

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

- 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.



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	

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; and affirming the Planning Department's**
8 **determination under the California Environmental Quality Act.**

9

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

13

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

15

16 Section 1. CEQA Findings.

17

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

22

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

25

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, are hereby designated as the Cole*
19 *Valley Entertainment Zone under Sections 23039.5 and 25690 of the California Business and*
20 *Professions Code.*

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

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LEGISLATIVE DIGEST

[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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From: [Trejo, Sara \(MYR\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [Paulino, Tom \(MYR\)](#); [WONG, VICTORIA \(CAT\)](#); [VanHouten, Ben \(ECN\)](#); [Ho, Calvin \(BOS\)](#); [Ha, Anh \(BOS\)](#)
Subject: Mayor -- Ordinance -- Administrative Code - Cole Valley Entertainment Zone
Date: Tuesday, December 10, 2024 2:42:00 PM
Attachments: [01804834.DOCX](#)
[01804868.DOCX](#)

Hello Clerks,

Attached is an 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.

Please note, Supervisor Mandelman is a cosponsor of this item.

Best regards,

Sara Trejo

Legislative Aide

Office of the Mayor

City and County of San Francisco

From: [Ho, Calvin \(BOS\)](#)
To: [Trejo, Sara \(MYR\)](#); [BOS Legislation, \(BOS\)](#)
Cc: [Paulino, Tom \(MYR\)](#); [WONG, VICTORIA \(CAT\)](#); [VanHouten, Ben \(ECN\)](#); [Ha, Anh \(BOS\)](#)
Subject: Re: Mayor -- Ordinance -- Administrative Code - Cole Valley Entertainment Zone
Date: Tuesday, December 10, 2024 2:47:46 PM

Thank you Sara. Confirming Supervisor Mandelman's co-sponsorship.

Calvin Ho (*he/they*)
Legislative Aide
Office of Supervisor Rafael Mandelman, District 8
calvin.ho@sfgov.org | (415) 554-6968

From: Trejo, Sara (MYR) <Sara.Trejo@sfgov.org>
Sent: Tuesday, December 10, 2024 2:41 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: Paulino, Tom (MYR) <tom.paulino@sfgov.org>; WONG, VICTORIA (CAT) <Victoria.Wong@sfcityatty.org>; VanHouten, Ben (ECN) <ben.vanhouten@sfgov.org>; Ho, Calvin (BOS) <calvin.ho@sfgov.org>; Ha, Anh (BOS) <anh.v.ha@sfgov.org>
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Best regards,

Sara Trejo
Legislative Aide
Office of the Mayor
City and County of San Francisco

From: [Wong, Victoria \(CAT\)](#)
To: [BOS Legislation, \(BOS\)](#); [Trejo, Sara \(MYR\)](#)
Cc: [Paulino, Tom \(MYR\)](#); [VanHouten, Ben \(ECN\)](#); [Ho, Calvin \(BOS\)](#); [Ha, Anh \(BOS\)](#)
Subject: Re: Mayor -- Ordinance -- Administrative Code - Cole Valley Entertainment Zone
Date: Tuesday, December 10, 2024 2:51:41 PM

Approved as to form, thank you.

PRIVILEGED AND CONFIDENTIAL
ATTORNEY CLIENT COMMUNICATION
ATTORNEY WORK PRODUCT

Victoria Wong
Deputy City Attorney
Office of City Attorney David Chiu
(415) 554-4721 Direct
www.sfcityattorney.org
Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

*Please note: I am primarily working remotely. The most efficient way to reach me is by email.

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Tuesday, December 10, 2024 2:48:20 PM
To: Trejo, Sara (MYR) <Sara.Trejo@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: Paulino, Tom (MYR) <tom.paulino@sfgov.org>; Wong, Victoria (CAT) <Victoria.Wong@sfcityatty.org>; VanHouten, Ben (ECN) <ben.vanhouten@sfgov.org>; Ho, Calvin (BOS) <calvin.ho@sfgov.org>; Ha, Anh (BOS) <anh.v.ha@sfgov.org>
Subject: RE: Mayor -- Ordinance -- Administrative Code - Cole Valley Entertainment Zone

Hello,

We are seeking e-signature and approval as to form from DCA Wong.

Regards,

Arthur Khoo

Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-4447 | (415) 554-5163
arthur.khoo@sfgov.org | www.sfbos.org

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information

provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

From: Trejo, Sara (MYR) <Sara.Trejo@sfgov.org>

Sent: Tuesday, December 10, 2024 2:42 PM

To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Cc: Paulino, Tom (MYR) <tom.paulino@sfgov.org>; WONG, VICTORIA (CAT)

<Victoria.Wong@sfcityatty.org>; VanHouten, Ben (ECN) <ben.vanhouten@sfgov.org>; Ho, Calvin

(BOS) <calvin.ho@sfgov.org>; Ha, Anh (BOS) <anh.v.ha@sfgov.org>

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Sara Trejo

Legislative Aide

Office of the Mayor

City and County of San Francisco

1 [Administrative Code - Cole Valley Entertainment Zone]

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19 ordinance comply with the California Environmental Quality Act (California Public Resources
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8 Entertainment Zone.

9 * * * *

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

11 * * * *

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

13 * * * *

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

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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
25 Deputy City Attorney

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