

File No. 241197

Committee Item No. 1

Board Item No. 9

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date Jan 27, 2025

Board of Supervisors Meeting

Date Feb 4, 2025

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
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OTHER (Use back side if additional space is needed)

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Completed by: Victor Young

Date Jan 23, 2025

Completed by: _____

Date _____

1 [Administrative Code - Cole Valley Entertainment Zone]

2

3 **Ordinance amending the Administrative Code to create the Cole Valley Entertainment**
4 **Zone, on Cole Street, between Frederick Street and Parnassus Avenue, and on Carl**
5 **Street, between Shrader Street and Clayton Street; to delete the requirement that an**
6 **Entertainment Zone Event be a special event permitted or licensed by the California**
7 **Department of Alcoholic Beverage Control; to make certain clarifying revisions; and**
8 **affirming the Planning Department’s determination under the California Environmental**
9 **Quality Act.**

10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
11 **Additions to Codes** are in *single-underline italics Times New Roman font*.
12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
13 **Board amendment additions** are in double-underlined Arial font.
14 **Board amendment deletions** are in ~~strikethrough Arial font~~.
15 **Asterisks (* * * *)** indicate the omission of unchanged Code
16 subsections or parts of tables.

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

18

19 Section 1. CEQA Findings.

20 The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 241197 and is incorporated herein by reference. The Board affirms
24 this determination.

25

26 Section 2. Chapter 94B of the Administrative Code is hereby amended by revising
27 Sections 94B.1 and 94B.4, to read as follows:

1 **SEC. 94B.1. DEFINITIONS.**

2 For the purposes of this Chapter 94B, the following definitions shall apply:

3 * * * *

4 (c) "Entertainment Zone Event" means ~~an special~~ event ~~permitted or licensed by ABC~~ that
5 occurs within the boundaries of an Entertainment Zone established in accordance with this
6 Chapter 94B and within the hours permitted by this Chapter 94B and the Management Plan or
7 the Downtown Activation Permit issued pursuant to Administrative Code Chapter 94D for the
8 Entertainment Zone.

9 * * * *

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

11 * * * *

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

13 * * * *

14 **(3) Cole Valley Entertainment Zone.**

15 All public streets, public rights-of-way, and sidewalks in front of storefronts abutting
16 both sides of Cole Street, between Frederick Street and Parnassus Avenue, and abutting both sides of
17 Carl Street, between Shrader Street and Clayton Street, and all establishments holding permits or
18 licenses from ABC that are located on either side of said locations, and all premises specified
19 in Section 94B.2(c) that are adjacent thereto, are hereby designated as the Cole Valley
20 Entertainment Zone under Sections 23039.5 and 25690 of the California Business and Professions
21 Code.

22 (c) Except as otherwise specified in this Section 94B.4, an Entertainment Zone
23 Event must ~~receive~~ take place in conjunction with a permit for the use of a public street under
24 Transportation Code Division I, Section 6.6 or 6.16 or Transportation Code Division II, Section
25 206, or other applicable authority of the SFMTA.

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

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

9
10 Section 3. Effective Date. This ordinance shall become effective 30 days after
11 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
12 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
13 of Supervisors overrides the Mayor's veto of the ordinance.

14
15 Section 4. 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 APPROVED AS TO FORM:
22 DAVID CHIU, City Attorney

23 By: /s/ Victoria Wong
24 VICTORIA WONG
Deputy City Attorney

25 n:\legana\as2024\2500152\01814488.docx

LEGISLATIVE DIGEST
(1/27/2025)

[Administrative Code - Cole Valley Entertainment Zone]

Ordinance amending the Administrative Code to create the Cole Valley Entertainment Zone, on Cole Street, between Frederick Street and Parnassus Avenue, and on Carl Street, between Shrader Street and Clayton Street; to delete the requirement that an Entertainment Zone Event be a special event permitted or licensed by the California Department of Alcoholic Beverage Control; 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 revise the definition of “Entertainment Zone Event” by removing the requirement that such an event be “a special event permitted or licensed by ABC,” for consistency with a recent change to state law. It would also create the Cole Valley Entertainment Zone on Cole Street, between Frederick Street and Parnassus Avenue, and on Carl Street, between Shrader Street and Clayton Street.

Background Information

California Senate Bill 969, effective January 1, 2025, amends Business and Professions Code Section 23039.5 to revise the definition of an “entertainment zone.” Previously, “entertainment zone” as defined as a zone authorized by the City and County of San Francisco for the outdoor consumption of alcoholic beverages in certain public areas during a “special event permitted or licensed by” the Department of Alcoholic Beverage Control. SB 969 deletes the “special event permitted or licensed by” component of the definition.

