

BOARD of SUPERVISORS



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MEMORANDUM

Date: June 2, 2025
To: Planning Department / Commission
From: Victor Young, Clerk of the Rules Committee
Subject: Board of Supervisors Legislation Referral - File No. 250421
Administrative Code - Valencia Street, Pier 39, Folsom Street, Ellis Street, Yosemite Avenue, and Hayes Valley Entertainment Zones and Yerba Buena Lane Downtown Activation Location

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

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

[Administrative Code - Valencia Street, Pier 39, Folsom Street, ~~and~~ Ellis Street, Yosemite Avenue, and Hayes Valley Entertainment Zones and Yerba Buena Lane Downtown Activation Location]

Ordinance amending the Administrative Code to create the Valencia Street Entertainment Zone, on Valencia Street between 16th Street and 21st Street; the Pier 39 Entertainment Zone, on and around Pier 39, including the northern waterfront of The Embarcadero, between The Embarcadero on the south, Kearny Street on the east, Powell Street on the west, and the San Francisco shoreline on the north; the Folsom Street Entertainment Zone, on Folsom Street between 7th Street and 8th Street, Hallam Street between Folsom Street and Brush Place, and Langton Street between Folsom Street and Decker Alley; the Ellis Street Entertainment Zone, on Ellis Street between Stockton Street and Powell Street; the Yosemite Avenue Entertainment Zone, on Yosemite Avenue, between Mendell Street and 3rd Street, and Lane Street, between 3rd Street and Armstrong Avenue; the Hayes Valley Entertainment Zone, in the area bounded by Franklin Street from Grove to Market Streets, Market Street from Franklin to Haight Streets, Haight Street from Market Street to Octavia Boulevard, Octavia Boulevard from Haight to Fell Streets, Fell Street from Octavia Boulevard to Laguna Street, Laguna Street from Fell to Grove Streets, and Grove Street from Laguna to Franklin Streets, and on Gough Street from Grove to McAllister Streets; and the Yerba Buena Lane Downtown Activation Location, on Yerba Buena Lane between Market Street and Mission Street, and on the northern side of Mission Street only, excluding the public street portion of Mission Street, between Yerba Buena Lane and 3rd Street, including Jessie Square; making clarifying amendments; 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.

1 **Deletions to Codes** are in ~~*striketthrough italics Times New Roman font.*~~
2 **Board amendment additions** are in double-underlined Arial font.
3 **Board amendment deletions** are in ~~striketthrough Arial font.~~
4 **Asterisks (* * * *)** indicate the omission of unchanged Code
5 subsections or parts of tables.

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

7 Section 1. Environmental Findings.

8 (a) The Planning Department has determined that the actions contemplated in this
9 ordinance comply with the California Environmental Quality Act (California Public Resources
10 Code Sections 21000 *et seq.*). Said determination is on file with the Clerk of the Board of
11 Supervisors in File No. 250421 and is incorporated herein by reference. The Board affirms
12 this determination.

13 Section 2. Port of San Francisco Actions

14 Port of San Francisco staff intends request that the Port Commission support the
15 formation of the Pier 39 Entertainment Zone and adopt rules and regulations for said
16 Entertainment Zone.

17 Section 3. Chapters 94B and 94D of the Administrative Code are hereby amended by
18 revising Sections 94B.4 and 94D.3, to read as follows:

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

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

 (b) **Additional Entertainment Zones.**

1 * * * *

2 (3) **Cole Valley Entertainment Zone.** All public streets, public rights-of-way,
3 and sidewalks ~~in front of storefronts~~ abutting both sides of Cole Street, between Frederick
4 Street and Parnassus Avenue, and abutting both sides of Carl Street, between Shrader Street
5 and Clayton Street, and all premises specified in Section 94B.2(c) that are adjacent thereto,
6 are hereby designated as the Cole Valley Entertainment Zone under Sections 23039.5 and
7 25690 of the California Business and Professions Code.

8 * * * *

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

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

- 14 (i) 18th Street between Diamond and Sanchez Streets;
15 (ii) Castro Street between 19th and States Streets;
16 (iii) Market Street between Collingwood and Church Streets;
17 (iv) Church Street between 14th and 15th Streets;
18 (v) 14th Street between Belcher and Landers Streets;
19 (vi) Noe Street between Beaver and Market Streets; and
20 (vii) 16th Street between Market and Pond Streets.

21 * * * *

22 **(6) Valencia Street Entertainment Zone.**

23 (A) All public streets, public rights-of-way, and sidewalks ~~in front of storefronts~~
24 abutting both sides of Valencia Street, between 16th Street and 21st Street, and all premises specified in
25

1 Section 94B.2(c) that are adjacent thereto, are hereby designated as the Valencia Street Entertainment
2 Zone under Sections 23039.5 and 25690 of the California Business and Professions Code.

