRY PLAN

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.

WESTERN SOMA AREA PLAN

OBJECTIVE 2.1

RETAIN AND ENCOURAGE GROWTH OPPORTUNITIES FOR EXISTING NEIGHBORHOOD BUSINESSES.

Policy 2.1.4

Create incentives for adaptive re-use of existing commercial buildings throughout the Western SoMa SUD.

OBJECTIVE 2.2

PROMOTE APPROPRIATE NEW NEIGHBORHOOD BUSINESS OPPORTUNITIES THAT CREATIVELY RESPOND TO NEIGHBORHOOD, CITYWIDE AND REGIONAL ECONOMIC NEEDS AND TRENDS.

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.

Removing the buffer, while also preventing Entertainment uses from expanding within the Youth and Family SUD, helps guide future development and preserves the area's identity as a culturally historic entertainment hub.

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 ADOPTS A RECOMMENDATION FOR APPROVAL the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on April 10, 2025.



Jonas P. Ionin
Commission Secretary

Jonas P Ionin

Digitally signed by Jonas P Ionin
Date: 2025.04.16 10:39:22 -07'00'

AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
NOES: None
ABSENT: None
ADOPTED: April 10, 2025



EXECUTIVE SUMMARY

PLANNING CODE TEXT AMENDMENT

HEARING DATE: April 10, 2025

90-Day Deadline: June 23, 2025

Project Name: Entertainment Uses in South of Market
Case Number: 2025-000444PCA [Board File No. 241208]
Initiated by: Supervisor Dorsey / Introduced March 18, 2025
Staff Contact: Audrey Merlone, Legislative Affairs
Audrey.Merlone@sfgov.org, 628-652-7534
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533
Environmental Review: Not a Project Under CEQA

RECOMMENDATION: Adopt of Recommendation for Approval

Planning Code Amendment

The proposed Ordinance would amend the Planning Code to eliminate the 200-foot buffer restriction in the Western SoMa Special Use District for Nighttime Entertainment uses located within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District. It would also principally permit General Entertainment and Nighttime Entertainment uses at 655 Folsom Street (Assessor's Parcel Block No. 3750, Lot No. 050), which is in the MUR (Mixed-Use Residential) District.

The Way It Is Now & The Way It Would Be:

The Way It Is	The Way It Would Be
<p>There is a 200-foot buffer from any RED or RED-MX zoned parcels within which Nighttime Entertainment uses are Not Permitted <i>unless</i>:</p> <ul style="list-style-type: none"> A. The parcel fronts Folsom St between 7th St. and Division St. B. The parcel fronts 11th St between Howard St and Division St. C. The parcel is in the WMUO district where a permit establishing the use through the Entertainment Commission or Police Department within 5 years of a Building Permit to re-establish an Entertainment use D. The building is Landmarked Building No. 120 (St. Joseph's Church) 	<p>The 200-foot buffer for Nighttime Entertainment uses within the Western SoMa SUD would be removed.</p>
<p>In the MUR, <i>Nighttime</i> Entertainment uses are Principally permitted in historic buildings, and in the area bound by 4th St, 6th St, Bryant St & Townsend St. Elsewhere in the district, Nighttime Entertainment uses are Not Permitted.</p>	<p>Nighttime Entertainment uses would also be Principally Permitted at the MUR zoned lot at 655 Folsom St.</p>
<p>In the MUR, <i>General</i> Entertainment uses are Not Permitted, except for Pool Halls, which are Conditionally permitted.</p>	<p>General Entertainment uses would be Principally Permitted at the MUR zoned lot at 655 Folsom St.</p>

Background

The proposed Ordinance was first introduced on December 17, 2024 ([Version 1¹](#)). A substitute ordinance followed on February 4, 2025 ([Version 2²](#)). Both previous versions allowed General Entertainment and Nighttime Entertainment in the MUR district on lots fronting Folsom Street. They also created a new exemption from the SUD's buffer restrictions for Nighttime Entertainment uses. The proposed new exemption from the Nighttime Entertainment buffer would have applied to Service/Arts/Light/Industrial (SALI) District zoned lots with frontage on Brannan Street.

After working with the Planning Department, further substitute ordinance (Version 3, attached as Exhibit B) was introduced on March 18, 2024. Instead of creating another carve-out, this proposed Ordinance removes the 200-foot buffer restriction and principally permits General Entertainment and Nighttime Entertainment at 655 Folsom Street in the MUR District.

