



BERKELEY CITY COUNCILMEMBER
TERRY TAPLÍN
 DISTRICT 2

07

CONSENT CALENDAR
 March 10, 2026

To: Honorable Mayor and Members of the City Council

From: Councilmember Terry Taplin (Author), Councilmember Rashi Kesarwani (Co-Sponsor), Councilmember Cecillia Lunaparra (Co-Sponsor), Councilmember Blackaby (Co-Sponsor)

Subject: Entertainment Zone Ordinance

RECOMMENDATION

Refer for drafting to the City Attorney an ordinance enabling entertainment zones in Berkeley:

Refer to the City Manager for the initiation of a merchant stakeholder engagement process and develop entertainment zone management plans for potential zones in the vicinity of the following locations and organizational leads:

- Downtown Downtown Business Association
- Gilman Gilman District Merchants Association
- South Side Telegraph Business Improvement District
- San Pablo University Avenue Association

POLICY COMMITTEE RECOMMENDATION

On February 11, 2026, the Health, Life Enrichment, Equity & Community Committee adopted the following action: M/S/C (Tregub/O'Keefe) to send item to Council with a qualified positive recommendation to encourage staff discretion in determining additional zones for entertainment. Vote: All Ayes.

SUMMARY:

Establishing Entertainment Zones would increase foot traffic, stimulate local spending, and support community-building by enabling outdoor events and pedestrian-oriented commercial activity. Initial zones in Downtown, South Side/Telegraph, and Gilman would build on existing arts, food, and entertainment assets to help stimulate and invest in key commercial corridors.

FISCAL IMPACTS OF RECOMMENDATION

Ordinance Drafting and Management Plan development will require staff time over a multi-month period. Drafting and development should leverage existing allocated resources. Continuing work alongside the entertainment zone leads would be covered

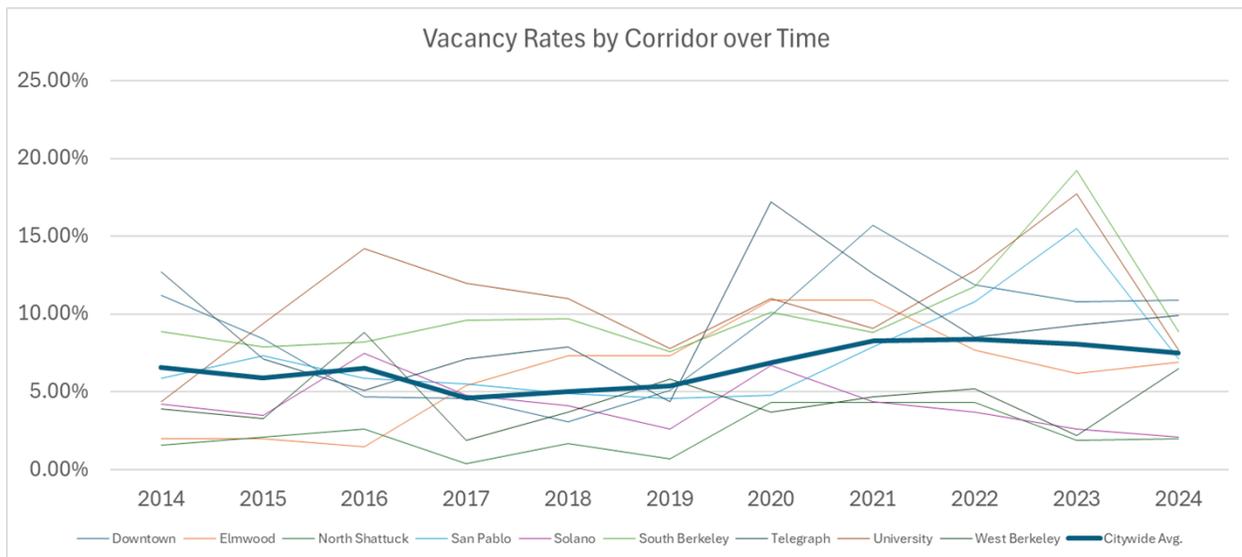


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by related fees for events and existing allocated resources thus making the program self-funding. No additional funding is anticipated.

CURRENT SITUATION AND ITS EFFECTS

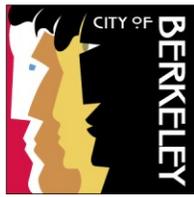
Since the 2020 pandemic we have seen far higher store front vacancies than in the years prior to the pandemic. While some corridors have seen improvements since pre-pandemic levels, the citywide average continues to lag behind even the highest of pre-pandemic levels.



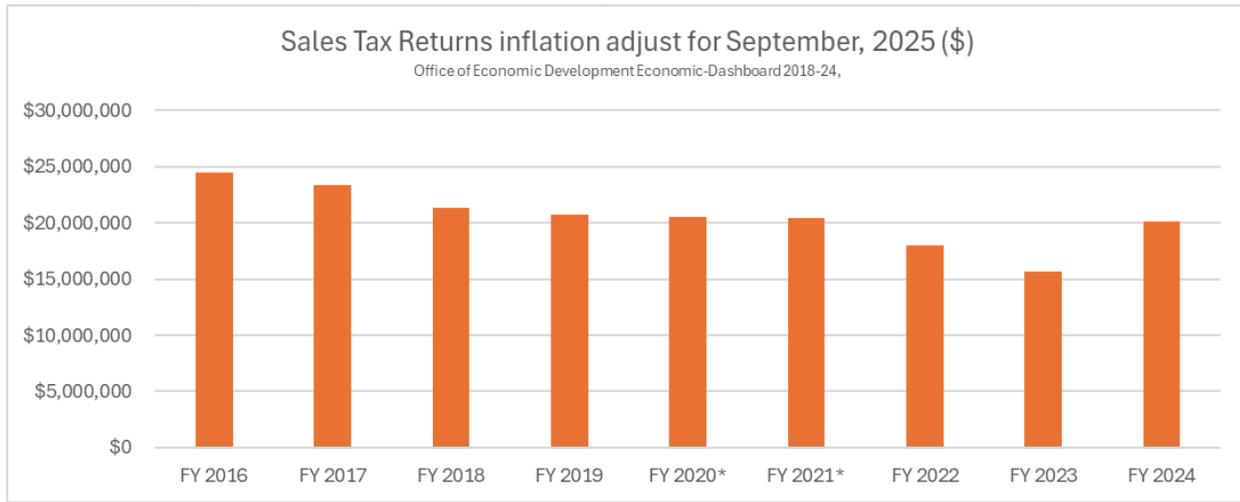
The commercial vacancy crisis has hit the entire country, the transition to online work has led many office buildings to remain low. The San Francisco Bay Area has been particularly hard with office vacancies continuing to sit above 20%¹. These trends lead to lower overall economic activity. As workers are not moving through spaces as much, they physically pass less businesses, thus spending is down². We can see this reflected in the city’s real year-over-year sales tax returns. Despite an increase in July 2021, we still see waning returns particularly since the pandemic.

¹ <https://www.commercialcafe.com/blog/national-office-report/>

² Dinh, Emily, "Commercial Property Vacancies in American Cities" (2024). *University Honors Theses*. Paper 1505. <https://doi.org/10.15760/honors.1537>



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Implementing Entertainment Zones will lead to an increase in pedestrian activity. Opening businesses to pedestrian pathways leads to an increase in economic activities in those areas³. On top of economic growth, there is an opportunity for community development. Street closures have shown to lead to getting to know neighbours better and walking on the street being more pleasant⁴.

Designated areas allow for infrastructure for street closures to exist. Support for these areas would allow the city and event planners to create permanent installations to support street events. Such as lowering bollards, street narrowing, and other accommodations.

These are the areas we are proposing to start with entertainment zones:

Downtown Entertainment Zone:

Downtown Berkeley functions as the City's primary commercial hub. It is represented by the Downtown Business Association founded in 2012 from predecessors dating back to 1989. It represents 187 property owners on the corridor⁵. The district contains a high share of arts and entertainment uses, 15.3% of all ground-floor commercial space, compared with 4.8% citywide-strengthening its role as a regional destination. The Q4

³ Yoshimura, Yuji, et al. "Street pedestrianization in urban districts: Economic impacts in Spanish cities." *Cities*, vol. 120, 1 Jan. 2022, p. 103468, <https://doi.org/10.1016/j.cities.2021.103468>.

⁴ Kingham, Simon, et al. "Streets for Transport and Health: The Opportunity of a temporary road closure for neighbourhood connection, activity and Wellbeing." *Journal of Transport & Health*, vol. 18, Sept. 2020, p. 100872, <https://doi.org/10.1016/j.jth.2020.100872>.

⁵ <https://www.downtownberkeley.com/about/>



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2024 ground floor commercial vacancy rate was 10.91%, up slightly from 10.78% in 2023 and higher than the 9.9% recorded in 2020.⁶

South Side Entertainment Zone:

South Side focuses on Telegraph making up a large amount of the city's student population and businesses targeted towards the student demographic. The corridor has the city's highest percentage of food & Beverage at 32% of ground floor space. The corridor is represented by the Telegraph Businesses comprising property owners. Telegraph's ground floor inventory of retail accounts for 37.2% of the business mix, slightly more than the 31.3% observed citywide. The Q4 2024 ground floor commercial vacancy rate was 9.9%, slightly higher than 2023 (9.3% but much lower than the 17.20% recorded in 2020.⁶

Gilman Entertainment Zone:

The Gilman District Entertainment Zone is focused around the series found south of Gilman along the low traffic Fourth and Fifth streets. The Gilman commercial district area is represented by the The Gilman District Merchants Association founded as a merchant's association in 2025. The area has the highest concentration of wineries in the City. Data is not currently available for the ground floor commercial vacancy rate of the neighborhood. However, with the growth of the Gilman District Street Fair and Hammerling First Fridays there is already lots of activity in street events to further invest in.⁶

San Pablo Area Entertainment Zone:

The San Pablo Area Entertainment Zone is on the road just south of University Avenue. The zone will be represented by the University Avenue Association founded in 1969. The San Pablo Area is reported as the entire street from the borders of the city, the area in question is mostly food and beverage businesses. The Q4 2024 ground commercial vacancy has seen a drop in 2024 from 15.55% in 2023 to 7.09% in 2024, this is still above the pre-pandemic level of 4.90% but a trend in the right direction. The retail sales tax has also increased in the last year, up 13% from 2023.⁶

⁶https://berkeleyca.gov/sites/default/files/documents/Attachment2_Commercial%20District%20Dashboards_2024_Q4.pdf



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Each Entertainment Zone will require an individual Management Plan. The Management Plan will be written by the City Manager's office and will include legal drinking age enforcement system, days and hours of operation of the entertainment zone, types of alcoholic beverages allowed, and the approved cup types.

BACKGROUND

In early American history, consumption of alcohol was common in all manner of places. Despite the perception of puritanism restricting alcohol availability, there were essentially no towns in which you could not find an establishment or home making a distributing alcohol. While early public consumption laws did exist, they were more targeted at public drunkenness not at public consumption.

In the beginning of the 20th century, the temperance movement had started. States and counties across the country adopted stricter and stricter alcohol controls from banning sales on Sunday to allowing local municipalities to go fully dry.

The 18th amendment was ratified in 1933 and created a comprehensive national prohibition on alcohol. No sales or consumption of any alcoholic drinks were allowed in any public place. This created a nationwide ban on public alcohol consumption, the first of their kind. The 21st amendment would later repeal the 18th, allowing states to regulate their alcohol consumption laws locally. Many states or locals opted to maintain prohibition operating as dry or damp counties and continue to do so to this day.

Modern open container laws became widespread after World War II. Urban renewal pushed to regulate street behaviors and reduce perceived disorder, particularly that of lower-class residents, leading to restrictions on public consumption. Vagrancy-laws failed to take hold and work arounds to target homeless people were written, such as public consumption. The rise of the automobile led to adoption of open-container-in-vehicle laws to discourage drunk driving.

