

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 (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.

Existing Law

The Planning Code regulates allowable uses for the MUR (Mixed Use-Residential), SALI (Service/Arts/Light-Industrial), and WMUO (WSoMa 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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