¹ <https://sfgov.legistar.com/View.ashx?M=F&ID=13637262&GUID=896AF100-F3E1-4CCD-B5A7-9072D89AF625>

² <https://sfgov.legistar.com/View.ashx?M=F&ID=13739402&GUID=2E831AB0-FEAF-40D0-B11F-F93B00A71CAE>

Issues and Considerations

Entertainment Uses

“Entertainment” is an umbrella use category that includes “Entertainment, Arts and Recreation”, “General Entertainment”, “Limited Live Performance”, “Nighttime Entertainment”, and “Outdoor Entertainment”. Due to state definitions of entertainment uses, historically regulated aspects of entertainment, and other overlapping jurisdiction on entertainment across city agencies, the definition for various *types* of entertainment uses can be difficult to discern. Broadly speaking, “General Entertainment” is a use category that includes venues like bowling alleys, skating rinks, indoor mini golf, etc. “Nighttime Entertainment” is typically nightclubs or dance halls where there will be amplified music either recorded or live. It is common for both use types to operate in conjunction with another use like a Bar, however that land use permission must be obtained in addition to the Entertainment use, along with any other state or local requirements to serve alcohol or have amplified sound. These additional requirements are discussed further in the section below.

Buffer Zones

Buffers are a zoning tool used to separate potentially incompatible land uses. They can apply between specific uses or extend from certain zoning districts. Examples include:

- Prohibiting Fringe Financial Service uses within ¼ mile from the Fringe Financial Service Restricted Use District.
- Prohibiting Cannabis Retail uses within 600 feet of a School or other Permitted Cannabis establishment.
- Prohibiting Nighttime Entertainment uses within 200 feet of a RED or RED-MX District within the Western SoMa SUD (*which the proposed Ordinance would remove*).

Under the right circumstances, buffers can be a useful tool to mitigate conflicts between adjacent land uses. The Western SoMa SUD buffer was originally created to protect low- and medium-density residential neighborhoods (RED and RED-MX districts) from nearby entertainment uses. These residential areas, located along narrow side streets, are often adjacent to more intensive zoning districts where Nighttime Entertainment is principally permitted. The buffer aimed to prevent conflicts between these areas.

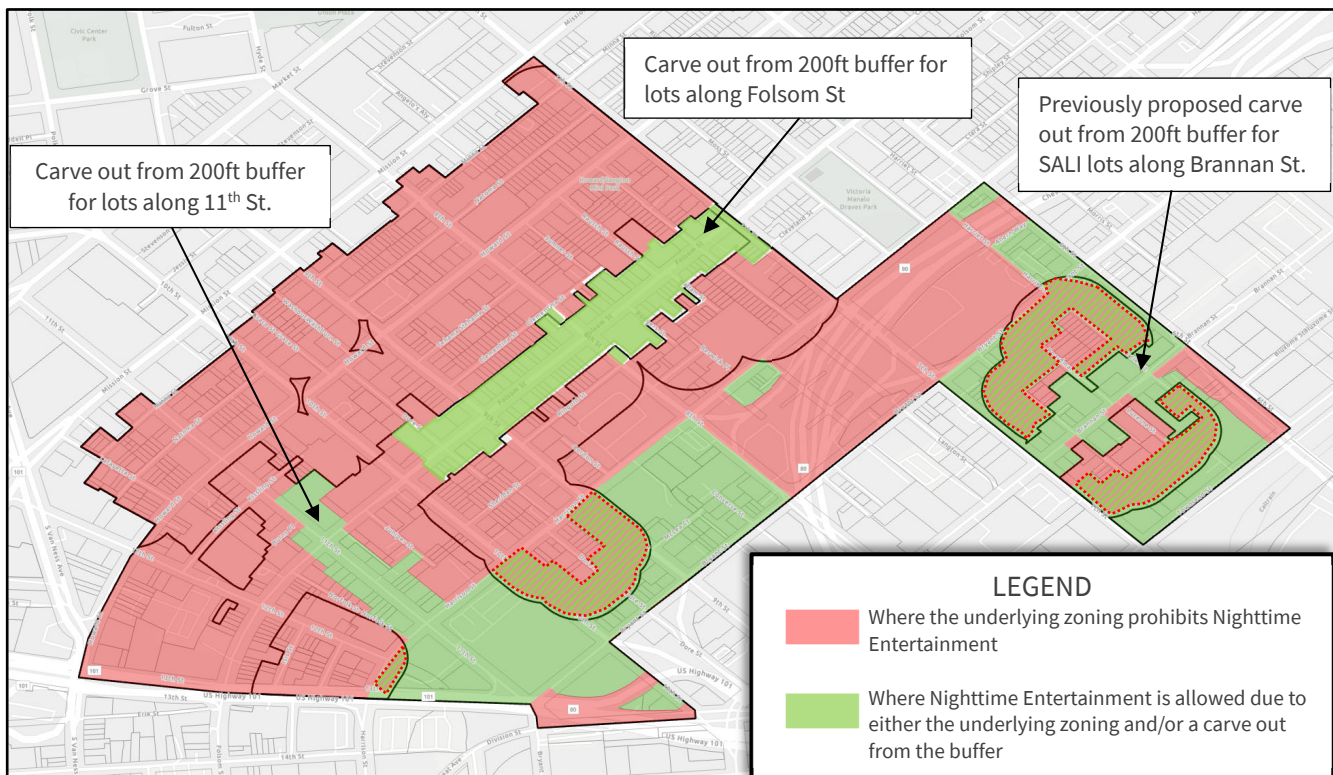
Since the buffer’s creation, the area’s identity has evolved. It is now part of the Leather & LGBTQ and SOMA Pilipinas Cultural Districts. The Leather & LGBTQ Cultural District’s formation reinforced the area’s entertainment hub status, leading to gradual carve-outs from the buffer for certain frontages and building types.