California allowed its counties and municipalities to handle local open container laws while tackling age limitations at the state level. This was enforced with the California Department of Alcoholic Beverage Control (ABC) created by constitutional amendment in 1955. Major cities such as San Francisco, Los Angeles, and San Diego all enacted bans on public consumption.

In 2023 Senate Bill No. 76 was signed into law. This allowed the City and County of San Francisco to create "Entertainment Zones". These zones would be designated areas for



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businesses to sell alcohol for consumption off premises. Since the bill passed, San Francisco has implemented 15 entertainment zones throughout the city.

In 2024 Senate Bill No. 969 was signed into law. This expanded the Entertainment Zone items statewide. Thus far only two additional cities have implemented them: Sacramento with two zones and Santa Monica with one. Additional cities in California have begun the process of implementing their own Entertainment Zones under SB 969 such as Oakland, San Jose, Auburn and others.

Entertainment Zones allow for alcoholic beverages to be consumed off the premises of an establishment selling them. Cities must decide the bounds of the entertainment zone by ordinance. The city must have a process or procedure to ensure people consuming alcohol within the zone are of legal drinking age. The following must be established and shared with California Department of Alcoholic Beverage Control:

1. A copy of the ordinance establishing (or modifying) the entertainment zone.
2. Information to identify the boundaries of the entertainment zone.
3. The days and hours of operation of the entertainment zone.
4. The types of alcoholic beverages permitted within the entertainment zone.
5. The approved nonglass and nonmetal containers in which alcoholic beverages may be authorized.

The Zones must include at least one business licensed to sell alcohol.

Before enacting the ordinance to create an entertainment zone, the city must notify local law enforcement and request feedback on:

1. Potential health and safety impacts of the entertainment zone
2. The entertainment zone's boundaries, days and hours of operation, types of alcoholic beverages permitted, and approved containers.

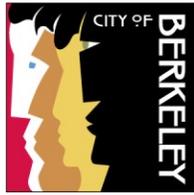
ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Concentration of events towards transit accessible locations could lower carbon output.

RATIONALE FOR RECOMMENDATION

Activating public spaces in commercial districts will streamline special events, encourage arts and cultural programming, facilitate economic cross-pollination across nightlife industries, and attract commercial tenants⁷.

⁷ Behmanesh, Hossein, and Andre Brown. "Improving the design and management of temporary events in public spaces by applying urban design criteria." *Journal of Urban Management*, 5 July 2025, <https://doi.org/10.1016/j.jum.2025.06.010>.



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ALTERNATIVE ACTIONS CONSIDERED

No Action

The Council could elect not to establish Entertainment Zones and continue to rely on authorizing temporary street closures and special events on a case-by-case basis without creating permanent Entertainment Zones. This option allows flexible targeted activation and would avoid new implementation efforts and costs. However, it requires repeated staff review, provides limited predictability for businesses and residents, and does not support long-term infrastructure investments or sustained activation of public space.

Alternative Economic Development Strategies

The Council could pursue other economic development measures. Such as business assistance programs, zoning adjustments, or corridor marketing efforts, without permitting off-premises alcohol consumption. While these strategies may contribute to commercial recovery, they do not directly address pedestrian activation, cultural programming, or nightlife-related economic cross-pollination at the scale enabled by Entertainment Zones.

CONTACT PERSON

Terry Taplin, Councilmember, District 2, (510) 981-7120

Attachments:

- 1: Draft Ordinance
- 2: Reference Map of Downtown Entertainment Zone
- 3: Reference Map of South Side Entertainment Zone
- 4: Reference Map of Gilman Entertainment Zone
- 5: Reference Map of San Pablo Entertainment Zone
- 6: San Francisco Entertainment Zone Ordinance
- 7: San Francisco Front Street Entertainment Zone Management Plan
- 8: Oakland Entertainment Zone Ordinance

DRAFT CITY OF BERKELEY ENTERTAINMENT ZONE ORDINANCE

I. BMC 13.45.010 – Definitions

A. The following definitions apply in this chapter:

1. "ABC" means the California Department of Alcoholic Beverage Control.
2. "Alcoholic beverage" has the same meaning as in California Business and Professions Code section 23004.
3. "City manager" means the city manager or designee.
4. "Entertainment zone" has the same meaning as in California Business and Professions Code section 23039.5.
5. "Entertainment zone event" means a street event during which the consumption of one or more types of alcoholic beverages is authorized on public streets, sidewalks, or public rights-of-way within the boundaries of an entertainment zone established in accordance with this chapter.
6. "Entertainment Zone Activation Plan" means a plan approved by the city manager for the management and regulation of the entertainment zone and during permitted special events.
7. "Open container" means any bottle, can, glass, jug, box, or other receptacle that is open or has been opened and contains any alcoholic beverage.

II. BMC 13.45.020 - Entertainment zone controls

- A. No person shall conduct an entertainment zone event without obtaining a street event permit issued pursuant to chapter 13.44.
- B. The issuance of a street event permit for an entertainment zone event does not excuse a person selling alcoholic beverages from complying with all applicable state and local laws and regulations, including the following:
 1. ABC license and permitting requirements;
 2. California Business and Professions Code sections 23357, 23358, and 23396;
 3. All other laws governing the sale and consumption of alcoholic beverages;
 4. Chapter 13.44;
 5. Any conditions attached by the City Manager or designee upon issuance of a street event permit.
- C. A person may possess an open container and consume an alcoholic beverage on any public street, sidewalk, or public right-of-way within an

entertainment zone during an entertainment zone event if the open container or alcoholic beverage was purchased from either:

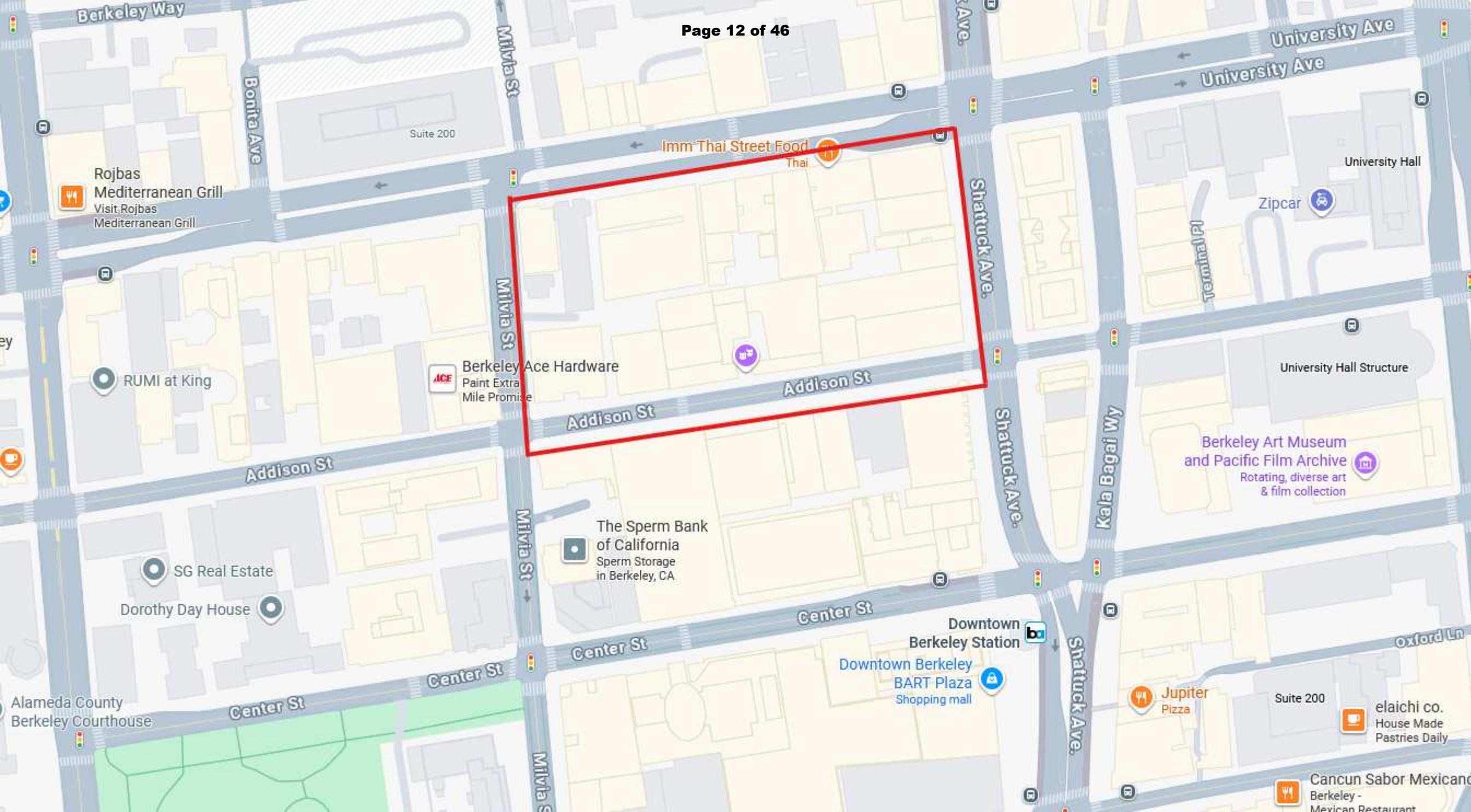
1. A premises that is authorized to permit consumers to leave the premises with open containers for consumption off the premises within an entertainment zone, pursuant to California Business and Professions Code section 23357, 23358, or 23396; or
2. A person that is authorized by an ABC permit or license to sell alcoholic beverages within the entertainment zone.

