

1 [Administrative Code - Entertainment Zones and Downtown Activation Zone]

2

3 **Ordinance amending the Administrative Code to create the 1) North Beach**

4 **Entertainment Zone (on Powell Street between Columbus Avenue and Vallejo Street;**

5 **Union Street between Powell Street and Grant Avenue; Green Street between Powell**

6 **Street and Grant Avenue; Columbus Avenue between Union Street and William**

7 **Saroyan Place; William Saroyan Place and Jack Kerouac Alley; Stockton Street**

8 **between Filbert and Vallejo Streets; Vallejo Street between Stockton Street and Grant**

9 **Avenue; Grant Avenue between Columbus Avenue and Filbert Street; Broadway**

10 **between Columbus Avenue and Kearny Street; Bannam Place between Union and**

11 **Green Streets; and Jasper Place between Union and Green Streets); 2) Ferry Building**

12 **Entertainment Zone (the area bounded by the east side of The Embarcadero on the**

13 **west, Ferry Plaza on the south, northern boundary of Parcel 9900274 on the north, and**

14 **San Francisco shoreline on the east); and 3) Embarcadero Plaza Entertainment Zone (the**

15 **area bounded by the west side of The Embarcadero from Washington Street to Don Chee**

16 **Way; Don Chee Way between The Embarcadero and Steuart Street; Steuart Street between**

17 **Don Chee Way and Market Street; Market Street between Steuart and Drumm Streets;**

18 **Drumm Street between Market and Washington Streets; and Washington Street between**

19 **Davis Street and The Embarcadero); and 4) Belden Place Downtown Activation Zone (on**

20 **Belden Place between Bush and Pine Streets); to authorize the outdoor consumption of**

21 **alcoholic beverages during an Entertainment Zone Event starting at 11:00 a.m. rather**

22 **than noon; and affirming the Planning Department's determination under the California**

23 **Environmental Quality Act.**

24 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.

25 **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 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. 260399 and is incorporated herein by reference. The Board affirms this determination.

Section 2. Port of San Francisco Actions.

Port of San Francisco staff intends to request that the Port Commission support the formation of the Ferry Building Entertainment Zone and adopt rules and regulations for said Entertainment Zone.

Section 3. Chapters 94B and 94D of the Administrative Code are hereby amended by revising Sections 94B.4 and 94D.3, to read as follows. Section 94B.2 is reprinted in part, for informational purposes only.

SEC. 94B.2. ENTERTAINMENT ZONE CONTROLS.

* * * *

(c) All open alcoholic beverages consumed during an Entertainment Zone Event shall be purchased only from a premises located within the Entertainment Zone that is authorized under California Business and Professions Code Section 23357, 23358, or 23396, as may be amended from time to time, to permit consumers to leave the premises with open

1 containers of alcoholic beverages for consumption off the premises, or an organization that is
2 authorized by an ABC special event permit or license to make such sales within the
3 Entertainment Zone.

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

5 (a) The Board of Supervisors hereby establishes all of the Downtown Activation
6 Locations set forth in Administrative Code Section 94D.3, including all public streets, public
7 rights-of-way, and sidewalks in front of storefronts abutting both sides of said locations, and all
8 establishments holding permits or licenses from ABC that are located on either side of said
9 locations, as Entertainment Zones under Sections 23039.5 and 25690 of the California
10 Business and Professions Code.

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

12 * * * *

13 **(16) North Beach Entertainment Zone.**

14 (A) All public streets, public rights-of-way, and sidewalks abutting both sides of
15 Powell Street between Columbus Avenue and Vallejo Street; Union Street between Powell Street and
16 Grant Avenue; Green Street between Powell Street and Grant Avenue; Columbus Avenue between
17 Union Street and William Saroyan Place; William Saroyan Place and Jack Kerouac Alley; Stockton
18 Street between Filbert Street and Vallejo Street; Vallejo Street between Stockton Street and Grant
19 Avenue; Grant Avenue between Columbus Avenue and Filbert Street; Broadway between Columbus
20 Avenue and Kearny Street; Bannam Place between Union Street and Green Street; and Jasper Place
21 between Union Street and Green Street, and all premises specified in Section 94B.2(c) that are adjacent
22 thereto, are hereby designated as the North Beach Entertainment Zone under Sections 23039.5 and
23 25690 of the California Business and Professions Code.

24 (B) Notwithstanding subsection (c), if an Entertainment Zone Event within the
25 North Beach Entertainment Zone does not involve the closure of a public street, it need not receive a

1 permit for the use of a public street under Transportation Code Division I, Section 6.6 or 6.16 or
2 Transportation Code Division II, Section 206, or other applicable authority of the SFMTA.