3 (B) Notwithstanding subsection (c), if an Entertainment Zone Event within the
4 Valencia Street Entertainment Zone does not involve the closure of a public street, it need not receive a
5 permit for the use of a public street under Transportation Code Division I, Section 6.6 or 6.16 or
6 Transportation Code Division II, Section 206, or other applicable authority of the SFMTA.

7 **(7) Pier 39 Entertainment Zone.**

8 (A) The area on and around Pier 39, including the northern waterfront of The
9 Embarcadero, between the Embarcadero on the south, Kearny Street on the east, Powell Street on the
10 west, and the San Francisco shoreline on the north, including all sidewalks and public rights-of-way
11 but excluding public streets, and all premises specified in Section 94B.2(c) that are adjacent thereto,
12 are hereby designated as the Pier 39 Entertainment Zone under Sections 23039.5 and 25690 of the
13 California Business and Professions Code.

14 (B) The establishment of the Pier 39 Entertainment Zone pursuant to this
15 subsection (b)(7) shall in no way affect the land use authorizations for or ownership or control of any
16 private property within the Pier 39 Entertainment Zone.

17 (C) The Pier 39 Entertainment Zone shall be subject to any controls imposed by
18 the Port of San Francisco. To the extent any inconsistency exists between controls imposed by the Port
19 of San Francisco and controls imposed by this Chapter 94B or the Management Plan issued pursuant
20 to Section 94B.3, the controls imposed by the Port of San Francisco shall take precedence.

21 (D) An Entertainment Zone Event within the Pier 39 Entertainment Zone shall
22 not involve the closure of a public street, and therefore notwithstanding subsection (c), it need not
23 receive a permit for the use of a public street under Transportation Code Division I, Section 6.6 or 6.16
24 or Transportation Code Division II, Section 206, or other applicable authority of the SFMTA.

25 **(8) Folsom Street Entertainment Zone.**

1 (A) All public streets, public rights-of-way, and sidewalks in front of storefronts
2 abutting both sides of Folsom Street, between 7th Street and 8th Street, both sides of Hallam Street,
3 between Folsom Street and Brush Place, and both sides of Langton Street, between Folsom Street and
4 Decker Alley, and all premises specified in Section 94B.2(c) that are adjacent thereto, are hereby
5 designated as the Folsom Street Entertainment Zone under Sections 23039.5 and 25690 of the
6 California Business and Professions Code.

7 (B) Notwithstanding subsection (c), if an Entertainment Zone Event within the
8 Folsom Street Entertainment Zone does not involve the closure of a public street, it need not receive a
9 permit for the use of a public street under Transportation Code Division I, Section 6.6 or 6.16 or
10 Transportation Code Division II, Section 206, or other applicable authority of the SFMTA.

11 **(9) Ellis Street Entertainment Zone.**

12 All public streets, public rights-of-way, and sidewalks in front of storefronts abutting
13 both sides of Ellis Street, between Stockton Street and Powell Street, and all premises specified in
14 Section 94B.2(c) that are adjacent thereto, are hereby designated as the Ellis Street Entertainment
15 Zone under Sections 23039.5 and 25690 of the California Business and Professions Code.

16 **(10) Yosemite Avenue Entertainment Zone.**

17 (A) All public streets, public rights-of-way, and sidewalks abutting both
18 sides of Yosemite Avenue, between Mendell Street and 3rd Street, and both sides of Lane
19 Street, between 3rd Street and Armstrong Avenue, and all premises specified in Section
20 94B.2(c) that are adjacent thereto, are hereby designated as the Yosemite Avenue
21 Entertainment Zone under Sections 23039.5 and 25690 of the California Business and
22 Professions Code.

23 (B) Notwithstanding subsection (c), if an Entertainment Zone Event within
24 the Yosemite Avenue Entertainment Zone does not involve the closure of a public street, it
25 need not receive a permit for the use of a public street under Transportation Code Division I,

1 Section 6.6 or 6.16 or Transportation Code Division II, Section 206, or other applicable
2 authority of the SFMTA.

3 **(11) Hayes Valley Entertainment Zone.**

4 (A) Except as otherwise specified herein, all public streets, public rights-
5 of-way, and sidewalks in the area bounded by the eastern side of Franklin Street from Grove
6 to Market Streets, the northern side of Market Street from Franklin to Haight Streets, the
7 southern side of Haight Street from Market Street to Octavia Boulevard, the western side of
8 Octavia Boulevard from Haight to Fell Streets, the southern side of Fell Street from Octavia
9 Boulevard to Laguna Street, the western side of Laguna Street from Fell to Grove Streets, and
10 the northern side of Grove Street from Laguna to Franklin Streets; all public streets, public
11 rights-of-way, and sidewalks on Gough Street from Grove to McAllister Streets; and all
12 premises specified in Section 94B.2(c) that are adjacent thereto, are hereby designated as the
13 Hayes Valley Entertainment Zone under Sections 23039.5 and 25690 of the California
14 Business and Professions Code.