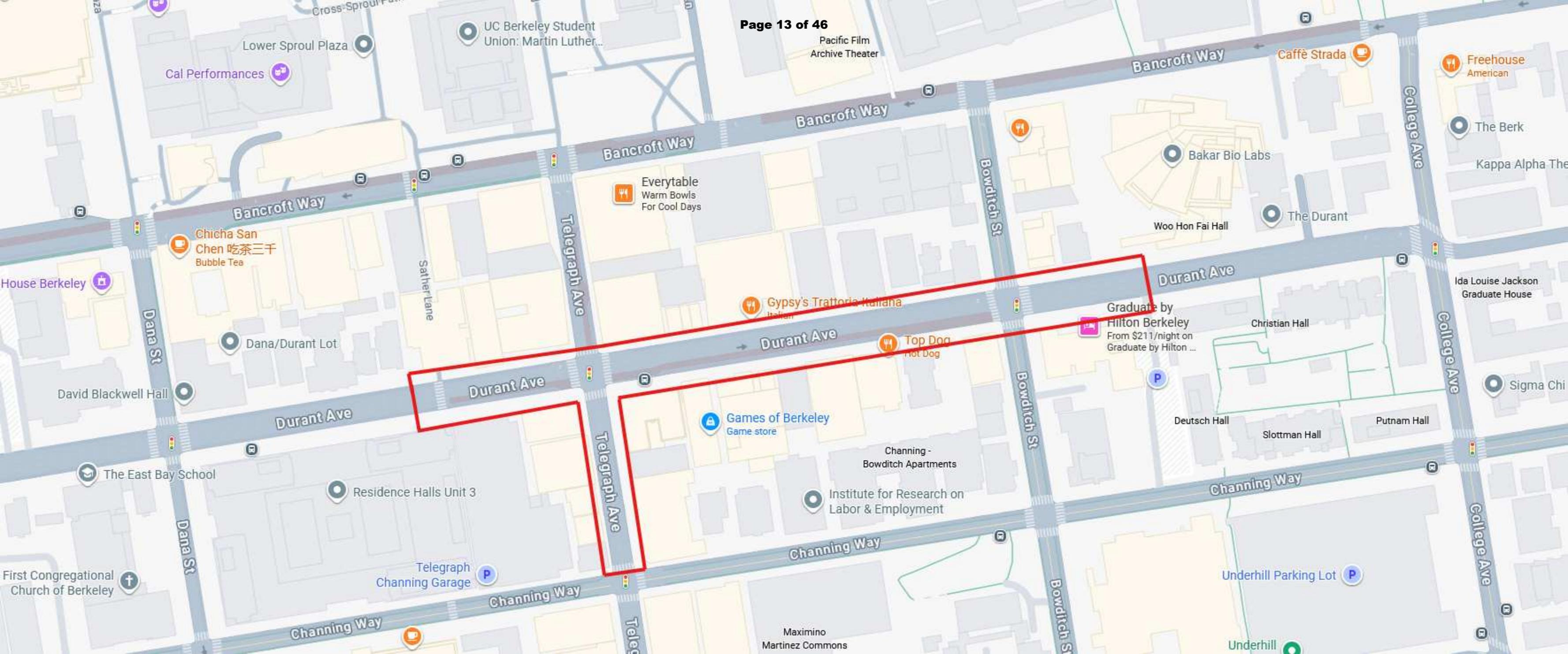
III. BMC 13.45.030 - Implementation

- A. The city manager has the authority to issue administrative policies for the implementation of this chapter.
- B. The city manager shall not issue a street event permit authorizing an entertainment zone event in an entertainment zone before doing the following:
 1. Issuing an entertainment zone activation plan that:
 - a. Establishes a process or procedure to readily identify individuals in possession of alcoholic beverages within the entertainment zone as being 21 years of age or older;
 - b. Requires any person seeking a street event permit for an entertainment zone event to comply with the applicable insurance requirements, rules, and regulations; and
 - c. Imposes requirements not otherwise imposed by state or local law, including additional requirements for permissible beverage containers, additional restrictions on the hours of operation for entertainment zone events, and other restrictions on time, place, and manner.
 2. Transmitting a copy of this plan to ABC.
 3. In consultation with the City Manager's Office and the Police Department, providing the following information to ABC, pursuant to California Business and Professions Code section 25690, subdivision (b):
 - a. A copy of the ordinance establishing or modifying the entertainment zone;
 - b. Information necessary to identify the boundaries of the entertainment zone;
 - c. The days and hours of operation of the entertainment zone;
 - d. The types of alcoholic beverages allowed within the entertainment zone; and
 - e. The approved non-glass and non-metal containers in which alcoholic beverages may be possessed within the entertainment zone.

- C. Any holder of an ABC license or permit that wishes to allow customers to leave the premises with open containers for consumption off the premises during an entertainment zone event shall provide the city manager with a copy of the notice required under California Business and Professions Code sections 23357, 23358, or 23396, as applicable. The notice shall be provided to the city manager at the same time the notice is provided to ABC.
- IV. BMC 13.45.040 – Entertainment Zone Locations
- A. Pursuant to California Business and Professions Code sections 23039.5 and 25690, the City Council hereby establishes the following entertainment zones, which include adjacent sidewalks, and adjacent premises specified in section 13.45.020.B.1.
1. Downtown Arts District Entertainment Zone. All public streets, sidewalks, and public rights-of-way on: Addison Street from the center of the right-of-way line of Milvia Street to the eastern right-of-way line of Shattuck Avenue; Shattuck Avenue from the center of the right of-way of University Avenue to the southern right-of-way line of Addison Street; Eastern side of Milvia Street from the center of right-of-way of University Avenue to the southern right-of-way of Addison Street; and Southern side of University Avenue from center of the right-of-way on Milvia to eastern right-of-way line of Shattuck Avenue.
 2. Gilman District Entertainment Zone. Camelia Street from the eastern right-of-way line of Fifth Street to the eastern right-of-way line of the UPRR right-of-way; Fifth Street from the southern right-of-way line of Camelia Street to the southern right-of-way line of Gilman Street; and Fourth Street from the southern right-of-way line of Page Street to the southern right-of-way line of Gilman Street.
 3. Southside Entertainment Zone. Durant Avenue from the eastern right-of-way line of Sather Lane to a delineated line of the eastern edge of Assessor’s Parcel Number 55-1872-14; and Telegraph Avenue from the northern right-of-way line of Durant Avenue to the northern right-of-way line of Channing Way.
 4. San Pablo Area Entertainment Zone. San Pablo Avenue from the southern right-of-way line of University Avenue to the northern right-of-way line of Cowper Street.
- V. BMC 13.45.050 Hours of an entertainment zone event
- An entertainment zone event may only occur between the hours of 10:00 a.m. and 11:59 p.m., subject to any additional limitations imposed by any of the following:
- A. ABC permit or license;

- B. The entertainment zone activation plan; or
 - C. The street event permit for the entertainment zone event.
- VI. BMC 13.45.060 Entertainment Zone insurance and indemnity requirements
- A. Prior to issuance of a street event permit for an entertainment zone event, the permit applicant shall submit evidence of general liability insurance coverage, which must be at no cost to the city, and which must comply with all of the following:
 - 1. The policy limit per occurrence must be in an amount as determined by the city manager;
 - 2. The policy must cover all losses and damages as specified in subsection C of this section;
 - 3. The policy must be endorsed to provide that the city, its officers, employees, and agents are named as additional insureds;
 - 4. The policy must be endorsed to stipulate that the policy will operate as primary insurance and that no other insurance covering the city or other named insured will be called on to contribute to a covered loss; and
 - 5. The policy must include a liquor liability endorsement.
 - B. No person shall conduct an entertainment zone event without the insurance required by this section being in full force and effect.
 - C. The street event permit holder shall defend, indemnify, and hold harmless the City, its officers, agents, volunteers and employees from and against all actions, losses, damages, liability, costs, and expenses of every type and description, including attorneys' fees, arising directly or indirectly, in whole or in part, from the acts or omissions of the permit holder or its officers, agents, volunteers and employees.
- VII. BMC 1345.070 Violation – Penalty
- A. In addition to any other remedy allowed by law, any person who violates a provision of this chapter is subject to criminal sanctions, civil actions, and administrative penalties pursuant to BMC Chapter 1.20.
 - B. Violations of this chapter are hereby declared to be a public nuisance.
 - C. Any person who violates a provision of this chapter is liable for civil penalties. Amount of the penalty shall be as follows:
 - 1. First violation: up to \$500
 - 2. Second violation within one year: up to \$1,000
 - 3. Third and subsequent violations within one year: up to \$2,500
 - D. All remedies prescribed under this chapter are cumulative and the election of one or more remedies does not bar the city from the pursuit of any other remedy to enforce this chapter.





Chicha San
Chen 吃茶三千
Bubble Tea

Gypsy's Trattoria Italiana
Italian

Top Dog
Hot Dog

Games of Berkeley
Game store

Graduate by
Hilton Berkeley
From \$211/night on
Graduate by Hilton ...

Cal Performances

UC Berkeley Student
Union: Martin Luther...