Previous versions of the proposed Ordinance would have created an additional carve-out from the 200ft buffer for SALI properties in the SUD with frontage on Brannan Street. When staff mapped the proposed

change, they found that the 200-foot buffer would only continue to apply to a small number of properties within the SUD (see map below).

In fact, if previous versions of the Ordinance became effective, the Western SoMa SUD would have five separate carve outs from the buffer based either on street frontage, location in a cultural district, historic building status, or prior use as Nighttime Entertainment. These exceptions have effectively nullified the buffer, creating confusion and burdens for those trying to understand where Nighttime Entertainment is allowed.

In considering the potential negative effects removing the buffer, staff reviewed the remaining parcels and found few structures suitable for Nighttime Entertainment. Even in the small number of existing structures that could conceivably house Nighttime Entertainment uses, there are additional requirements for Nighttime Entertainment uses that ensure they are not a nuisance to less intensive adjacent uses. These include Place of Entertainment permits, Limited Live Performance permits, Place of Assembly permits, special permits to extend hours of operation, and compliance with the city's [Good Neighbor Policy](#)³.

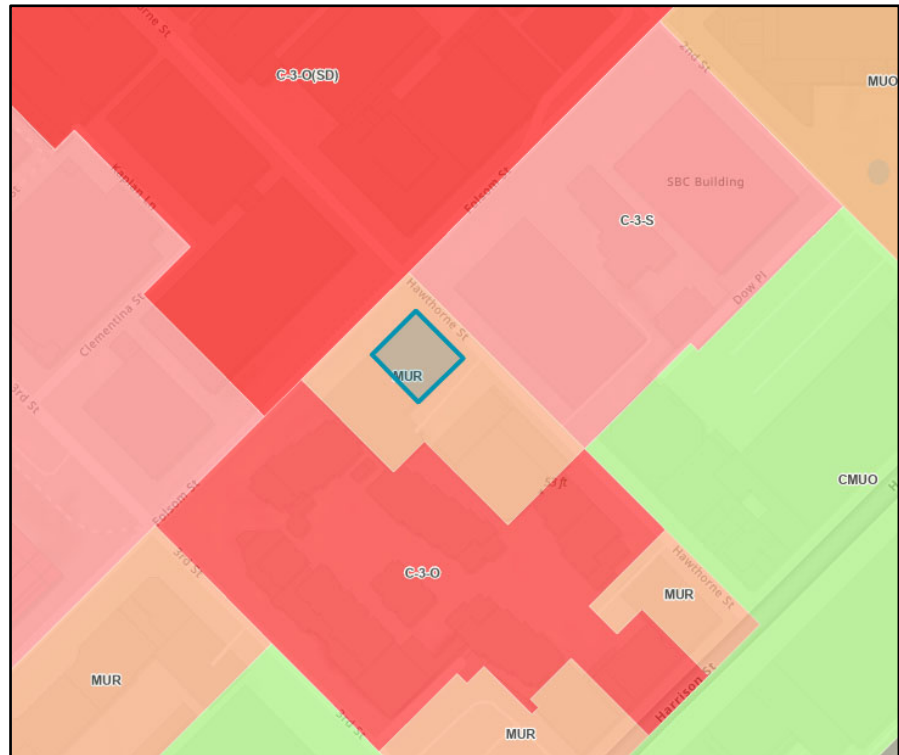


A map of where Nighttime Entertainment is currently allowed and not allowed, with the previously proposed carve out for SALI lots on Brannan Street also shown. The areas encompassed within the red dashed lines show the only remaining places where the buffer would still be effective.