3 (C) Washington Square Park.

4 (i) Any Management Plan for the North Beach Entertainment Zone shall
5 contain measures to address the impacts of Entertainment Zone Events on Washington Square Park,
6 including but not limited to alcohol consumption in the park, in particular around the playground area,
7 sanitation and other clean-up, impact on the park turf from additional use, and security. Before
8 adopting such a Management Plan, OEWD shall obtain approval from the Recreation and Park
9 Department regarding the provisions of the Management Plan that relate to impacts on Washington
10 Square Park.

11 (ii) Notwithstanding this Chapter 94B, Washington Square Park, which is
12 adjacent to the North Beach Entertainment Zone, shall be governed by the Park Code.

13 **(17) Ferry Building Entertainment Zone.**

14 (A) All public streets, public rights-of-way, and sidewalks in the area bounded
15 by the east side of The Embarcadero on the west, Ferry Plaza on the south, the northern boundary of
16 Parcel 9900274 on the north, and the San Francisco shoreline on the east, and all premises specified in
17 Section 94B.2(c) that are adjacent thereto, are hereby designated as the Ferry Building Entertainment
18 Zone under Sections 23039.5 and 25690 of the California Business and Professions Code.

19 (B) Notwithstanding subsection (c), if an Entertainment Zone Event within the
20 Ferry Building Entertainment Zone does not involve the closure of a public street, it need not receive a
21 permit for the use of a public street under Transportation Code Division I, Section 6.6 or 6.16 or
22 Transportation Code Division II, Section 206, or other applicable authority of the SFMTA.

23 (C) Areas Subject to Port Jurisdiction.

24 (i) The areas within the Ferry Building Entertainment Zone that are
25 subject to the jurisdiction of the Port of San Francisco (“Port”) shall be subject to any controls

1 imposed by the Port. To the extent any inconsistency exists between controls imposed by the Port and
2 controls imposed by this Chapter 94B or the Management Plan issued pursuant to Section 94B.3, the
3 controls imposed by the Port shall take precedence.

4 (ii) Before adopting a Management Plan for the Ferry Building
5 Entertainment Zone, OEWD shall obtain approval from the Port regarding the provisions of the
6 Management Plan that relate to impacts on areas subject to Port jurisdiction.

7 (D) The establishment of the Ferry Building Entertainment Zone pursuant to this
8 subsection (b)(17) shall in no way affect the land use authorizations for or ownership or control of any
9 private property within the Ferry Building Entertainment Zone.

10 ~~————— (18) Embarcadero Plaza Entertainment Zone.~~

11 ~~————— (A) All public streets, public rights-of-way, and sidewalks in the area~~
12 ~~bounded by the west side of The Embarcadero from Washington Street to Don Chee Way;~~
13 ~~Don Chee Way between The Embarcadero and Steuart Street; Steuart Street between Don~~
14 ~~Chee Way and Market Street; Market Street between Steuart Street and Drumm Street;~~
15 ~~Drumm Street between Market Street and Washington Street; and Washington Street~~
16 ~~between Davis Street and The Embarcadero; and all premises specified in Section 94B.2(c)~~
17 ~~that are adjacent thereto, are hereby designated as the Embarcadero Plaza Entertainment~~
18 ~~Zone under Sections 23039.5 and 25690 of the California Business and Professions Code.~~

19 ~~————— (B) Notwithstanding subsection (c), if an Entertainment Zone Event~~
20 ~~within the Embarcadero Plaza Entertainment Zone does not involve the closure of a public~~
21 ~~street, it need not receive a permit for the use of a public street under Transportation Code~~
22 ~~Division I, Section 6.6 or 6.16 or Transportation Code Division II, Section 206, or other~~
23 ~~applicable authority of the SFMTA.~~

24 ~~————— (C) Embarcadero Plaza and Sue Bierman Park.~~

1 (m) "Belden Place" located on Belden Place between Bush Street and Pine Street.

2
3 Section 4. Existing Section 94B.4(b)(134), erroneously so designated in Ordinance No.
4 34-26, is hereby redesignated as Section 94B.4(B)(13).

5
6 Section 5. Scope of Ordinance. Except as stated in Section 4 of this ordinance, in
7 enacting this ordinance, the Board of Supervisors intends to amend only those words,
8 phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts,
9 diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this
10 ordinance as additions, deletions, Board amendment additions, and Board amendment
11 deletions in accordance with the "Note" that appears under the official title of the ordinance.

12
13 Section 6. Effective Date. This ordinance shall become effective on the 31st day after
14 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
15 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
16 of Supervisors overrides the Mayor's veto of the ordinance.

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

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

22 4911-7362-2958, v. 1
23
24
25