Pacific Film
Archive Theater

Caffè Strada

Freehouse
American

Everytable
Warm Bowls
For Cool Days

Bakar Bio Labs

The Durant

The Berk

Kappa Alpha The

Dana/Durant Lot

Christian Hall

Ida Louise Jackson
Graduate House

David Blackwell Hall

Durant Ave

Durant Ave

Durant Ave

College Ave

The East Bay School

Residence Halls Unit 3

Channing -
Bowditch Apartments

Institute for Research on
Labor & Employment

Deutsch Hall

Slottman Hall

Putnam Hall

First Congregational
Church of Berkeley

Telegraph
Channing Garage

Channing Way

Channing Way

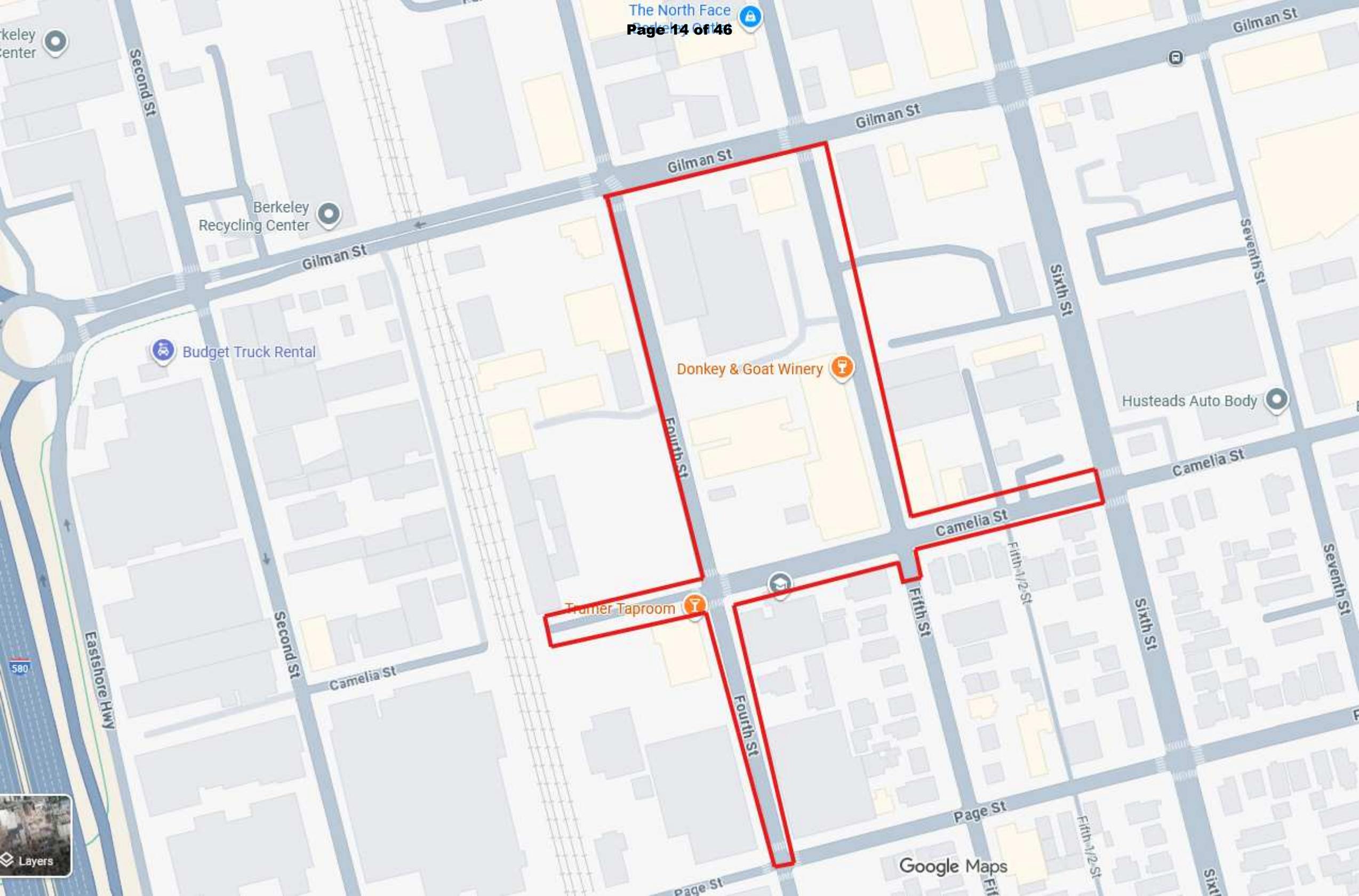
Channing Way

College Ave

Maximino
Martinez Commons

Underhill Parking Lot

Underhill



Berkeley Recycling Center

Budget Truck Rental

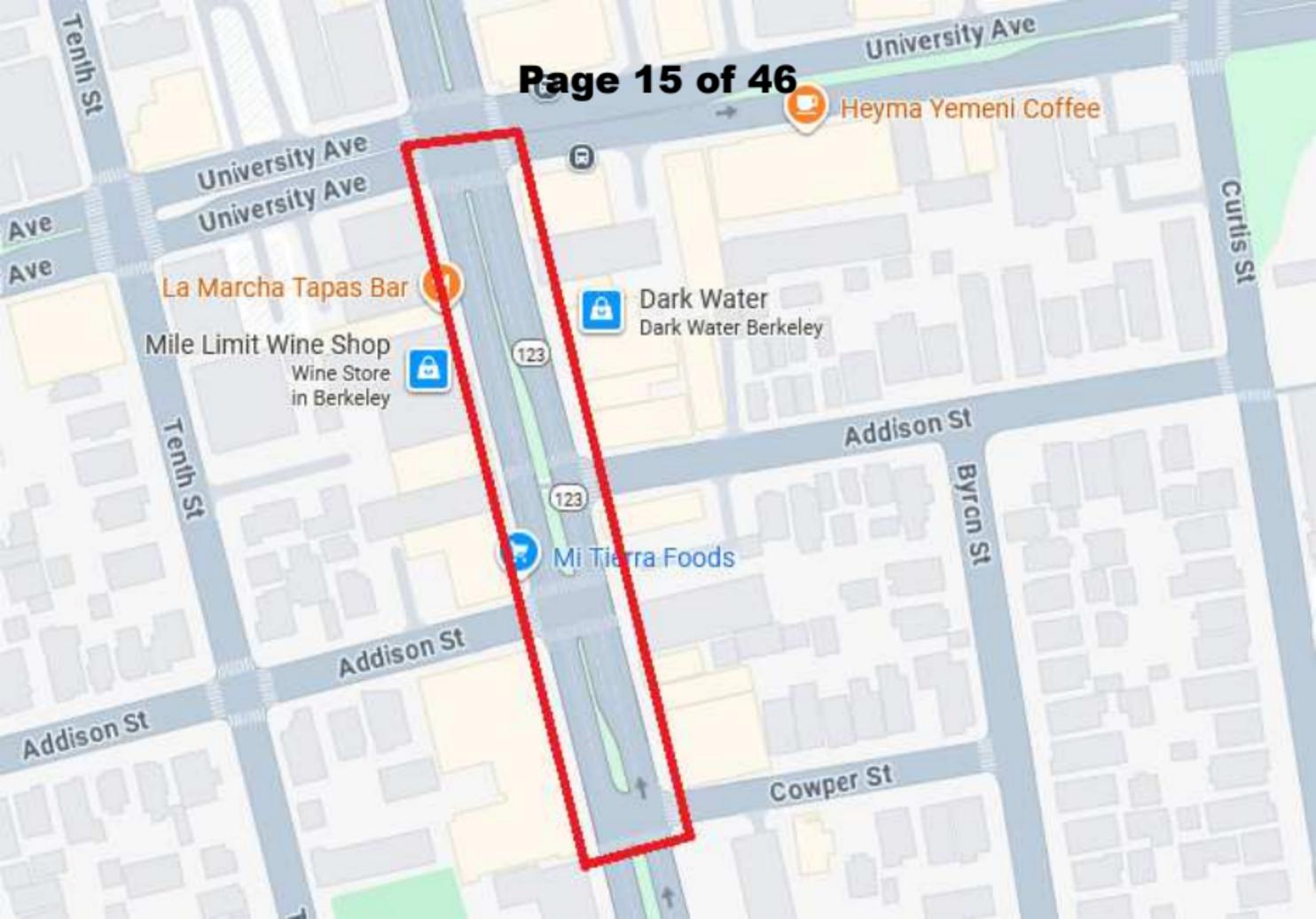
Donkey & Goat Winery

Transfer Taproom

Husteads Auto Body

Layers

Google Maps



La Marcha Tapas Bar

Mile Limit Wine Shop
Wine Store
in Berkeley

Dark Water
Dark Water Berkeley

Mi Tierra Foods

Heyma Yemeni Coffee

1 [Administrative, Police, Transportation Codes - Entertainment Zones]

2

3 **Ordinance amending the Administrative, Police, and Transportation Codes to allow the**
 4 **establishment and management of Entertainment Zones in which the outdoor**
 5 **consumption of alcoholic beverages during designated events is allowed, subject to**
 6 **certain conditions; to establish insurance requirements for Entertainment Zone events;**
 7 **to establish an Entertainment Zone on Front Street between California Street and**
 8 **Sacramento Street; to allow the outdoor consumption of alcoholic beverages in areas**
 9 **subject to a Shared Space permit where the permit holder also holds a permit or**
 10 **license from the California Department of Alcoholic Beverage Control; and affirming**
 11 **the Planning Department’s determination under the California Environmental Quality**
 12 **Act.**

13

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

18

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

20

21 Section 1. General Findings.

22 (a) The COVID-19 pandemic had a devastating impact on San Francisco’s
 23 restaurants, bars, and entertainment venues. Finding new ways to attract residents, workers,
 24 and visitors to our downtown and neighborhood commercial corridors will be critical to the
 25 continued recovery of our nightlife sector and our economy.

1 (b) Across the country, numerous states, including Michigan, Ohio, North Carolina,
2 and Kansas, have found success enlivening communities through the designation of areas
3 where businesses may sell alcoholic beverages for consumption within public spaces
4 adjacent to their licensed premises.

5 (c) In 2023, the State of California adopted Senate Bill 76, which authorizes the City
6 and County of San Francisco to create by ordinance entertainment zones to enable
7 restaurants and bars to sell open containers of approved alcoholic beverages for consumption
8 during special events.

9
10 Section 2. CEQA Findings.

11 The Planning Department has determined that the actions contemplated in this
12 ordinance comply with the California Environmental Quality Act (California Public Resources
13 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
14 Supervisors in File No. 240475 and is incorporated herein by reference. The Board affirms
15 this determination.

16
17 Section 3. The Administrative Code is hereby amended by adding Chapter 94B,
18 consisting of Sections 94B.1 to 94B.4, to read as follows:

19 **CHAPTER 94B. ENTERTAINMENT ZONES**

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

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

22 *(a) "ABC" means the California Department of Alcoholic Beverage Control.*

23 *(b) "Entertainment Zone" has the meaning set forth in Section 23039.5 of the California*
24 *Business and Professions Code, as may be amended from time to time.*

1 (c) “Entertainment Zone Event” means a special event permitted or licensed by ABC that
2 occurs within the boundaries of an Entertainment Zone established in accordance with this Chapter
3 94B and within the hours permitted by this Chapter 94B and the Management Plan for the
4 Entertainment Zone.

5 (d) “Management Plan” means a plan approved by the Office of Economic and Workforce
6 Development (OEWD) for the management and regulation of Entertainment Zone Events.

7 **SEC. 94B.2. ENTERTAINMENT ZONE CONTROLS.**

8 (a) All commercial entities and organizations sponsoring or selling alcoholic beverages at an
9 Entertainment Zone Event shall comply with all applicable state and local laws and regulations,
10 including but not limited to the following:

- 11 _____ (1) All applicable ABC license and permitting requirements;
12 _____ (2) Sections 23357, 23358, and 23396 of the California Business and Professions Code,
13 as may be amended from time to time;
14 _____ (3) All other laws governing the sale and consumption of alcoholic beverages and any
15 and all permits and licenses issued pursuant thereto;
16 _____ (4) Transportation Code, Division I, Article 6;
17 _____ (5) Transportation Code, Division II, Article 200, Sections 205 and 206; and
18 _____ (6) Any applicable Management Plan issued by the Office of Economic and Workforce
19 Development under this Chapter 94B.

20 (b) Open alcoholic beverages may be consumed on any public street, avenue, sidewalk,
21 stairway, alley, or thoroughfare within an Entertainment Zone during an Entertainment Zone Event, as
22 set forth in Police Code Section 21, subject to any other restrictions imposed by state or local law.

23 (c) All open alcoholic beverages consumed during an Entertainment Zone Event shall be
24 purchased only from a premises located within the Entertainment Zone that is authorized under
25 California Business and Professions Code Section 23357, 23358, or 23396, as may be amended from

1 time to time, to permit consumers to leave the premises with open containers of alcoholic beverages for
2 consumption off the premises, or an organization that is authorized by an ABC special event permit or
3 license to make such sales within the Entertainment Zone.

4 **SECTION 94B.3. IMPLEMENTATION.**

5 (a) Within 90 days of the effective date of this Chapter 94B, OEWD shall issue rules for the
6 implementation of this Chapter. OEWD may revise these rules from time to time as it deems
7 appropriate.

8 (b) Within 90 days of the establishment or modification of an Entertainment Zone, OEWD shall
9 do the following:

10 (1) in consultation with the Police Department, provide the following information to
11 ABC, pursuant to Section 25690 of the California Business and Professions Code:

12 (A) A copy of the ordinance establishing or modifying the Entertainment Zone;

13 (B) Information as may be necessary to identify the boundaries of the
14 Entertainment Zone;

15 (C) The days and hours of operation of the Entertainment Zone;

16 (D) The types of alcoholic beverages permitted within the Entertainment Zone;

17 and

18 (E) The approved nonglass and nonmetal containers in which alcoholic
19 beverages may be authorized; and

20 (2) issue a Management Plan for the Entertainment Zone, as follows:

21 (A) The Management Plan shall establish a process or procedure to readily
22 identify individuals purchasing or consuming alcoholic beverages within the Entertainment Zone as
23 being 21 years of age or older;

24 (B) The Management Plan shall require that any person or organization seeking
25 a City permit under Division I, Article 6 or Division II, Section 206 of the Transportation Code for an

1 Entertainment Zone Event shall comply with the insurance requirements applicable to that permit, and
2 all rules and regulations authorized by the Transportation Code;

3 _____ (C) The Management Plan may include requirements not otherwise imposed by
4 state or local law, including but not limited to additional requirements for approved beverage
5 containers, additional restrictions on the hours of operation for Entertainment Zone Events, and other
6 time, place, and manner restrictions; and

7 _____ (D) Upon issuance or revision of a Management Plan, the Office of Economic
8 and Workforce Development shall transmit a copy of that Plan to ABC.

9 (c) Any holder of an ABC license or permit that wishes to allow customers to leave the
10 premises with open containers of alcoholic beverages for consumption off the premises during an
11 Entertainment Zone Event shall provide to the Office of Economic and Workforce Development a copy
12 of the notice provided to ABC under Section 23357, 23358, or 23396 of the California Business and
13 Professions Code, as applicable, at the same time such notice is provided to ABC.

14 **SEC. 94B.4. FRONT STREET ENTERTAINMENT ZONE.**

15 (a) All public streets, sidewalks and public rights-of-way on Front Street between California
16 Street and Sacramento Street are hereby designated as the Front Street Entertainment Zone under
17 Sections 23039.5 and 25690 of the California Business and Professions Code.

18 (b) An Entertainment Zone Event within the Front Street Entertainment Zone must receive a
19 permit for the use of a public street under Transportation Code Division I, Section 6.6 or 6.16 or
20 Transportation Code Division II, Section 206.

21 (c) Outdoor consumption of alcoholic beverages within this Entertainment Zone is authorized
22 during any Entertainment Zone Event on any day of the year between the hours of noon and 11:59pm,
23 inclusive, subject to any additional limitations imposed by any ABC permit or license and by the
24 Management Plan for this Entertainment Zone.

1 Section 4. Article 1 of the Police Code is hereby amended by revising Section 21 to
2 read as follows:

3 **SEC. 21. CONSUMING ALCOHOLIC BEVERAGES ON PUBLIC STREETS, ETC.,**
4 **OR ON PUBLIC PROPERTY OPEN TO PUBLIC VIEW PROHIBITED; PENALTY.**

5 (a) Except as specified in this Section 21, No person shall consume any alcoholic
6 beverage in any quantity on any public street, avenue, sidewalk, stairway, alley, or
7 thoroughfare within the City and County of San Francisco; nor shall any person consume any
8 alcoholic beverage within 15 feet of any public way or thoroughfare while on a private
9 stairway, doorway, or other private property open to public view without the express or implied
10 permission of the owner, the owner's his agent, or the person in lawful possession thereof;
11 ~~provided, however, that,~~

12 (b) ~~the~~ provisions of this Section 21 shall not apply to

13 (1) the interior portion of any private dwelling, habitat, or building;

14 (2) ~~to~~ the consumption by persons in the areas herein designated of any duly
15 prescribed and dispensed medication having alcoholic content; ~~or~~ and

16 (3) ~~to~~ those persons consuming alcoholic beverages while viewing a parade for
17 which a permit has been granted pursuant to Section 367 of this Code.

