

File No. 250126

Committee Item No. 3

Board Item No. 8

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date March 24, 2025

Board of Supervisors Meeting

Date April 15, 2025

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (MOU) |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
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| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 - Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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Completed by: Victor Young Date March 20, 2025

Completed by: _____ Date _____

[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):

4
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, ~~is~~are hereby designated as the Arena Entertainment Zone under Sections
24 23039.5 and 25690 of the California Business and Professions Code.

25 * * * *

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.

5
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.

10
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.

17
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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23
24
25

LEGISLATIVE DIGEST

(Amended in Committee 3/17/2025)

[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, 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.

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 “a special event permitted or licensed by ABC 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.

Amendments to Current Law

This ordinance would create the Castro Upper Market Entertainment Zone 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, Noe Street between Beaver and Market Streets, and 16th Street between Market and Pond Streets.

This ordinance would also clarify the description of the boundaries of the existing Arena Entertainment Zone, using language consistent with the description of boundaries of other Entertainment Zones.

FILE NO. 250126

BOARD of SUPERVISORS



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

MEMORANDUM

Date: March 18, 2025
To: Planning Department / Commission
From: Victor Young, Clerk of the Rules Committee
Subject: Board of Supervisors Legislation Referral - File No. 250126 VERSION 2
Administrative Code – Castro Upper Market Entertainment Zone

- ☒ 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
3/20/2025 *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 Victor Young at Victor.Young@sfgov.org.



March 1, 2025

Dear Rules Committee Chair Walton,

The Castro Community Benefit District Board of Directors is writing to express its support to establish an entertainment zone in the Castro during special street closure events. Some examples of such events may include the Castro Street Fair and the Castro Night Markets. These events could benefit from an entertainment zone by potentially attracting more people to the event, but also attracting more people into our existing restaurants and bars during the event.

The CBD Board believes the entertainment zone will help the Castro's existing bars and restaurants by allowing them to sell drinks for people to take outside into the event. Currently, alcohol sales during a street fair go to an outside, hired vendor. The entertainment zone designation allows bars and restaurants in the zone to benefit from the special event. Instead of an outside vendor, street fair participants will be able to walk into any bar in the footprint, purchase a drink and walk outside with it, still being part of the outdoor party. The entertainment zone designation benefits the neighborhoods bars and restaurants.

Thank you for considering this matter. The Castro Community Benefit District urges your support of this legislation.

Sincerely,

A handwritten signature in blue ink, reading "Andrea Aiello".

Andrea Aiello
Executive Director

cc: Board President Rafael Mandelman
Rules Committee Vice-Chair Stephen Sherrill
Rules Committee Clerk Victor Young
Castro CBD Board of Directors

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