15 (B) Patricia's Green.

16 (i) Notwithstanding subsection (A) above, the Hayes Valley
17 Entertainment Zone shall not include any portion of the park known as Patricia's Green,
18 located on Octavia Boulevard between Hayes Street and Fell Street.

19 (ii) To the extent there is any inconsistency between the
20 provisions of this Chapter 94B and the provisions of the Park Code applicable to Patricia's
21 Green, the Park Code shall control.

22 (iii) Any Management Plan for the Hayes Valley Entertainment
23 Zone shall contain measures to address the impacts of entertainment zone events on
24 Patricia's Green, including but not limited to alcohol consumption in and around the
25 playground area, sanitation, and security. Before adopting such a Management Plan, OEWD

1 shall obtain approval from the Recreation and Park Department regarding the provisions of
2 the Management Plan that relate to impacts on Patricia's Green.

3 (C) Notwithstanding subsection (c) of this Section 94B.4, if an
4 Entertainment Zone Event within the Hayes Valley Entertainment Zone does not involve the
5 closure of a public street, it need not receive a permit for the use of a public street under
6 Transportation Code Division I, Section 6.6 or 6.16 or Transportation Code Division II, Section
7 206, or other applicable authority of the SFMTA.

8 (c) Except as otherwise specified in this Section 94B.4, an Entertainment Zone Event
9 must receive a permit for the use of a public street under Transportation Code Division I,
10 Section 6.6 or 6.16 or Transportation Code Division II, Section 206, or other applicable
11 authority of the SFMTA.

12 (d) Outdoor consumption of alcoholic beverages is authorized within an Entertainment
13 Zone during any Entertainment Zone Event on any day of the year between the hours of noon
14 and 11:59 p.m., inclusive, subject to any additional limitations imposed by any ABC permit or
15 license and by the Management Plan, or if none, the Downtown Activation Permit, for the
16 Entertainment Zone, including but not limited to more restrictive days and hours during which
17 outdoor consumption of alcoholic beverages is authorized.

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

19
20 **SEC. 94D.3. ELIGIBLE ACTIVATION LOCATIONS.**

21 Downtown Activation Locations are limited to the following:

22 * * * *

23 (k) "Second Street" located on Second Street between Market Street and
24 Howard Street.

1 (l) “Yerba Buena Lane” located on Yerba Buena Lane, between Market Street and
2 Mission Street, and on the northern side of Mission Street only, excluding the public street portion of
3 Mission Street, between Yerba Buena Lane and 3rd Street, and extending to and including Jessie
4 Square.

5 Section 4. Related Legislation.

6 Ordinance No. 50-25, amending Administrative Code Section 94B.4 to add subsection
7 (b)(4), was finally approved on April 25, 2025 and took effect on May 26, 2025.

8 This ordinance was duplicated on April 20, 2025, from Board File No. 250348, which
9 will become effective on June 16, 2025. This ordinance shows all amendments made to the
10 ordinance in Board File No. 250348 as Board amendments.

11 Section 5. Effective Date. This ordinance shall become effective 30 days after
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
14 of Supervisors overrides the Mayor’s veto of the ordinance.

15 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
16 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
17 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
18 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
19 additions, and Board amendment deletions in accordance with the “Note” that appears under
20 the official title of the ordinance.

21
22 APPROVED AS TO FORM:
23 DAVID CHIU, City Attorney

24 By: Victoria Wong
25 VICTORIA WONG
 Deputy City Attorney

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LEGISLATIVE DIGEST
(AMENDED 6/2/25)

[Administrative Code - Valencia Street, Pier 39, Folsom Street, and Ellis Street, Yosemite Avenue, and Hayes Valley Entertainment Zones and Yerba Buena Lane Downtown Activation Location]