18 (c) Further, this Section 21 shall not be applicable in the following areas:

19 (1) those prescribed areas and during such time for which permission for
20 temporary use or occupancy of public streets and appurtenant areas has been granted by:

21 (1)(A) The Board of Supervisors pursuant to the provisions of Section
22 2.70 of the Administrative Code;

23 (2)(B) The Department of Public Works pursuant to the provisions of
24 Article 5.2 of the Public Works Code for a business establishment anywhere in San Francisco
25

1 that meets the requirements of a Restaurant or Bar use, defined in Planning Code Section
2 102, as interpreted by the Zoning Administrator; ~~or~~

3 ~~(3)(C)~~ The Department of Public Works pursuant to the provisions of
4 Article 5.2 of the Public Works Code for a business establishment that had a valid tables and
5 chairs permit and California Department of Alcoholic Beverage Control beverage license or
6 permit on the effective date of this Section 21-; and

7 (D) Any Shared Spaces permit under Administrative Code Chapter 94A where
8 the business establishment holding that permit has a California Department of Alcoholic Beverage
9 Control beverage license or permit allowing the consumption of alcoholic beverages in the area
10 designated by the Shared Spaces permit; and

11 (2) Any Entertainment Zone under Administrative Code Chapter 94B during an
12 Entertainment Zone Event.

13 ~~(db)~~ **Penalty.** Any person who shall violate the provisions of this Section 21 shall be
14 guilty of an infraction, the penalty for which shall be a fine of not less than \$25 nor more than
15 \$100.

16
17 Section 5. Division I, Article 6 of the Transportation Code is hereby amended by
18 revising Section 6.7, to read as follows:

19 **SEC. 6.7. CONDITIONS.**

20 Any permission for the temporary use or occupancy of a public street authorized by
21 the City shall be subject to the following conditions:

22 * * * *

23 (l) Applicants for permission to hold a street fair on a predominantly commercial street
24 shall comply with the following requirements for insurance coverage. For purposes of this
25 subsection (l), a “predominantly commercial street” shall mean a street block on which at least

1 50% of front footage of private property on the ground floor of the street is used for
2 commercial purposes. A street block shall be measured from street intersection to street
3 intersection, but shall not include any alley intersection.

4 (1) Applicants shall maintain in force, during the full term of the permit,
5 insurance as follows:

6 (A) General Liability Insurance with limits not less than \$500,000 each
7 occurrence Combined Single Limit Bodily Injury and Property Damage, including Contractual
8 Liability, Personal Injury, Broadform Property Damage, Products and Completed Operations
9 Coverages;

10 (B) If any vehicles will be operated by the applicant in connection with
11 street fair activities under the permit, Automobile Liability Insurance with limits not less than
12 \$500,000 each occurrence Combined Single Limit Bodily Injury and Property Damage,
13 including owned, non-owned and hired auto coverages, as applicable; and

14 (C) If the applicant has employees, Workers' Compensation with
15 Employers' Liability limits not less than \$500,000 each accident.

16 (2) General Liability and Automobile Liability Insurance policies shall be
17 endorsed to provide the following:

18 (A) Name as additional insureds the City and County of San Francisco,
19 its officers, agents, and employees; *and*

20 (B) That such policies are primary insurance to any other insurance
21 available to the Additional Insureds with respect to any claims arising out of activities under
22 the permit, and that insurance applies separately to each insured against whom claim is made
23 or suit is brought.

24 (3) Certificates of insurance, in format and with insurers satisfactory to the City
25 evidencing all applicable coverages shall be furnished to the City not less than 10 working

1 days prior to the date of the event and before commencing any operations under the permit,
2 with complete copies of policies to be furnished to the City upon request.

3 (4) The insurance requirement of this subsection (l) shall be waived by the
4 Board of Supervisors if the applicant certifies in writing that (A) the purpose of the street fair is
5 First Amendment expression and (B) the cost of obtaining insurance is so financially
6 burdensome that it would constitute an unreasonable prior restraint on the right of First
7 Amendment expression, or that it has been impossible for the applicant to obtain insurance
8 coverage.

9 (5) Notwithstanding subsection (l)(1) of this Section 6.7, an applicant seeking
10 permission for the temporary use or occupancy of a public street for an Entertainment Zone Event
11 under Administrative Code Chapter 94B shall maintain insurance coverage in a form and amount
12 satisfactory to the City, which shall not be less than the coverage required by subsection (l)(1) of this
13 Section 6.7.

14 * * * *

15 (p) Entertainment Zone Events. In addition to complying with all applicable provisions of this
16 Article 6, any person or organization seeking permission for the temporary use or occupancy of a
17 portion of a public street for an Entertainment Zone Event as defined in Administrative Code Section
18 94B.1 shall comply with all applicable provisions of Administrative Code Chapter 94B.

19
20 Section 6. Effective Date. This ordinance shall become effective 30 days after
21 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
22 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
23 of Supervisors overrides the Mayor's veto of the ordinance.

1 Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
5 additions, and Board amendment deletions in accordance with the "Note" that appears under
6 the official title of the ordinance.

7
8 APPROVED AS TO FORM:
9 DAVID CHIU, City Attorney

10 By: /s/ Victoria Wong
11 VICTORIA WONG
12 Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

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

File Number: 240475

Date Passed: June 25, 2024

Ordinance amending the Administrative, Police, and Transportation Codes to allow the establishment and management of Entertainment Zones in which the outdoor consumption of alcoholic beverages during designated events is allowed, subject to certain conditions; to establish insurance requirements for Entertainment Zone events; to establish an Entertainment Zone on Front Street between California Street and Sacramento Street; to allow the outdoor consumption of alcoholic beverages in areas subject to a Shared Space permit where the permit holder also holds a permit or license from the California Department of Alcoholic Beverage Control; and affirming the Planning Department's determination under the California Environmental Quality Act.

June 10, 2024 Rules Committee - RECOMMENDED

June 18, 2024 Board of Supervisors - PASSED ON FIRST READING

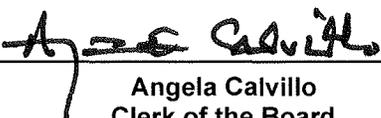
Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

June 25, 2024 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 240475

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 6/25/2024 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


London N. Breed
Mayor

7/3/24
Date Approved

Front Street Entertainment Zone Management Plan

Updated March 12, 2025

San Francisco Office of Economic and Workforce Development

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SECTION I: SAN FRANCISCO ENTERTAINMENT ZONE PROGRAM OVERVIEW

1. About San Francisco Entertainment Zones

Entertainment Zones are designated areas in San Francisco where people can buy open container drinks (alcoholic drinks “to-go”) from local bars, restaurants, wineries, and breweries and enjoy them outside in common spaces like plazas, sidewalks, and streets during certain hours. Learn more at www.sf.gov/entertainmentzones.

2. Program Objectives

Guiding objectives for San Francisco’s Entertainment Zone Program include:

- a. Activate commercial corridors downtown and citywide
- b. Increase revenue for San Francisco restaurants and bars
- c. Catalyze broader economic stimulus
- d. Ensure equitable distribution of program benefits
- e. Amplify the perception of San Francisco as a vibrant cultural hub

SECTION II: FRONT STREET ENTERTAINMENT ZONE ORDINANCE

1. San Francisco Admin. Code Sec. 94B.4

San Francisco Admin. Code Sec. 94B.4 specifies the location, hours, and permit requirements for the Front Street Entertainment Zone.

- a. **Permissible Area** - All public streets, public rights-of-way, and sidewalks on Front Street between California Street and Sacramento Street, and all establishments holding permits or licenses from ABC that are adjacent thereto, are hereby designated as the Front Street Entertainment Zone under Sections 23039.5 and 25690 of the California Business and Professions Code.
- b. **Permissible Hours** - Outdoor consumption of alcoholic beverages within this Entertainment Zone is authorized during any Entertainment Zone Event on any day of the year between the hours of noon and 11:59pm, inclusive, subject to any additional limitations imposed by any ABC permit or license and by the Management Plan for this Entertainment Zone.
- c. **Street Closure Permit Requirement** - An Entertainment Zone Event within the Front Street Entertainment Zone must 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.

SECTION III: FRONT STREET ENTERTAINMENT ZONE VISION

1. Overview

The Front Street Entertainment Zone Operators aim to create a dynamic entertainment destination that reshapes how people perceive downtown San Francisco. Their vision is to establish a flexible urban amenity that caters to both the local community and visitors. See the Front Street Entertainment Zone Vision Rendering in the Appendices (Section V.1). Three main objectives steer their vision:

- a. Implement signature special events that draw attention and signal change
- b. Offer more frequent and reoccurring events that keep people staying downtown longer and engaging in new ways
- c. Create a “third place” that supports impromptu and planned gatherings and entertainment through temporary and permanent streetscape improvements

2. Operators

The Front Street Entertainment Zone is operated in partnership by the following groups:

a. Entertainment Zone Lead

As Entertainment Zone Lead, [Downtown SF Partnership](#) coordinates the Participating Businesses and Community Partners to manage the Entertainment Zone in alignment with the Management Plan and serves as the Point of Contact for inquiries (see Section IV.2)

b. Participating Businesses

As participating businesses, [Schroeder’s](#), [Harrington’s Bar and Grill](#), and [Royal Exchange](#) may serve open containers for consumption within the Entertainment Zone.

c. Community Partners

As Community Partners, [BOMA San Francisco \(Building Owners and Managers Association of San Francisco\)](#) and [BXP](#) provide input and support on the operation of the Entertainment Zone.

3. Activation and Programming

a. Events

The Front Street Entertainment Zone Operators plan to offer various types of events that cater to a range of interests:

- **Signature Events:** Special one-day events aim to attract a cross-section of downtown workers and visitors. Examples include celebrations for national or cultural holidays, wine walks, movie screenings, themed parties, art showcases, and dance parties. Signature events could attract thousands of people over an eight-hour period.

- **Regular Activation:** Recurring events, held monthly or weekly, could include live music performances and games.

b. Design

The Front Street Entertainment Zone Operators aim to enhance the area with low-cost physical and programmatic interventions that cultivate a sense of place and pride.

- **Physical Improvements:** This might involve planters with lush greenery, movable furniture for flexible use, overhead string lighting, branded banners affixed to street poles, and street and wall murals.
- **Programmatic Elements:** This might include performances by small musical groups, bands, and DJs, along with engaging activities such as ping-pong tables, kid-friendly games, and book readings.

c. Arts, Culture, and Entertainment

The Front Street Entertainment Zone Operators will curate artistic, cultural, and entertainment programming that draws on the district's layered cultural history to create a welcoming and inclusive experience.

4. Economic Development and Community Benefit

a. Maximizing Economic Benefit for Participating Businesses

The Front Street Entertainment Zone Operators will prioritize strategies that enhance economic benefits for brick-and-mortar bars selling open containers, including:

- **Placemaking as Economic Development:** The proposed activation and programming can draw new customers to Front Street. By creating a clean, safe, and sociable street atmosphere with engaging signature and regular events, the Front Street Entertainment Zone will encourage people to socialize and linger, ultimately benefiting Participating Businesses.
- **Media Promotion:** The Entertainment Zone Lead will leverage its social media channels and collaborate with the public relations firm BerlinRosen to generate positive media coverage about Front Street's success as California's first Entertainment Zone. This can attract more visitors to boost sales for participating bars.

b. Collaboration for Broader Economic Stimulus

The Front Street Entertainment Zone Operators are committed to collaborating with diverse businesses to stimulate economic growth throughout the neighborhood. The Entertainment Zone Lead has a history of collaboration and cross-promotion with ground-floor businesses for event programming and activation.

