

[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, and 16th Street between Market and Pond 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 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. 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. 250126 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):
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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, ~~isare~~ hereby designated as the Arena Entertainment Zone under Sections
24 23039.5 and 25690 of the California Business and Professions Code.
25

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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; and

12 (vii) 16th Street between Market and Pond Streets.

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

18 (c) Except as otherwise specified in this Section 94B.4, an Entertainment Zone
19 Event must take place in conjunction with a permit for the use of a public street under
20 Transportation Code Division I, Section 6.6 or 6.16 or Transportation Code Division II, Section
21 206, or other applicable authority of the SFMTA.

22 (d) Outdoor consumption of alcoholic beverages within ~~this~~an Entertainment Zone is
23 authorized during any Entertainment Zone Event on any day of the year between the hours of
24 noon and 11:59 p.m., inclusive, subject to any additional limitations imposed by any ABC
25 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.

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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.

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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.

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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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