Ordinance amending the Administrative Code to create the Valencia Street Entertainment Zone, on Valencia Street between 16th Street and 21st Street; the Pier 39 Entertainment Zone, on and around Pier 39, including the northern waterfront of The Embarcadero, between The Embarcadero on the south, Kearny Street on the east, Powell Street on the west, and the San Francisco shoreline on the north; the Folsom Street Entertainment Zone, on Folsom Street between 7th Street and 8th Street, Hallam Street between Folsom Street and Brush Place, and Langton Street between Folsom Street and Decker Alley; the Ellis Street Entertainment Zone, on Ellis Street between Stockton Street and Powell Street; the Yosemite Avenue Entertainment Zone, on Yosemite Avenue, between Mendell Street and 3rd Street, and Lane Street, between 3rd Street and Armstrong Avenue; the Hayes Valley Entertainment Zone, in the area bounded by Franklin Street from Grove to Market Streets, Market Street from Franklin to Haight Streets, Haight Street from Market Street to Octavia Boulevard, Octavia Boulevard from Haight to Fell Streets, Fell Street from Octavia Boulevard to Laguna Street, Laguna Street from Fell to Grove Streets, and Grove Street from Laguna to Franklin Streets, and on Gough Street from Grove to McAllister Streets; and the Yerba Buena Lane Downtown Activation Location, on Yerba Buena Lane between Market Street and Mission Street, and on the northern side of Mission Street only, excluding the public street portion of Mission Street, between Yerba Buena Lane and 3rd Street, including Jessie Square; making clarifying amendments; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

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

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

Administrative Code Chapter 94D creates the Greater Downtown Community Benefit District Master Permitting for Entertainment Activation Program, under which the Department of Public Works may issue streamlined permits to allow activations that incorporate Entertainment Zones in Downtown Activation Locations.

Amendments to Current Law

The original ordinance in Board File No. 250348, from which this file was duplicated, created the Valencia Street Entertainment Zone, on Valencia Street between 16th Street and 21st Street; the Pier 39 Entertainment Zone, on and around Pier 39, including the northern waterfront of The Embarcadero, between The Embarcadero on the south, Kearny Street on the east, Powell Street on the west, and the San Francisco shoreline on the north; the Folsom Street Entertainment Zone, on Folsom Street between 7th Street and 8th Street, Hallam Street between Folsom Street and Brush Place, and Langton Street between Folsom Street and Decker Alley; the Ellis Street Entertainment Zone, on Ellis Street between Stockton Street and Powell Street; and the Yerba Buena Lane Downtown Activation Location, on Yerba Buena Lane between Market Street and Mission Street, and on the northern side of Mission Street only, excluding the public street portion of Mission Street, between Yerba Buena Lane and 3rd Street, and extending to and including Jessie Square.

This ordinance would create the Yosemite Avenue Entertainment Zone, on Yosemite Avenue, between Mendell Street and 3rd Street, and on Lane Street, between 3rd Street and Armstrong Avenue. Pursuant to this ordinance, if an Entertainment Zone Event within the Yosemite Avenue Entertainment Zone does not involve the closure of a public street, it need not receive a permit for the use of a public street under Transportation Code Division I, Section 6.6 or 6.16 or Transportation Code Division II, Section 206, or other applicable authority of the SFMTA.

This ordinance would also create the Hayes Valley Entertainment Zone, in the area bounded by the eastern side of Franklin Street from Grove to Market Streets, the northern side of Market Street from Franklin to Haight Streets, the southern side of Haight Street from Market Street to Octavia Boulevard, the western side of Octavia Boulevard from Haight to Fell Streets, the southern side of Fell Street from Octavia Boulevard to Laguna Street, the western side of Laguna Street from Fell to Grove Streets, and the northern side of Grove Street from Laguna to Franklin Streets; and on Gough Street from Grove to McAllister Streets. The ordinance would exclude Patricia's Green, located on Octavia Boulevard between Hayes Street and Fell Street, from the Entertainment Zone, and to the extent there is any inconsistency between the provisions of Chapter 94B and the provisions of the Park Code applicable to Patricia's Green, the Park Code would control. Any Management Plan for the Hayes Valley Entertainment Zone would be required to contain measures to address the impacts of entertainment zone events on Patricia's Green, including but not limited to alcohol consumption in and around the playground area, sanitation, and security. Before adopting such a Management Plan, OEWD would be required to obtain approval from the Recreation and Park Department regarding the provisions of the Management Plan that relate to impacts

on Patricia's Green. If an Entertainment Zone Event within the Hayes Valley Entertainment Zone does not involve the closure of a public street, it need not receive a permit for the use of a public street under Transportation Code Division I, Section 6.6 or 6.16 or Transportation Code Division II, Section 206, or other applicable authority of the SFMTA.

Background Information

Ordinance No. 50-25, amending Administrative Code Section 94B.4 to add subsection (b)(4), was finally approved on April 25, 2025 and took effect on May 26, 2025.

This ordinance was duplicated on April 20, 2025, from Board File No. 250348, which will become effective on June 16, 2025. This ordinance shows all amendments made to the ordinance in Board File No. 250348 as Board amendments.

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