SECTION IV: ENTERTAINMENT ZONE OPERATING REQUIREMENTS

1. Compliance, Modification, and Evaluation

The operating requirements established in this section shall be considered mandatory and binding conditions for the operation of the Front Street Entertainment Zone. Failure to comply with these conditions or the creation of any significant health or safety concerns resulting from the operation of the Entertainment Zone may result in the modification or suspension of the Entertainment Zone. The Office of Economic and Workforce Development reserves the right to publish an updated management plan with revised operating requirements at any time.

Additionally:

- Any Participating Business holding a liquor license that fails to comply with these operating requirements will be reported to the San Francisco Police Department, which may transmit the information to the California Department of Alcoholic Beverage Control. Non-compliance could result in the business's future ineligibility to participate within the Entertainment Zone.
- The San Francisco Office of Economic and Workforce Development will evaluate the Entertainment Zone's compliance with the conditions of this Management Plan every two years. Both the Entertainment Zone Lead and Participating Business must promptly respond to requests for information during this evaluation process. Failure to meet these conditions may lead to modification or suspension of the Entertainment Zone.

2. Entertainment Zone Lead and Point of Contact

The Entertainment Zone Lead must serve as the designated Point of Contact that should be contacted with inquiries about the operation of the Entertainment Zone. The designated Entertainment Zone Lead and Point of Contact for the Front Street Entertainment Zone is:

Downtown SF Partnership
Address: 235 Montgomery Street, Suite 828
Email: info@downtownsf.org
Phone: 415-634-2251

3. Participating Businesses

Only licensed restaurants, bars, breweries, and wineries are eligible to participate in selling open containers for consumption within the Entertainment Zone. The following establishments are confirmed to participate in the Entertainment Zone:

Schroeder's
Address: 240 Front Street

Harrington's Bar and Grill
Address: 245 Front Street

Royal Exchange

Address: 301 Sacramento Street (with patrons entering the Entertainment Zone only through Royal Exchange's Front Street entrance)

Any other businesses wishing to participate must notify the San Francisco Office of Economic and Workforce Development and the California Department of Alcoholic Beverage Control.

4. Location, Hours and Information

a. Location of Operation

Subject to all other applicable requirements, the Front Street Entertainment Zone may operate within the entire area permitted by S.F. Admin Code Sec. 94B.4, Front Street between Sacramento and California Streets. A map can be found in the Appendix (Section V.2).

b. Hours of Operation

The Front Street Entertainment Zone may operate **any Wednesday, Thursday, Friday, and Saturday year-round between 12:00 PM to 11:00 PM**, subject to all requirements included in this management plan, including a street closure permit from SFMTA.

Additional "**signature events**" may be permitted outside these regular operating hours, **on any day of the year between 12:00 PM and 11:59 PM** with the required permit from SFMTA and prior approval from OEWD.

Businesses may only sell open containers for consumption within the Entertainment Zone during these hours. Businesses are prohibited from selling open containers for consumption within the Entertainment Zone outside these hours.

c. Event Notification

In order to host an Entertainment Zone event, at least 14 days prior to the event the Entertainment Zone Lead must:

- Email notification to all of the following OEWD and SFPD addresses:
entertainmentzones@sfgov.org; tobius.l.moore@sfgov.org;
gregory.d.burchard@sfgov.org; loren.chiu@sfgov.org
 - Email notification must include:
 - event date and hours of operation
 - event name
 - brief description
 - attendance estimate
 - The Entertainment Zone Lead must receive confirmation of receipt from OEWD prior to operating the Entertainment Zone for the event.

d. Website

The Entertainment Zone Lead must provide the following accurate, up-to-date information on a public website or event page:

- Location and basic information on the operation of the Entertainment Zone
- Calendar or list of upcoming events
- Contact information for the Entertainment Zone Lead
- Link to the City's dedicated Entertainment Zone web page (www.sf.gov/entertainmentzones) and email address (entertainmentzones@sfgov.org)

5. Health and Safety Measures

a. Age Verification

Patrons of all ages may be admitted into the Entertainment Zone. Alcohol-serving businesses may admit patrons under the age of 21 if allowed by their liquor license.

During the duration of any Entertainment Zone event, every patron purchasing an alcoholic beverage for consumption in the Zone or drinking an alcoholic beverage within the Zone must be wearing a wristband identifying them as 21 years of age or over. All of the businesses within the Zone must use a single style of wristband agreed upon prior to the operation of any Entertainment Zone event.

If a patron is not wearing a wristband, staff within licensed businesses may check patrons' IDs to confirm their age and provide them wristbands. For larger events, staff or volunteers may also choose to check patrons' IDs and distribute wristbands at the entrances to the Entertainment Zone or other locations within the Zone.

b. Safety and Security

Every business participating within the Entertainment Zone is responsible for the safety and security of their patrons and the surrounding neighborhood. A security plan shall be submitted to the appropriate San Francisco Police Department (SFPD) District Station prior to any Entertainment Zone event, and the SFPD-approved security plan shall be followed during the entirety of the event.

Where Entertainment Zone events follow a recurring format/site plan (i.e., recurring weekday afternoon happy hours), the Entertainment Zone events may operate pursuant to one security plan governing all of the events of that format. For any unique or larger-scale event, a unique security plan shall be submitted to and approved by SFPD prior to the event.

During Entertainment Zone events, each business participating within the Entertainment Zone shall always have at least one staff member on site who is able to provide a copy of this management plan and the approved security plan and is aware of all relevant conditions within these plans.

Within 24 hours of any violent incident, or any time SFPD responds to a call for service at or within the Entertainment Zone, any business connected to that incident or call for service,

or the permit holder of the SFMTA street closure permit for the Entertainment Zone, shall complete and send an incident report to their SFPD District Station Permit Officer.

c. Signage

The boundaries of the Entertainment Zone must be clearly marked by easily visible signage posted at every intersection around the perimeter of the zone. This signage must instruct patrons not to carry alcoholic beverages outside the Entertainment Zone (e.g., “No Alcoholic Beverages Beyond This Point”).

Signs must be illuminated well enough to be sufficiently visible during nighttime hours of the Zone’s operation.

6. Cup Requirements

a. Material

A licensed business within the Zone must serve any alcoholic beverage for consumption in the Zone in a compostable or reusable cup.

A business may not serve any alcoholic beverage for consumption in the Zone in any metal or glass container.

b. Disposal

The Entertainment Zone Lead or Participating Businesses will provide receptacles sufficient for patrons to dispose of their compostable cups or return their reusable cups before exiting the Entertainment Zone.

7. Permits

a. Street Closure Permit

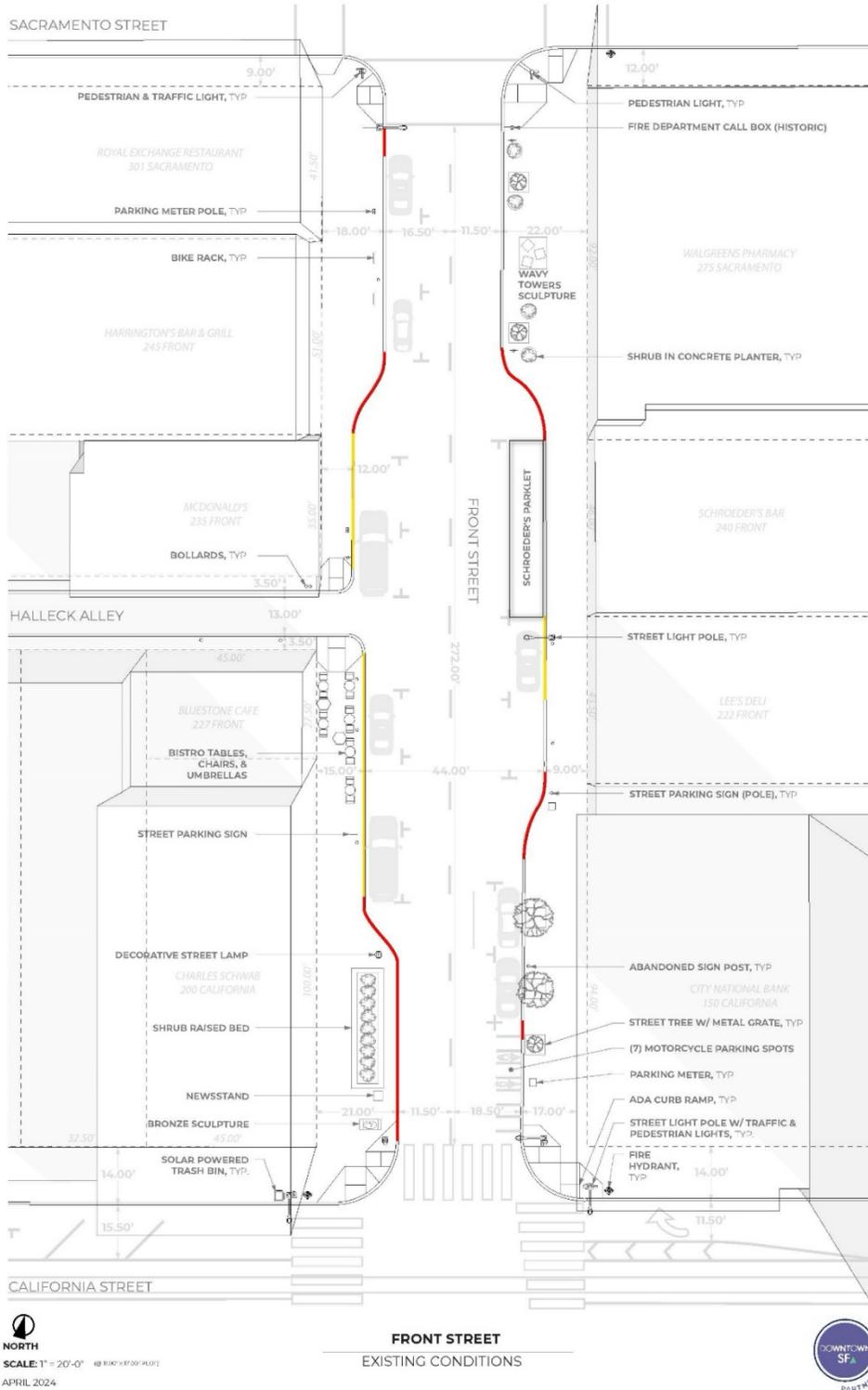
An Entertainment Zone event may only be held in conjunction with an approved street closure permit issued through the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT). The operation of the Entertainment Zone shall be subject to any conditions imposed upon the street closure permit.