³ <https://www.sf.gov/information--good-neighbor-policy>

Tailored Zoning Change

As previously discussed in this report, older versions of the proposed Ordinance would have Principally permitted Nighttime and General Entertainment uses along Folsom Street in the MUR District. This change was inspired by a building along Folsom Street seeking to become an entertainment venue. After consulting with community stakeholders, the Department and Supervisor agreed it was better to tailor the zoning change to the single building. The site is located outside the Youth and Family SUD, where entertainment uses are more appropriate due to the existing structure and



655 Folsom Street (in blue), with surrounding zoning districts.

surrounding land uses. The building is a two-story, ~14,000 sqft commercial property. Its entire ground floor operated as a restaurant and banquet hall until the business closed during the pandemic. Although zoned MUR, the site is surrounded by Commercial districts. The area contains a true mix of uses, including new housing developments, low- and mid-rise office buildings, and several warehouse structures. The Supervisor and Department considered rezoning the site to match the Commercial nature to the north and west. However, while activating the currently vacant property as an entertainment use will aid Downtown's recovery, the site is ideal for future housing. Therefore, retaining the MUR zoning better aligns with the long-term goals for the parcel.

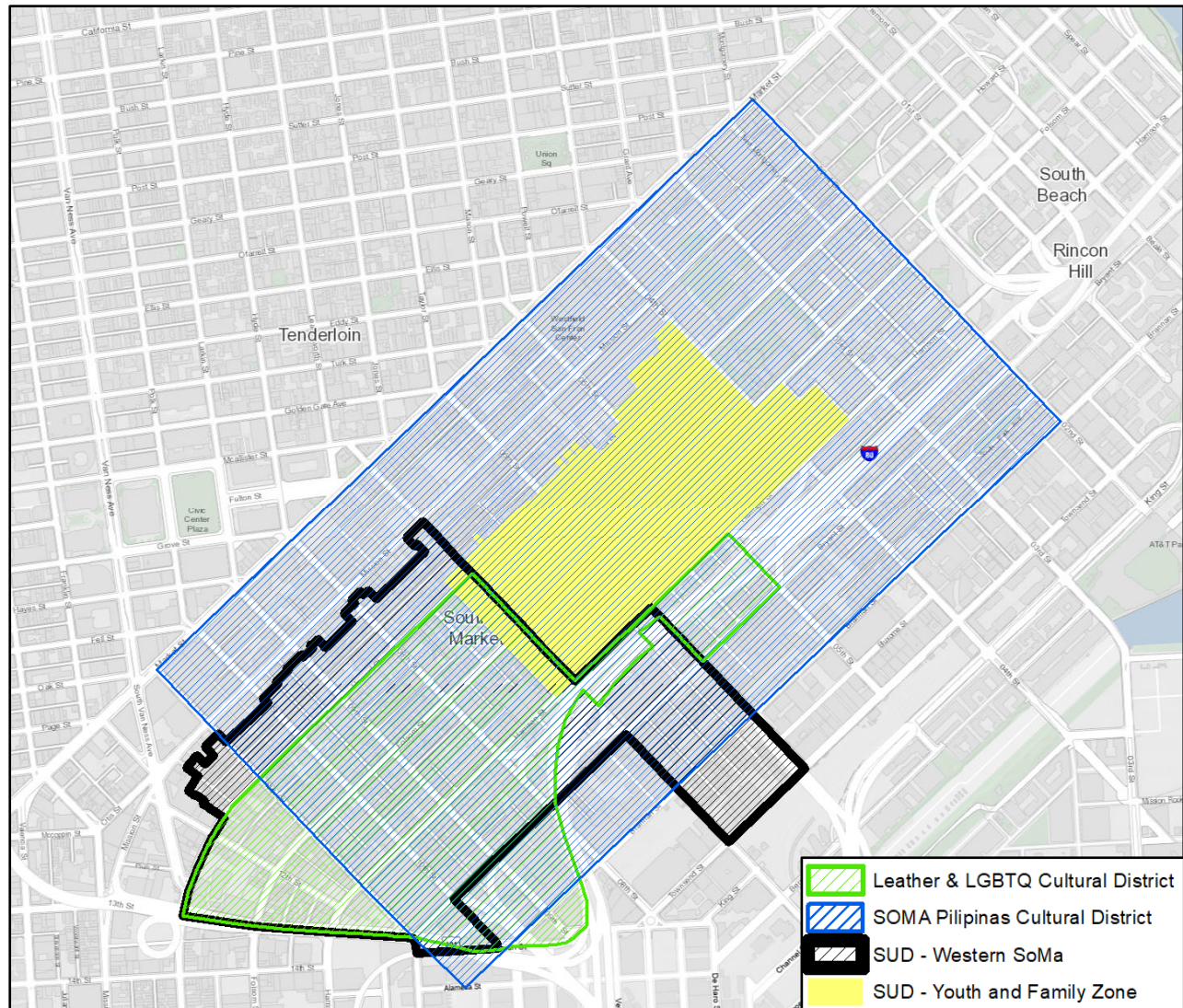
General Plan Compliance

The Western SoMa SUD was created in 2006 in conjunction with the Western SoMa Area Plan effort. The Plan envisions the neighborhood as a mixed-use area where future changes build on its rich history of innovation and cultural identities. Policy 2.1.4 of the Plan encourages adaptive reuse of existing commercial buildings throughout the Western SoMa SUD. Policies 2.2.15 and 2.2.16 promote making it easier for entertainment businesses to locate in areas where they strengthen the neighborhood's viability. Removing the buffer, while also preventing Entertainment uses from expanding within the Youth and Family SUD, helps guide future development and preserves the area's identity as a culturally historic entertainment hub.

Racial and Social Equity Analysis

Cultural Districts

The Western SoMa SUD overlaps with two Cultural Districts: The SOMA Pilipinas Cultural District and the Leather & LGBTQ Cultural District.



Leather & LGBTQ Cultural District