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BOARD of SUPERVISORS



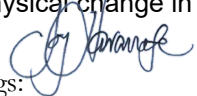
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: December 18, 2024
To: Planning Department / Commission
From: Victor Young, Clerk of the Rules Committee
Subject: Board of Supervisors Legislation Referral - File No. 241197
Administrative Code - Cole Valley Entertainment Zone

- California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - Ordinance / Resolution
 - Ballot Measure

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.

12/30/2024 
- 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.

BOARD of SUPERVISORS



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MEMORANDUM

TO: Maggie Weiland, Executive Director, Entertainment Commission
Tina Tam, Zoning Administrator

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: Dec 18, 2024

SUBJECT: LEGISLATION INTRODUCED

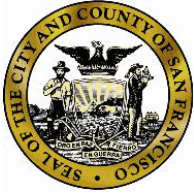
The Board of Supervisors' Rules Committee received the following proposed Ordinance:

File No. 241197

Ordinance amending the Administrative Code to create the Cole Valley Entertainment Zone on Cole Street, between Frederick Street and Parnassus Avenue, and on Carl Street, between Shrader Street and Clayton Street; to delete the requirement that an Entertainment Zone Event be a special event permitted or licensed by the California Department of Alcoholic Beverage Control; and affirming the Planning Department's determination under the California Environmental Quality Act.

If you have comments or reports to be included with the file, please forward them to Victor Young at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.

c. May Liang, Entertainment Commission



City and County of San Francisco

Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 241197 **File Type:** Ordinance **Status:** 30 Day Rule

Enacted: _____ **Effective:** _____

Version: 1 **In Control:** Rules Committee

File Name: Administrative Code - Cole Valley Entertainment Zone **Date Introduced:** 12/10/2024

Requester: _____ **Cost:** _____ **Final Action:** _____

Comment: _____ **Title:** Ordinance amending the Administrative Code to create the Cole Valley Entertainment Zone on Cole Street, between Frederick Street and Parnassus Avenue, and on Carl Street, between Shrader Street and Clayton Street; to delete the requirement that an Entertainment Zone Event be a special event permitted or licensed by the California Department of Alcoholic Beverage Control; and affirming the Planning Department’s determination under the California Environmental Quality Act.

Sponsors: Mayor;
Mandelman

History of Legislative File 241197

| Ver | Acting Body | Date | Action | Sent To | Due Date | Result |
|-----|-------------|------------|----------------------------|-----------------|------------|--------|
| 1 | President | 12/10/2024 | ASSIGNED UNDER 30 DAY RULE | Rules Committee | 01/09/2025 | |

January 26, 2025

Dear Rules Committee,

The Cole Valley Improvement Association would like to express our support of a Cole Valley Entertainment Zone. We believe this thoughtful legislation will give our local restaurants and bars an economic boost and create an opportunity for them to more fully engage in our permitted events.

We also believe that this will benefit the community by creating an inclusive atmosphere where people can enjoy their beverages while they are experiencing the outdoor food, music, art and entertainment.

We are excited to be part of this opportunity to support our cherished businesses that are core to the essence of the city.

Best regards,

Chris Hock, President

BOARD of SUPERVISORS



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MEMORANDUM

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Shamann Walton, Chair
Rules Committee

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: January 27, 2025

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, January 28, 2025

The following file should be presented as a **COMMITTEE REPORT** at the Board Meeting on Tuesday, January 28, 2025. This item was acted upon at the Rules Committee Meeting on Monday, January 27, 2025, at 10:00 a.m., by the votes indicated.

Item No. 29 **File No. 241197**

Administrative Code - Cole Valley Entertainment Zone

Ordinance amending the Administrative Code to create the Cole Valley Entertainment Zone on Cole Street, between Frederick Street and Parnassus Avenue, and on Carl Street, between Shrader Street and Clayton Street; to delete the requirement that an Entertainment Zone Event be a special event permitted or licensed by the California Department of Alcoholic Beverage Control; and affirming the Planning Department's determination under the California Environmental Quality Act.

RECOMMENDED AS AMENDED AS COMMITTEE REPORT

Vote: Supervisor Shamann Walton - Aye
Supervisor Stephen Sherrill - Aye
Supervisor Rafael Mandelman - Aye

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy Director
Brad Russi, Deputy City Attorney