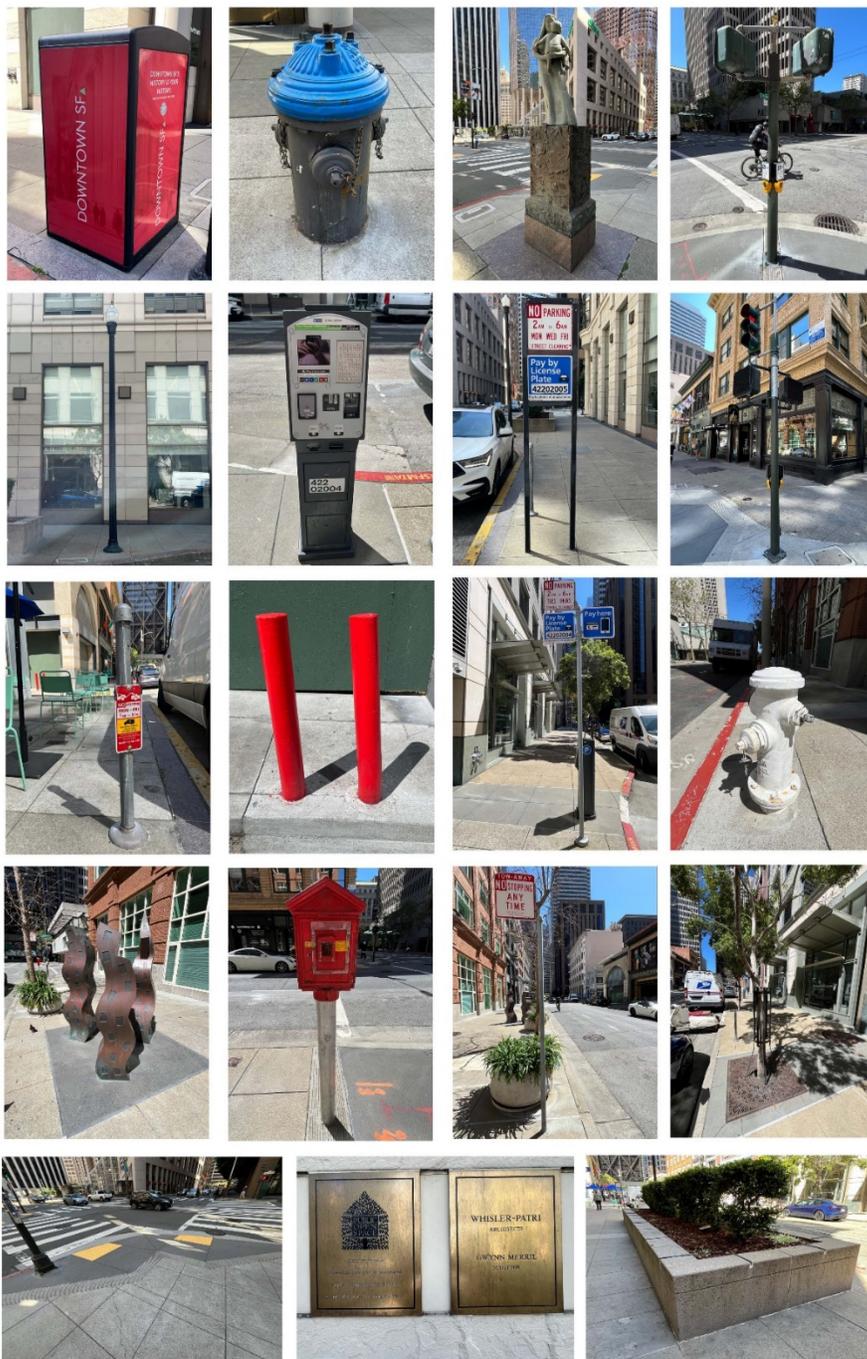
8. Insurance

The holder of the street closure permit shall maintain sufficient insurance as required by ISCOTT during the operation of any Entertainment Zone event.

SECTION V: APPENDICES

1. Front Street Entertainment Zone Map and Existing Infrastructure

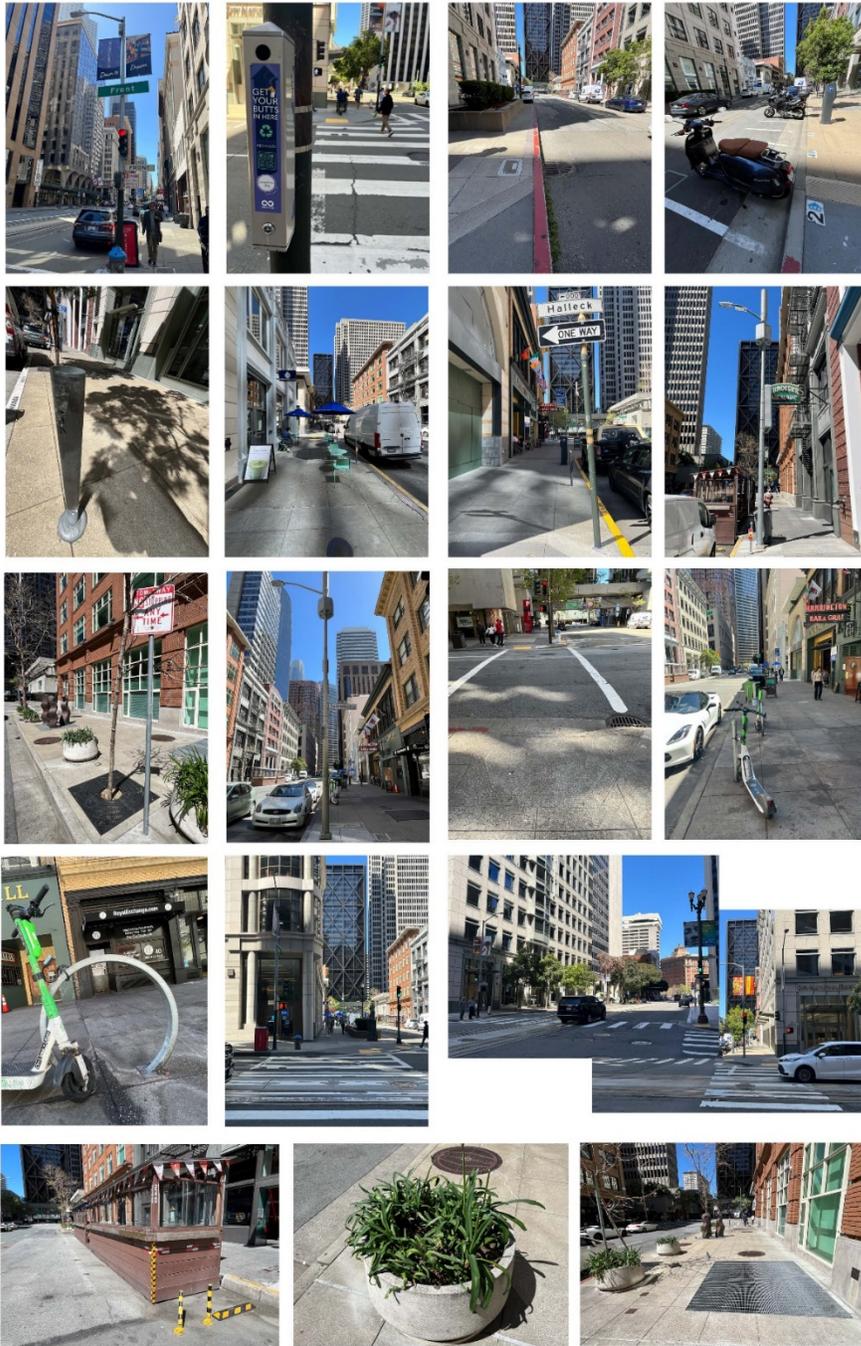




APRIL 2024

FRONT STREET
EXISTING INFRASTRUCTURE





APRIL 2024

FRONT STREET
EXISTING INFRASTRUCTURE CONT.



2. Front Street Entertainment Zone Vision Rendering



Rendering courtesy of Gensler



AGENDA REPORT

TO: City Council and Members of the Public **FROM:** At-Large Councilmember Rowena Brown

SUBJECT: Town Alive: Economic Activation Zones **DATE:** November 13, 2025

RECOMMENDATION

Adopt The Following Pieces Of Legislation:

(A) A RESOLUTION (1) ESTABLISHING ECONOMIC ACTIVATION ZONES UNDER THE TOWN ALIVE PROGRAM TO SUPPORT ENTERTAINMENT ZONES AND RESPONSIBLE ARTIFICIAL INTELLIGENCE (AI) ACTIVATION ZONES IN THE CITY OF OAKLAND, BRINGING INNOVATIVE PROGRAMMING TO PUBLIC AND COMMUNITY SPACES; AND (2) AUTHORIZING THE CITY ADMINISTRATOR TO AWARD, NEGOTIATE AND EXECUTE A GRANT AGREEMENT WITH THE OAKLAND FUND FOR PUBLIC INNOVATION IN AN AMOUNT NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000) TO IMPLEMENT THE TOWN ALIVE PROGRAM FOR A TWO-YEAR TERM FROM NOVEMBER 1, 2025, THROUGH OCTOBER 31, 2027

(B) AN ORDINANCE (1) ADDING CHAPTER 9.54 OF TITLE 9 OF THE OAKLAND MUNICIPAL CODE TO ESTABLISH AND REGULATE ENTERTAINMENT ZONES PURSUANT TO SB 969 (2024) TO PROMOTE ECONOMIC ACTIVATION; (2) MAKING OTHER CONFORMING CHANGES TO SECTIONS 9.08.180 AND 9.08.190 OF THE OAKLAND MUNICIPAL CODE; (3) CLASSIFYING AN ENTERTAINMENT ZONE EVENT AS A TIER TWO OR TIER THREE_SPECIAL EVENT PURSUANT TO CHAPTER 9.52 OF THE OAKLAND MUNICIPAL CODE; AND (4) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

EXECUTIVE SUMMARY

The **Town Alive** initiative establishes **Economic Activation Zones**—designated areas that re-energize Oakland’s public spaces, strengthen small businesses, and connect residents to innovation opportunities.

The program launches with two pilot components:

1. **Entertainment Zones** to activate commercial corridors with family-friendly outdoor events and cultural festivals
2. **Responsible Artificial Intelligence (AI) Activation Zones** to foster equitable, community-based innovation and create hubs for community-based AI programming

Together, these pilots make Oakland’s economy more vibrant, inclusive, and future-ready.

The proposed pieces of legislation formally launch the Town Alive initiative; enable four pilot Entertainment Zones (Jack London District, Broadway Valdez/Northlake District, Temescal District, and Uptown Downtown), which permit outdoor alcohol consumption as authorized by Senate Bill 969 (2024); and authorize \$1,000,000 in grant funding to provide initial support for programming across Oakland, administered by the Oakland Fund for Public Innovation.

BACKGROUND / LEGISLATIVE HISTORY

Since the COVID-19 pandemic, Oakland has been rebuilding its local economy to address several [significant challenges](#), such as employment recovery, downtown revitalization, consumer confidence, and tourism generation. Many of our commercial corridors are in particular need of structured opportunities for economic and cultural activation.

Town Alive bridges that gap by:

- Reviving local commercial corridors through safe, family-friendly programming.
- Partnering with community institutions to expand access to the growing responsible AI economy.

Oakland’s economic recovery depends on reconnecting people to places—and ensuring innovation benefits every neighborhood.

Entertainment Zones Under Senate Bill 969

[Senate Bill \(SB\) 969](#) (Weiner, 2024) authorizes cities to establish designated “entertainment zones” where to-go alcoholic beverages from licensed bars, restaurants, breweries, and wineries may be consumed in public streets, sidewalks, or other public rights-of-way during permitted special events. Cities across California—including [San Francisco](#), [San Jose](#), [Santa Monica](#), and [Sacramento](#)—have already established or launched Entertainment Zones to support local businesses, activate commercial corridors, and enhance cultural life.

SB 969 requires a city, county, or city and county that establishes an entertainment zone to (1) establish a process or procedure by which persons in possession of alcoholic beverages in the entertainment zone may be readily identifiable as being 21 years of age or older; and (2) provide to the California Department of Alcoholic Beverage Control (ABC) a copy of the ordinance establishing or modifying the entertainment zone and identifying the entertainment zone’s boundaries, days and hours of operation, types of alcoholic beverages permitted, and approved non-glass and nonmetal containers, pursuant to Section 25690 of the California Business and Professions Code.

Before enacting an ordinance to establish or modify an entertainment zone, a city, county, or city and county shall notify local law enforcement and request feedback about both of the following: (1) potential health and safety impacts that might be generated by the entertainment zone and strategies to mitigate those impacts; and (2) the entertainment zone’s proposed boundaries, days and hours of operation, types of alcoholic beverages permitted, and approved non-glass and nonmetal containers, pursuant to Section 25692 of the California Business and Professions Code.

SB 969 requires that a city that establishes an entertainment zone, or its designated subordinate officer or body, shall review the operation of the entertainment zone every two years following the adoption of the entertainment zone to ensure that the entertainment zone is being maintained in a manner that protects the health and safety of the general public.

Responsible AI

AI is technology that can perform tasks that would normally require human intelligence. The pace of AI adoption and commercialization has increased significantly in recent years. [Current estimates](#) count tens of thousands of AI-related companies worldwide, as startups and existing businesses work to build products spanning the spectrum from narrow daily tools to large generative models.

Private investment in AI [crossed the \\$100 billion mark](#) in 2024 and accounted for a major share of global venture capital, with generative AI companies receiving particular focus. Business adoption has increased as well, with [surveys showing](#) AI use by organizations jumping from about 55% in 2023 to roughly 78% in 2024.