SoMa became San Francisco's neighborhood most associated with Leather, an LGBTQ subculture that emerged in the late 1940s in several major American cities. SoMa's nightlife has also long served as a vital gathering space for the broader LGBTQ community. In the 1970s and 80s, the neighborhood was central to the city's disco scene. It was also home to the Stud bar, a famously welcoming LGBTQ space that opened in 1966. Though it began as a Leather bar, the Stud quickly became a hippie haunt before evolving into the city's top queer dance bar for decades. It later became a key venue for trans entertainment and community before closing permanently during the COVID-19 pandemic (*it has since reopened in a different location within the district*). Despite social and political challenges, the Leather and LGBTQ communities maintain a

significant presence in SoMa. This is evidenced by the remaining Leather bars, shops, clubs, and the annual Folsom Street and Up Your Alley Fairs. The Cultural District aims to protect these events, businesses, and people to keep the community alive in SoMa.

Bars and nightlife have historically provided a safe gathering space for the LGBTQ community.

A Board of Supervisors [2016 resolution](#)⁴ recognized that “bars and nightlife have historically provided a safe gathering space for the LGBTQ community,” where members could “find and build community.” These spaces have also played a vital role in the LGBTQ Civil Rights Movement and served as art venues, social hubs, and sites for political organizing and charitable fundraising. They are also key small businesses that provide local jobs. However, their vitality has been severely impacted by rising operating costs and the COVID-19 pandemic, which forced many to close for over a year, and pushed some to close permanently.

SOMA Pilipinas Cultural District

The Leather & LGBTQ Cultural District largely overlaps with the SOMA Pilipinas Filipino Cultural Heritage District, which covers most of the South of Market neighborhood. The Filipino community’s presence stemmed from a larger immigration movement in the 1900s, which continued throughout the twentieth century. Following the 1965 Immigration and Nationality Act, SoMa became a major gateway for Filipino immigrants moving to the United States. In SoMa, community organizations partnered to build low-income senior housing, rename streets after Philippine liberation figures, and install the seven-story “Lipi Ni Lapu Lapu” public mural. They also began hosting cultural events and festivals. The Filipino community has since pushed for neighborhood improvements to create a livable environment for children, youth, families, and seniors. In recent decades, they have fought against the displacement of residents and businesses by tech startups and luxury developments. This included leading efforts to strengthen the Youth and Family Zone Special Use District.

The Filipino community have pushed for neighborhood improvements to create a livable environment for children, youth, families, and seniors.

Youth & Family Special Use District

The South of Market (SoMa) Youth and Family Special Use District is intended to expand the provision of affordable housing in the area. It is also intended to protect and enhance the health and environment of youth and families by adopting policies that focus on certain lower density areas of this area for the expansion of affordable housing opportunities. As such, many non-residential uses within the SUD are required to obtain Conditional Use authorization or are not permitted. Within the list of uses required to obtain a CUA are General Entertainment and Nighttime Entertainment uses.

⁴ <https://sfgov.legistar.com/View.ashx?M=F&ID=4755337&GUID=0BFB6973-362B-4759-9703-548B84C6BFA0>

The Department collaborated with the Supervisor to refine the zoning regulations, ensuring that Entertainment uses remain appropriately restricted within the Youth and Family SUD.

Consideration of Overlapping Districts' Goals

A previous version of the proposed Ordinance would have Principally permitted General and Nighttime Entertainment uses along Folsom Street in the Mixed-Use Residential (MUR) district. This area is also the center of the Youth and Family SUD. When staff reviewed the proposal, they considered the goals of the four overlapping districts: Western SoMa SUD, Leather & LGBTQ Cultural District, SOMA Pilipinas Cultural District, and SoMa Youth and Family SUD. They found that permitting entertainment uses along Folsom Street within the SOMA Pilipinas and Youth and Family SUDs conflicted with both those districts' goals. Instead, the Department collaborated with the Supervisor to refine the zoning regulations, ensuring that Entertainment uses remain appropriately restricted within the Youth and Family SUD. This resulted in the current proposal: to Principally permit Nighttime and General Entertainment on a single parcel along Folsom Street in the MUR district, outside the Youth and Family SUD.

Removing the buffer aligns with the spirit of the LGBTQ Cultural District. It clarifies land use controls and encourages Entertainment uses within the district.

The second consideration for staff was the interaction between these various districts and the proposed Ordinance's provision to remove the 200-foot buffer from Nighttime Entertainment uses within the Western SoMa SUD. As mentioned previously, a series of carve-outs have reduced the buffer's reach to a small number of parcels. These parcels are not within the Youth and Family SUD, but some *are* within the Leather and LGBTQ Cultural District. Although most buildings still subject to the buffer are not ideal for Nighttime Entertainment, removing the buffer aligns with the spirit of the LGBTQ Cultural District. It clarifies land use controls and encourages Entertainment uses within the district.

Implementation

The Department has determined that this Ordinance will positively impact our current implementation procedures. The removal of the 200-foot buffer for Nighttime Entertainment uses will reduce staff time spent reviewing where the use is and is not permitted in the Western SoMa SUD and likely lead to less errors in determining land use permissions in the SUD.

Recommendation

The Department recommends that the Commission ***adopt a recommendation for approval*** of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

Basis for Recommendation

The Department supports the proposed Ordinance because it streamlines land use controls, reduces confusion, and aligns with the neighborhood's cultural identity. The 200-foot buffer in the Western SoMa SUD has been gradually weakened by multiple carve-outs, making it ineffective and hard to interpret. Removing the buffer creates clearer, more consistent regulations while preserving protections for the Youth and Family SUD. The remaining buffer parcels contain few viable structures for Nighttime Entertainment. Even where feasible, existing permit requirements and Good Neighbor Policy compliance will help mitigate negative impacts on adjacent uses. This balanced approach supports cultural vitality, encourages appropriate development, and ensures regulatory clarity.

The Ordinance also tailors entertainment permissions to a single parcel at 655 Folsom Street, outside the Youth and Family SUD, which is well-suited for entertainment due to its structure and surroundings. Activating this vacant property for entertainment will aid in the Downtown's recovery, while retaining MUR zoning preserves its long-term housing potential.

Required Commission Action

The proposed Ordinance is before the Commission so that it may adopt a recommendation of approval, disapproval, or approval with modifications.

Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

Public Comment

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

BOARD of SUPERVISORS



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

MEMORANDUM

Date: March 25, 2025
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 241208-3 SUBSTITUTED
Planning Code - Entertainment Uses in South of Market

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - ☒ Ordinance / Resolution
 - ☐ Ballot Measure

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

4/1/2025 *Joy Navarrete*
- ☒ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - ☒ General Plan
 - ☒ Planning Code, Section 101.1
 - ☒ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☐ General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
 - ☐ Landmark (*Planning Code, Section 1004.3*)
 - ☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - ☐ Mills Act Contract (*Government Code, Section 50280*)
 - ☐ Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

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

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TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: February 7, 2025
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 241208-2
Planning Code - Entertainment Uses in Certain SALI and MUR Districts South of Market – SUBSTITUTE VERSION 2

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
- ☒ Ordinance / Resolution
☐ Ballot Measure
- Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.
3/11/2025 *Joy Navarrete*
- ☒ 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
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- ☐ Historic Preservation Commission
- ☐ Landmark (*Planning Code, Section 1004.3*)
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Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

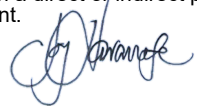
BOARD of SUPERVISORS



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TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: December 26, 2024
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 241208
Planning Code - Nighttime Entertainment Uses in Certain SALI and MUR Districts
South of Market

- ☒ California Environmental Quality Act (CEQA) Determination *(California Public Resources Code, Sections 21000 et seq.)* Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.
☒ Ordinance / Resolution
☐ Ballot Measure
2/3/2025 
- ☒ Amendment to the Planning Code, including the following Findings:
(Planning Code, Section 302(b): 90 days for Planning Commission review)
☒ General Plan ☒ Planning Code, Section 101.1 ☒ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(Board Rule 3.23: 30 days for possible Planning Department review)
- ☐ General Plan Referral for Non-Planning Code Amendments
(Charter, Section 4.105, and Administrative Code, Section 2A.53)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
☐ Landmark *(Planning Code, Section 1004.3)*
☐ Cultural Districts *(Charter, Section 4.135 & Board Rule 3.23)*
☐ Mills Act Contract *(Government Code, Section 50280)*
☐ Designation for Significant/Contributory Buildings *(Planning Code, Article 11)*

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

BOARD of SUPERVISORS



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TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Katy Tang, Director
Small Business Commission, City Hall, Room 448

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: March 25, 2025

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 241208-3 SUBSTITUTE

Ordinance amending the Planning Code to eliminate the 200-foot buffer restriction in the Western SoMa Special Use District for Nighttime Entertainment uses located within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District and delete references to the buffer restriction in the SALI (Service/Arts/Light Industrial) and WMUO (WSoma Mixed-Use Office) Districts; principally permit General Entertainment and Nighttime Entertainment uses at 655 Folsom Street (Assessor's Parcel Block No. 3750, Lot No. 050) located in the MUR (Mixed-Use Residential) District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c:
Offices of Chair Melgar and Supervisor Dorsey
Kerry Birnbach, Senior Policy Analyst/Commission Secretary

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

☐ No Comment
☐ Recommendation Attached

Chairperson, Small Business Commission

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
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Sarah Dennis-Phillips, Executive Director,
Office of Economic and Workforce Development

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: March 25, 2025

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced as a substitute by Supervisor Dorsey on March 18, 2025.

File No. 241208-3

Ordinance amending the Planning Code to eliminate the 200-foot buffer restriction in the Western SoMa Special Use District for Nighttime Entertainment uses located within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District and delete references to the buffer restriction in the SALI (Service/Arts/Light Industrial) and WMUO (WSoMa Mixed-Use Office) Districts; principally permit General Entertainment and Nighttime Entertainment uses at 655 Folsom Street (Assessor's Parcel Block No. 3750, Lot No. 050) located in the MUR (Mixed-Use Residential) District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: john.carroll@sfgov.org.

cc:

Offices of Chair Melgar and Supervisor Dorsey
Anne Taupier, Office of Economic and Workforce Development
Alesandra Lozano, Office of Economic and Workforce Development
Ben Van Houten, Office of Economic and Workforce Development

BOARD of SUPERVISORS



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MEMORANDUM

TO: Katy Tang, Director
Small Business Commission, City Hall, Room 448

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: February 7, 2025

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 241208-2 SUBSTITUTE

Ordinance amending the Planning Code to conditionally permit Nighttime Entertainment uses on properties fronting Brannan Street in the SALI (Service/Arts/Light Industrial) District that fall within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District; conditionally permitting Nighttime Entertainment uses on properties that front Folsom Street in the MUR (Mixed-Use Residential) District; principally permitting General Entertainment uses on properties that front Folsom Street in the MUR District; exempting the aforementioned Folsom and Brannan Street properties from the 200-foot buffer restrictions for Nighttime Entertainment uses; making clarifying revisions to buffer restrictions for Nighttime Entertainment uses; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c:
Offices of Chair Melgar and Supervisor Dorsey
Kerry Birnbach, Senior Policy Analyst/Commission Secretary

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

____ No Comment

____ Recommendation Attached

Chairperson, Small Business Commission

BOARD of SUPERVISORS



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San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
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MEMORANDUM

TO: Sarah Dennis-Phillips, Executive Director,
Office of Economic and Workforce Development

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: February 7, 2025

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced as a substitute by Supervisor Dorsey on February 4, 2025.