AI has also spurred a historic amount of policy and legislation compared to past emerging technologies. At the state level alone, [over 1,600 AI bills](#) have been proposed nationwide since 2019.

[Responsible AI](#) refers to the use of AI systems in ways that are ethical, transparent, accountable, and aligned with community wellbeing. Responsible AI presents the opportunity to leverage the rapid development of AI to advance Oakland’s economic and community development goals and transform how the City delivers services.

ANALYSIS AND POLICY ALTERNATIVES

Entertainment Zones

Entertainment Zones will create opportunities for outdoor gatherings, performances, and cultural festivals in Oakland’s commercial corridors to celebrate Oakland’s diversity and creativity. Utilizing SB 969 (as detailed above), adjacent bars and restaurants will be permitted to sell alcohol in to-go containers for on-site consumption within the designated zones during permitted events. Entertainment Zone programming is proposed to launch in summer 2026.

Implementation Landscape

Several jurisdictions across the state have already launched Entertainment Zones to revitalize their commercial corridors:

City	Program Status	Key Features
San Francisco	It was the first City to receive state authorization and launched its program in June 2024. Now has 21 Entertainment Zones.	Includes Chase Center, Valencia St, Front St, and Fisherman’s Wharf zones
San Jose	Established Entertainment	Location selection prioritized

	Zones in June 2025.	existing pedestrian-friendly spaces, like the Post Street Pedestrian Mall.
Santa Monica	Established the Third Street Promenade Entertainment Zone in May 2025.	The Entertainment Zone has standard hours every weekend, and isn't reliant on specific events.
Sacramento	Established three Entertainment Zones in June 2025.	Includes an Entertainment Zone surrounding the city's Convention Center.

Pilot Entertainment Zone Locations

To promote public safety, maintain manageable capacity, and effectively test the model, Oakland will launch four pilot Entertainment Zones. Potential locations were evaluated based on the following criteria:

- Concentration of bars and restaurants that serve alcohol
- Potential Entertainment Zone lead organizer has a strong track record of hosting similar events in the neighborhood
- Geography that easily enables street and/or plaza closures
- Impacts to public transit & alternatives for traffic diversion
- Public safety impacts

The four pilot locations are:

- Jack London District (D2 & D3)
- Broadway Valdez/Northlake District (D3)
- Temescal District (D1)
- Uptown Downtown (D3)

Precise zone boundaries are depicted in **Attachment A**.

Future Entertainment Zone Locations

Any neighborhood commercial corridor in Oakland can become an Entertainment Zone in the future.

Beginning in 2026, new Entertainment Zones will be designated through the following process:

1. Contacting their Councilmember and the Economic & Workforce Development Department (EWD) to begin the process
2. Receiving City Council approval by ordinance establishing the zone
3. Developing a Management Plan with EWD outlining programming, safety, and operations
4. Applying for Entertainment Zone event funding (if applicable)

Management Plans

Management Plans are tailored plans for each Entertainment Zone to establish location-specific requirements for operations, public health, and public safety during Entertainment Zone events. The plans will be produced by the Economic & Workforce Development Department and the lead community partner for the Entertainment Zone (e.g., a Business Improvement District), in collaboration with community partners and relevant City departments.

Management Plans will include:

- The lead community partner for the Entertainment Zone and businesses that will be selling to-go alcoholic drinks in the Zone
- A description of the potential programming to activate the Zone
- The precise Zone boundaries, hours, advance notice window and other logistical details
- Measures to ensure public health and public safety at events
- Procedures for ensuring that anyone in the Entertainment Zone with alcohol is at least 21 years old
- Requirements for uniform cups for outdoor alcohol consumption
- City permits that apply to the Zone's proposed programming

Several peer cities also require Management Plans for their Entertainment Zones, including [San Francisco](#) and [Santa Monica](#).

Responsible AI Activation Zones

The City of Oakland recognizes the growing role of Responsible AI and emerging technologies in shaping economic opportunity, workforce development, and public service delivery. Responsible AI Activation Zones will serve as physical and programmatic hubs to advance equitable, community-based AI innovation, ensuring that AI technologies are developed, implemented, and governed in alignment with Oakland's values of equity, transparency, and inclusion.

Programming within the Responsible AI Activation Zones will connect residents, students, and small businesses to opportunities in the technology sector, including:

- Community education events and professional conferences
- Civic technology pilots
- Student internships & showcases
- Small business support for responsible AI adoption
- Workforce development programs

Programming will prioritize preparing local workers, especially those from historically disadvantaged communities, for opportunities in AI-related and impacted industries, ensuring that the economic benefits of AI are shared equitably, mitigating negative impacts, and promoting digital literacy.

Programs will be led and coordinated through the **Oakland Fund for Public Innovation (OFPI)**, in partnership with **Laney College**, the **Unity Council's Unity Tech Hub**, and **Mills College at Northeastern University**, providing citywide access to resources and training.

Programming Partners

Responsible AI Zone programming will be located in three hubs across the city, which will host community programming:

- **Laney College:** Laney College launched the first Applied AI program in California, and anchors an area adjacent to downtown that includes the Oakland Museum of California and the Henry J. Kaiser Center for the Arts.
- **Unity Tech Hub:** The Unity Tech Hub is a partnership between the Unity Council and Google to increase community access to tech education, workforce development, and business development. The Unity Tech Hub will ensure access for Central Oakland neighborhoods to programming.
- **Mills College at Northeastern University:** Mills at Northeastern already hosts several AI initiatives, including the Bridge to AI program for Oakland Unified School District students, and partnerships with the business community. Mills at Northeastern will ensure access for East Oakland neighborhoods to programming.

Oakland Fund for Public Innovation

[OFPI](#) is a 501(c)(3) nonprofit organization whose mission is to improve the prosperity, safety, and quality of life for all Oaklanders by establishing innovative public-private partnerships in our most vulnerable communities. OFPI achieves its mission by partnering with government agencies to pilot new strategies to meet the needs of Oaklanders, and by scaling the most promising solutions

OFPI's mission and approach are strongly aligned with the vision for the Town Alive program. OFPI is proposed to be the project manager for program implementation, which will entail:

- Serving as the fiscal sponsor for the program, receiving and managing funds in accordance with nonprofit accounting and compliance standards, including disbursements, contracting, and reporting
- Supporting program design, curriculum development, and project management in coordination with City departments
- Hiring and supervising a Program Manager, who will be employed through OFPI and dedicated to advancing the Town Alive program, particularly stewarding the development of the Responsible AI Activation Zones
- Supporting future fundraising efforts, in partnership with the **Kapor Foundation**, which works to ensure equitable access to the technology industry, to sustain and expand the Town Alive program

FISCAL IMPACT

On June 11, 2025, the City Council adopted [Resolution No. 90827 C.M.S.](#), which approved the FY 2025–2027 Biennial Budget, including One Million Dollars (\$1,000,000) for “Economic Opportunity Zones” across two years with Five Hundred Thousand Dollars (\$500,000) in each year. The proposed legislation will support initial Town Alive programming with these funds.

Funding for “Economic Opportunity Zones” is available in the General Purpose Fund (1010), Economic Development Organization (85411), Third-Party: Grant Contracts Earned Account (54912), Entertainment & Activate Project (1008217), Administration Program (IP03).

The funding will include an allowable administrative fee not to exceed Ten Percent (10%) or One Hundred Thousand Dollars (\$100,000) and a program management fee not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) total over the two years.

Program	FY26 Budget	FY27 Budget	Total
Entertainment Zones	\$100,000	\$300,000	\$400,000
AI Activation Zones	\$250,000	Fundraise	\$250,000
Program Manager	\$125,000	\$125,000	\$250,000
Administrative Costs (10%)	\$50,000	\$50,000	\$100,000
Total	\$500,000	\$500,000	\$1,000,000

PUBLIC OUTREACH / INTEREST

Councilmember Brown’s office has engaged extensively with community members and community partners in developing this proposal over the last six months via direct meetings, including ongoing collaboration with potential Entertainment Zone lead organizations and Responsible AI Activation Zone programming partners.

COORDINATION

Councilmember Brown’s office consulted with the City Administrator’s Office, Economic and Workforce Development Department, Department of Transportation, Public Works Department, Police Department, Planning & Building Department, City Attorney’s Office, and the Port of Oakland to develop this legislation.

SUSTAINABLE OPPORTUNITIES

Economic: The Town Alive program will energize local commercial corridors and expand access to the responsible AI economy. This initiative implements a two-pronged strategy to advance Oakland’s continued economic recovery by supporting small businesses, increasing tax revenue, and offering new workforce development opportunities.

Environmental: At present, AI is incredibly [energy- and water-intensive](#), and AI data centers also have [negative local environmental impacts](#) on neighboring communities, such as air and noise pollution. As the City increases its use of AI to improve services and works to ensure equitable access for Oaklanders to economic opportunities in the AI sector, it will be imperative to collaborate with state and federal government partners on legislation and regulations to address the environmental impacts of AI.

Race & Equity: Entertainment Zones will strengthen small businesses and revitalize Oakland’s commercial corridors. As the program expands citywide, it will create greater economic opportunity for businesses owned by historically disadvantaged communities—improving outcomes in entrepreneurship, employment, and neighborhood vitality. Energizing

these corridors will also drive tax growth, helping sustain and expand key City services that advance equity across multiple areas, including economic development, housing, public health, education, public safety, environmental quality, and transportation. Similarly, **Responsible AI Activation Zones** will promote equitable access to one of the fastest-growing sectors of the economy. These zones will help close gaps in education, income, and wealth—mitigating downstream inequities that affect overall community wellbeing. Finally, the City must continue to collaborate with state and federal partners to address the racialized environmental impacts emerging from the global proliferation of AI technologies.

ACTION REQUESTED OF THE CITY COUNCIL

Adopt The Following Pieces Of Legislation:

(A) A RESOLUTION (1) ESTABLISHING ECONOMIC ACTIVATION ZONES UNDER THE TOWN ALIVE PROGRAM TO SUPPORT ENTERTAINMENT ZONES AND RESPONSIBLE ARTIFICIAL INTELLIGENCE (AI) ACTIVATION ZONES IN THE CITY OF OAKLAND, BRINGING INNOVATIVE PROGRAMMING TO PUBLIC AND COMMUNITY SPACES; AND (2) AUTHORIZING THE CITY ADMINISTRATOR TO AWARD, NEGOTIATE AND EXECUTE A GRANT AGREEMENT WITH THE OAKLAND FUND FOR PUBLIC INNOVATION IN AN AMOUNT NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000) TO IMPLEMENT THE TOWN ALIVE PROGRAM FOR A TWO-YEAR TERM FROM NOVEMBER 1, 2025, THROUGH OCTOBER 31, 2027

(B) AN ORDINANCE (1) ADDING CHAPTER 9.54 OF TITLE 9 OF THE OAKLAND MUNICIPAL CODE TO ESTABLISH AND REGULATE ENTERTAINMENT ZONES PURSUANT TO SB 969 (2024) TO PROMOTE ECONOMIC ACTIVATION; (2) MAKING OTHER CONFORMING CHANGES TO SECTIONS 9.08.180 AND 9.08.190 OF THE OAKLAND MUNICIPAL CODE; (3) CLASSIFYING AN ENTERTAINMENT ZONE EVENT AS A TIER TWO OR TIER THREE_SPECIAL EVENT PURSUANT TO CHAPTER 9.52 OF THE OAKLAND MUNICIPAL CODE; AND (4) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

For questions regarding this report, please contact Chiamaka Ogwuegbu, Policy Director for At-Large Councilmember Rowena Brown, at COgwuegbu@oaklandca.gov.

Respectfully submitted,



Rowena Brown
City of Oakland, Councilmember At Large

Attachments (3):

- Attachment A: Entertainment Zone Maps
- Attachment B: Town Alive Program Summary
- Attachment C: City of Oakland AI Equity Statement