File No. 241208-2

Ordinance amending the Planning Code to conditionally permit Nighttime Entertainment uses on properties fronting Brannan Street in the SALI (Service/Arts/Light Industrial) District that fall within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District; conditionally permitting Nighttime Entertainment uses on properties that front Folsom Street in the MUR (Mixed-Use Residential) District; principally permitting General Entertainment uses on properties that front Folsom Street in the MUR District; exempting the aforementioned Folsom and Brannan Street properties from the 200-foot buffer restrictions for Nighttime Entertainment uses; making clarifying revisions to buffer restrictions for Nighttime Entertainment uses; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: john.carroll@sfgov.org.

cc:

Offices of Chair Melgar and Supervisor Dorsey
Anne Taupier, Office of Economic and Workforce Development
Alesandra Lozano, Office of Economic and Workforce Development
Ben Van Houten, Office of Economic and Workforce Development

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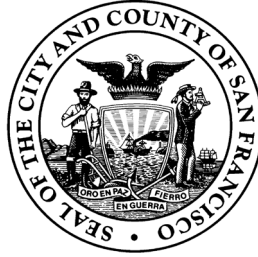
MEMORANDUM

Date: February 7, 2025
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 241208-2
Planning Code - Entertainment Uses in Certain SALI and MUR Districts South of Market – SUBSTITUTE VERSION 2

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

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

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
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Katy Tang, Director
Small Business Commission, City Hall, Room 448

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: December 26, 2024

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 241208

Ordinance amending the Planning Code to conditionally permit Nighttime Entertainment uses on properties fronting Brannan Street in the SALI (Service/Arts/Light Industrial) District that fall within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District; conditionally permitting Nighttime Entertainment uses on properties that front Folsom Street in the MUR (Mixed-Use Residential) District; exempting the aforementioned Folsom and Brannan Street properties from the 200-foot buffer restrictions for Nighttime Entertainment uses; making clarifying revisions to buffer restrictions for Nighttime Entertainment uses; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c:
Offices of Chair Melgar and Supervisor Dorsey
Kerry Birnbach, Senior Policy Analyst/Commission Secretary

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

☐ No Comment

☐ Recommendation Attached

Chairperson, Small Business Commission

BOARD of SUPERVISORS



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MEMORANDUM

TO: Sarah Dennis-Phillips, Executive Director,
Office of Economic and Workforce Development

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: December 26, 2024

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Dorsey on December 17, 2024.

File No. 241208

Ordinance amending the Planning Code to conditionally permit Nighttime Entertainment uses on properties fronting Brannan Street in the SALI (Service/Arts/Light Industrial) District that fall within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District; conditionally permitting Nighttime Entertainment uses on properties that front Folsom Street in the MUR (Mixed-Use Residential) District; exempting the aforementioned Folsom and Brannan Street properties from the 200-foot buffer restrictions for Nighttime Entertainment uses; making clarifying revisions to buffer restrictions for Nighttime Entertainment uses; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: john.carroll@sfgov.org.

cc:

Offices of Chair Melgar and Supervisor Dorsey
Anne Taupier, Office of Economic and Workforce Development
Alesandra Lozano, Office of Economic and Workforce Development
Ben Van Houten, Office of Economic and Workforce Development

BOARD of SUPERVISORS



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MEMORANDUM

Date: December 26, 2024
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 241208
Planning Code - Nighttime Entertainment Uses in Certain SALI and MUR Districts
South of Market

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

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

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:

Ordinance amending the Planning Code to eliminate the 200-foot buffer restriction in the Western SoMa Special Use District for Nighttime Entertainment uses located within 200 feet of a RED (Residential Enclave) or RED-MX (Residential Enclave-Mixed) District and delete references to the buffer restriction in the SALI (Service/Arts/Light Industrial) and WMUO (WSMa Mixed-Use Office) Districts; principally permit General Entertainment and Nighttime Entertainment uses at 655 Folsom Street (Assessor's Parcel Block 3750, Lot 050) located in the MUR (Mixed-Use Residential) District; and affirming the Planning Department's determination under the California Environmental Quality Act, making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Signature of Sponsoring Supervisor: