

**BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO**

Appeal of  
ROBERT SAYEGH, \_\_\_\_\_ )  
Appellant(s) )  
vs. )  
ENTERTAINMENT COMMISSION, \_\_\_\_\_ )  
Respondent )

Appeal No. **26-031**

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on June 11, 2026, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on June 3, 2026 to Sacred Taco, of a Limited Live Performance Permit (Limited Live Performance approved to allow for indoor entertainment Friday through Monday, 11:00 a.m. through 11:00 p.m. with other mandatory conditions) at 1875 Union Street.

**APPLICATION NO. EC-1932**

**FOR HEARING ON July 8, 2026**

Address of Appellant(s):

Address of Other Parties:

Robert Sayegh, Appellant(s) 2816 Laguna Street San Francisco, CA 94123	Sacred Taco, Permit Holder(s) c/o Sean Coyne, Agent for Permit Holder(s) c/o Kristian Costentino, Agent for Permit Holder(s) 1875 Union Street San Francisco, CA 94123
--	--



Date Filed: June 11, 2026

**CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS**

**PRELIMINARY STATEMENT FOR APPEAL NO. 26-031**

---

I / We, **Robert Sayegh**, hereby appeal the following departmental action: **ISSUANCE of Limited Live Performance Permit No. EC-1932** by the **Entertainment Commission** which was issued or became effective on: **June 3, 2026**, to: **Sacred Taco**, for the property located at: **1875 Union Street**.

**BRIEFING SCHEDULE:**

Appellant's Brief is due on or before: 4:30 p.m. on **June 18, 2026, (no later than three Thursdays prior to the hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org), [julie.lamarre@sfgov.org](mailto:julie.lamarre@sfgov.org), [kaitlyn.azevedo@sfgov.org](mailto:kaitlyn.azevedo@sfgov.org), [Maggie.weiland@sfgov.org](mailto:Maggie.weiland@sfgov.org), [sacredtacof@gmail.com](mailto:sacredtacof@gmail.com) and [kristian@sacredtacof.com](mailto:kristian@sacredtacof.com)

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **July 2, 2026, (no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy shall be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org), [julie.lamarre@sfgov.org](mailto:julie.lamarre@sfgov.org), [kaitlyn.azevedo@sfgov.org](mailto:kaitlyn.azevedo@sfgov.org), [Maggie.weiland@sfgov.org](mailto:Maggie.weiland@sfgov.org), and [robsayart@gmail.com](mailto:robsayart@gmail.com)

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, July 8, 2026, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place**. The parties are encouraged to attend in-person but may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org). Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at [www.sfgov.org/boa](http://www.sfgov.org/boa). You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

---

**The reasons for this appeal are as follows:**

See attachment to the Preliminary Statement of Appeal.

**Appellant or Agent:**

Signature: Via Email

Print Name: Robert Sayegh, appellant

**Appellant:** Robert Sayegh / 2800 Block of Laguna St.

**Subject Property:** 1875 Union Street (d.b.a. Sacred Taco)

**Permit Appealed:** Limited Live Performance (LLP) Permit Approval

**Date of Decision:** June 2, 2026

The Appellant requests that the Board of Appeals overturn the Entertainment Commission's June 2, 2026, approval of an LLP permit for 1875 Union Street. The Commission's decision ignored objective code violations and statutory disqualifiers.

First, Police Code caps LLP performance and dance spaces at 200 square feet. The subject venue's patio measures 864 square feet, and the operator markets the entire area for DJ events. Furthermore, SFFD Permit No. 108258 caps this patio at 49 persons for life safety. The operator's business model relies on 80-person dance parties, directly violating Fire Department capacity limits.

Second, the venue's uninsulated glass architecture cannot contain sound. During the hearing, the Commission President admitted on the record that he previously owned this venue and knew the skylights leaked sound so severely he considered covering them with blankets. He did not recuse himself. Commission staff also testified the operator recently received three citations for unpermitted DJ events extending past 1:00 AM.

Because the Commission approved this permit despite recorded admissions of structural failure, active fire code violations, and curfew non-compliance, the permit must be revoked.

# *Entertainment Commission Permit*

City and County of San Francisco; State of California

## **Limited Live Performance**

**Permit Number:** EC-1932 LLP

**Conditional Grant Date:** June 2, 2026

**Grant Date:** June 3, 2026

**Permit is hereby granted to:** Sean Coyne of TWOSIDESOFACOYNE LLC

**Business Name:** Sacred Taco

**Location:** 1875 Union Street, San Francisco, CA 94123

**EC Approved Activity:** Indoor entertainment

**Date and Time:** Friday – Monday 11am – 11pm

Unless revoked or suspended by the Entertainment Commission (“EC”) during a current year, or unless the permit is valid for only a specified time, it shall be deemed that application for a tax license renewal has been made at the end of each year and the original application granted under the conditions, limitations and obligations set forth herein is unchanged.

This permit must be displayed at the above address in a conspicuous place. You are required to allow any EC Permit Administrator, EC Inspector, or San Francisco Police Officer to inspect your premises (Police Code Sec. 1060.11). You shall not transfer this permit to another person or conduct a separate business at a different location other than that described on this permit (Police Code Sec. 1060.24).

**ANY CHANGE IN OWNERSHIP OF THIS PERMITTED BUSINESS REQUIRES A NEW APPLICATION BE FILED WITHIN TEN DAYS OF THE DATE OF THE CHANGE. IF A PERMIT IS CONDITIONALLY GRANTED AND AN APPEAL IS FILED BY ANY PERSON WITHIN 10 DAYS OF THE ISSUANCE, THE PERMIT IS NOT VALID UNTIL THE APPEALS PROCESS IS CONCLUDED AND A FINAL DECISION IS RENDERED BY THE BOARD OF APPEALS.**

Pertinent information regarding this permit:

- Permit holder shall comply with San Francisco Municipal Police Code under the jurisdiction of the Entertainment Commission, including but not limited to, Article 15, Article 15.1, Article 15.2, and Article 29.
- Adhere to Entertainment Commission’s Good Neighbor Policy.
- Permit holder shall send a monthly calendar of events to SFPD Northern Station and the Entertainment Commission.
- Indoor entertainment allowed Friday – Monday 11am – 11pm.
- Sound abatement internal limit for main restaurant/bar approved at 85dBA/92dBC maximum, measured from bottom of ADA ramp at left after entering.
- Sound abatement internal limit for rear event space approved at 85dBA/94dBC maximum, measured from the top of the stairs at the right.

Failure to conduct your business in conformity with these regulations may subject you to a criminal citation or arrest and the revocation of your permit. This permit is accepted and subject to all legal obligations, requirements and the conditions set forth above.

Signature of Permittee:

Issued by:  
Maggie Weiland  
Executive Director, Entertainment Commission



**Permit is not valid without current tax license.**



# Entertainment Commission

## *City and County of San Francisco*



### Memorandum

**To:** Kristian Cosentino  
**From:** Kaitlyn Azevedo, Deputy Director  
**Date:** June 2, 2026  
**RE:** EC-1932 - Sean Coyne of TWOSIDESOFACOYNE LLC, *dba Sacred Taco*, 1875 Union St, Limited Live Performance

---

Hi Kristian,

This letter is to memorialize the decision made by the San Francisco Entertainment Commission on June 2, 2026, at the regularly scheduled Entertainment Commission hearing regarding the Limited Live Performance (LLP) permit for Sacred Taco at 1875 Union Street. Please note, this letter is not your permit.

The Commission voted to approve the LLP permit with the following conditions:

1. Permit holder shall comply with San Francisco Municipal Police Code under the jurisdiction of the Entertainment Commission, including but not limited to, Article 15, Article 15.1, Article 15.2, and Article 29; and
2. Permit holder shall comply with the Commission-approved Security Plan; and
3. Adhere to Entertainment Commission's Good Neighbor Policy; and
4. Permit holder shall send a monthly calendar of events to SFPD Northern Station and the Entertainment Commission; and
5. Indoor entertainment allowed Friday – Monday 11am – 11pm; and
6. Sound abatement internal limit for main restaurant/bar approved at 85dBA/92dBC maximum, measured from bottom of ADA ramp at left after entering; and
7. Sound abatement internal limit for rear event space approved at 85dBA/94dBC maximum, measured from the top of the stairs at the right.

The following Commissioners voted aye: President Bleiman, Vice President Wang, Commissioner Wilson, Commissioner Poggio, Commissioner Davis, Commissioner Thomas, and Commissioner Schlander

The following Commissioners voted nay: none

The following Commissioners recused themselves: none

ENTERTAINMENT COMMISSION

49 South Van Ness Avenue, Suite 1482, San Francisco, CA 94103

(628) 652-6030 Main

The following Commissioners were absent: none

Per Municipal Police Code Article 15.1 Section 1060.24.2 you have a right to appeal this decision to the Board of Appeals:

- (a) The following actions taken under this Article may be appealed to the Board of Appeals:  
The granting or denial of a permit, including a conditionally granted permit, or an amendment to a permit, and the suspension or revocation of a permit. Any such appeal shall be filed within ten days from the date of the decision, as provided in Section [8](#) of the San Francisco Business and Tax Regulations Code.

The 10-day appeal window for the Commission's decision begins at the issuance of this letter. If you wish to file an appeal, contact the Board of Appeals at:

49 South Van Ness, Suite 1475  
San Francisco, CA 94103  
628-652-1150  
[boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org)

Thank you,



Kaitlyn Azevedo  
Deputy Director  
cc: Maggie Weiland, Entertainment Commission Executive Director

ENTERTAINMENT COMMISSION

49 South Van Ness Avenue, Suite 1482, San Francisco, CA 94103

(628) 652-6030 Main

# BRIEF SUBMITTED BY THE APPELLANT(S)

**CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS**

ROBERT SAYEGH,

---

Appellant,

v.

SAN FRANCISCO ENTERTAINMENT COMMISSION,  
Respondent,

and

SEAN COYNE, dba TWOSIDESOFACOYNE LLC,

---

dba SACRED TACO,  
Permit Holder / Real Party in Interest.

**Appeal No.:** 26-031 (“Sayegh v. EC”)

**Subject Property:** 1875 Union Street, San Francisco, CA 94123

**Permit Appealed:** Limited Live Performance Permit No. EC-1932

**Date of Decision:** Conditionally Granted June 2, 2026; Granted June 3, 2026

**Hearing Date:** July 8, 2026, 5:00 p.m., Room 416, San Francisco City Hall

**APPELLANT'S OPENING BRIEF**

**I. INTRODUCTION AND RELIEF REQUESTED**

Appellant Robert Sayegh respectfully requests that the Board of Appeals overturn, or in the alternative substantially condition, the San Francisco Entertainment Commission's June 2, 2026 decision granting Limited Live Performance (“LLP”) Permit No. EC-1932 to Sean Coyne of TWOSIDESOFACOYNE LLC, doing business as Sacred Taco, at 1875 Union Street.

The Commission's approval suffers from independent defects. Two are bright-line, documentary violations rather than matters of judgment: (1) the permit authorizes entertainment, including dancing, across an 864-square-foot rear patio — more than four times the 200-square-foot

performance-area limit Commission staff confirmed applies to “the live dance” as well as a DJ or band; and (2) that same patio is independently capped at 49 persons under the Permit Holder's own Place of Assembly permit, while the Permit Holder has marketed it for 80-guest DJ events. Three further defects support reversal: (3) the presiding officer disclosed, without recusing, a personal ownership history with this exact structural defect and these exact neighbors; (4) the Permit Holder's assurances that entertainment would be limited to “ambient traditional restaurant music” from “one speaker” have already been contradicted by his own post-hearing marketing; and (5) the Permit Holder continues soliciting private events notwithstanding the suspension of the permit at issue.

Appellant requests that the Board revoke Permit No. EC-1932 or, in the alternative, remand with instructions that the Commission require: a verified, diagrammed 200-square-foot performance-area limit; demonstrated, monitored compliance with the existing 49-person occupancy limit; review by decision-makers without a personal ownership history with the property; and materially stricter, enforceable conditions consistent with the Permit Holder's documented history of noncompliance both before and after the permit was granted.

## **II. STATEMENT OF FACTS**

### **A. The Property and the Permit**

1875 Union Street is operated as a Mexican restaurant under the trade name “Sacred Taco” by Sean Coyne of TWOSIDESOFACOYNE LLC. The property's rear patio — described in the operator's own commercial leasing materials and floor plans as “Patio seating (including bar area)” — measures 864 square feet. (Exhibit A.) This patio is the space the Commission and the Permit Holder refer to throughout the record as the “rear event space” or “rear private event space.” The San Francisco Fire Department / Department of Building Inspection's Place of

Assembly Permit No. 108258 for this address — issued July 15, 2022 to TWOSIDESOFACOYNE LLC and currently in “Approved” status — separately restricts occupancy of the “GROUND FLOOR PATIO DINING AREA” to “49 OR LESS PERSONS,” out of a 105-person total building occupant load. (Exhibit M.)

### **B. Pre-Hearing Neighborhood Opposition and the Enforcement History**

On May 7, 2026, Appellant and four neighboring households on the 2800 block of Laguna Street jointly petitioned the Commission to deny the application, citing the property's incompatibility with the Good Neighbor Policy's closed-window mandate and the Permit Holder's pattern of unpermitted entertainment. (Exhibit N.) The Permit Holder had operated unpermitted entertainment at the property on multiple occasions, resulting in three citations from Entertainment Commission inspectors between February and March 2026 for hosting DJ events without a permit, including incidents after 1:00 a.m. On March 21, 2026, the on-site manager declined an EC Inspector's direct, in-person order to reduce the volume or stop the DJ. (Exhibit N at 2.) The Permit Holder applied for the LLP permit only after the first citation issued; staff confirmed at the hearing that all three have since been paid. (Exhibit L at 25.)

### **C. The Permit Holder's Commercial Marketing Before the Hearing**

Before the hearing, the Permit Holder actively marketed the disputed patio space on the commercial venue-rental platform Peerspace, advertising the space for up to 80 guests with the explicit disclosures that “DJs are allowed,” “Live music is allowed,” “Amplified music is allowed,” and that the venue offered a “DJ OPEN UNTIL 2 AM.” (Exhibit B.) This commercial listing remained live and unaltered through the date of the hearing.

#### **D. The June 2, 2026 Hearing**

At the hearing, in response to a Commissioner's question, Commission staff confirmed for the record that the 200-square-foot performance-area limit governing LLP permits applies to “the space that the performers occupy. So the DJ, the band, the live dance, et cetera[, which] [n]eeds to be less than 200 square feet, and it can't be more than half of the entire business model.”

(Exhibit D; Exhibit L at 15.)

During the same hearing, while discussing the patio's skylights, the presiding Commissioner disclosed that he had personally owned 1875 Union Street in the past, had fielded the same noise complaints from the same neighbors, and personally knew the skylights “leaked sound so severely” that he had considered laying blankets over them. (Exhibit C; Exhibit L at 9–10.) He did not recuse and proceeded to vote to approve the permit. (Argument IV.C, *infra*.)

The Permit Holder's agent, Kristian Cosentino, testified under questioning that the rear patio is used only for occasional small gatherings such as wedding parties, that the only amplification on site is “one speaker,” and that “the only thing you're going to hear is just ambient traditional restaurant music. Nothing louder than that.” (Exhibit E; Exhibit L at 2–3, 18.) Mr. Cosentino further testified that he does not and has never hosted “ticketed events.” (Exhibit L at 16.)

Appellant appeared at the hearing and presented public comment opposing the application, including the 200-square-foot argument later confirmed by staff. (Exhibit L at 12–14.) The Commission nonetheless voted 7–0, with no recusals, to conditionally grant the permit. (Exhibit F.)

#### **E. The Permit as Granted**

The signed Letter of Determination authorizes “Indoor entertainment” “Friday – Monday 11am – 11pm” in both the main restaurant and the 864-square-foot rear event space, subject only to two

decibel-based sound conditions, a Security Plan, Good Neighbor Policy compliance, and a monthly calendar. (Exhibit F.) It imposes no diagram or sub-area restriction limiting the “performance area,” as Commission staff defined that term, to 200 square feet anywhere within the patio.

#### **F. Post-Hearing Conduct**

Within two weeks of the hearing, the Permit Holder's Instagram account published a video in which the manager promises patrons he would “have all the TVs blaring” for upcoming 2026 World Cup matches. (Exhibit G.) The same account continues to display, as an active “Events” highlight, footage branding the patio as a venue for organized dance and movement classes. (Exhibit H.) On June 11, 2026, the Board suspended Permit No. EC-1932 upon the filing of this appeal. As of June 17, 2026 — six days into that suspension — the operator's website still displayed an active pop-up soliciting private-event bookings (Exhibit I), and the operator's social media still solicited catering bookings for “your next big celebration.” (Exhibit K.)

Appellant further submits a photograph taken April 25, 2026 — approximately five weeks before the hearing — showing multi-colored, high-intensity light patterns projecting from the patio's glass skylights directly onto the walls and windows of the adjacent residential structure at 2816 Laguna Street. (Exhibit J.)

### **III. STANDARD OF REVIEW**

This is an appeal of an Entertainment Commission permit decision under San Francisco Municipal Police Code Article 15.1, Section 1060.24.2. The Board applies de novo review and need not defer to the Commission's findings. Appellant submits that even under a deferential standard, the record — including Commission staff's own testimony, the Permit Holder's own

existing City permits, the presiding officer's on-the-record disclosures, and the Permit Holder's own sworn statements — independently supports reversal or remand.

#### **IV. ARGUMENT**

##### **A. The Permit Authorizes Entertainment Across an 864-Square-Foot Space, Contradicting Commission Staff's Own On-the-Record Definition of the 200-Square-Foot Performance-Area Limit.**

The Limited Live Performance permit category exists for small-scale, incidental entertainment — not for a dedicated event venue. At the hearing, when a Commissioner asked staff to clarify the scope of the 200-square-foot rule, staff did not equivocate: the performance area is “the space that the performers occupy. So the DJ, the band, the live dance, et cetera. Needs to be less than 200 square feet, and it can't be more than half of the entire business model.” (Exhibit D; Exhibit L at 15.) That definition is now part of the administrative record of this permit, and it resolves any ambiguity about whether dance space counts toward the cap: it does.

The undisputed floor plan for 1875 Union Street — taken from the Permit Holder's own commercial leasing materials — shows the rear patio measures 864 square feet. (Exhibit A.) That is the entire space the Commission and the Permit Holder describe as the “rear event space.” It is more than four times the 200-square-foot ceiling Commission staff confirmed governs performance and dance space under an LLP permit.

The permit as granted does nothing to reconcile this conflict. It does not require a diagram carving out a 200-square-foot performance zone within the patio. It does not restrict where a DJ booth or dance activity may occur within the space. It simply authorizes “Indoor entertainment” throughout the “rear event space” — all 864 square feet of it — subject only to a decibel ceiling measured at a single monitoring point. (Exhibit F.) A sound limit measured at one fixed location

says nothing about how much of the floor a dance floor or DJ setup occupies. Commission staff's own description of the permit elsewhere in the hearing record — that it authorizes entertainment “in both the main restaurant and in their rear private event space” without spatial qualification — confirms that no 200-square-foot restriction was ever actually imposed. (Exhibit L at 1.)

This is not a hypothetical concern. Before the hearing, the Permit Holder's own Peerspace listing advertised the entire patio for up to 80 guests for DJ events, with no suggestion that entertainment would be confined to any 200-square-foot sub-area. (Exhibit B.) A permit that authorizes exactly the unrestricted, whole-patio entertainment use the Permit Holder was already advertising does not comply with the 200-square-foot rule as Commission staff itself has defined it.

Appellant respectfully submits that a permit cannot be lawfully granted under the LLP category where the space approved for entertainment is, on the undisputed record, more than four times the maximum size Commission staff says the category allows. The Board should find that the Commission abused its discretion in granting an LLP permit without requiring — and without itself verifying — a performance-area diagram demonstrating compliance with the 200-square-foot limit, and should condition any renewed approval on such a diagram and a corresponding, enforceable spatial restriction within the rear event space.

**B. The Permit Approves Entertainment in a Space That the Permit Holder's Own Fire Department Occupancy Permit Caps at 49 Persons — Roughly Half of What the Permit Holder Has Marketed.**

A second, independent and equally objective defect appears on the face of the Permit Holder's own existing City permits. San Francisco Fire Department / DBI Permit No. 108258 — issued for this address, held by this entity, and currently “Approved” — caps the ground floor patio

dining area at “49 OR LESS PERSONS,” as one condition of the property's overall 105-person Place of Assembly permit. (Exhibit M.) This is not an estimate or a third-party assertion; it is the Permit Holder's own occupant-load permit of record, retrievable from the City's official permit database.

Before the Commission's hearing, the Permit Holder's own Peerspace listing advertised that same patio for up to 80 guests for DJ events. (Exhibit B.) Eighty guests exceeds the Fire Department's documented 49-person limit for that exact space by more than 60%. Further, Permit No. 108258 classifies the approved use of the patio as a “dining area.” Nothing in this record reflects that the Permit Holder has obtained, or that the Commission required, any updated Place of Assembly authorization for the patio's use as an entertainment or dance space — a different use classification than the dining-area permit the Permit Holder currently holds, and one that would ordinarily require its own occupant-load review.

The Letter of Determination does not reflect that the Commission cross-checked the LLP application against this existing, controlling occupancy restriction; it imposes sound-monitoring conditions but says nothing about occupant load or use classification. (Exhibit F.) Appellant submits that the Commission could not lawfully approve entertainment in a space without confirming that space is even classified for assembly use, let alone at the guest counts already advertised. Appellant requests that the Board condition any approval on demonstrated, monitored compliance with the existing 49-person limit and the appropriate Place of Assembly classification, and treat any marketing or operation in excess of that limit as an independent ground for suspension.

**C. The Decision Was Reached Through a Process Tainted by an Undisclosed, Unrecused Conflict of Interest.**

A fair hearing before an impartial decision-maker is the foundation of any adjudicative process, including a permit hearing before the Entertainment Commission. That foundation was compromised here.

During the hearing, while discussing the patio's skylights, the presiding Commissioner volunteered — unprompted, with no advance disclosure on the agenda or in the staff report — that he had personally owned 1875 Union Street in the past. (Exhibit C; Exhibit L at 9–10.) He stated that during his ownership he had “ongoing conversations” with “the neighbors who lived right there” about noise from the same skylights at issue here, and that he personally knew the skylights “leaked sound so severely” that he had considered laying blankets over them to dampen noise during loud events. (Exhibit L at 10.) When another participant remarked that he had not sold the property to him, the presiding Commissioner responded, “Multiple owners between them” — confirming a personal history with this property and this defect that predates and is independent of this hearing's record. (Exhibit L at 10.)

This disclosure matters for two reasons. First, the decision-maker brought to the vote personal, extra-record knowledge of the precise defect Appellant raised as a central objection, yet offered it only as an informal aside suggesting blankets rather than as a basis for a binding structural condition — none was imposed. Second, the presiding Commissioner did not recuse, did not disclose this history in writing before the hearing, and voted for the very permit his own history gave him unique reason to scrutinize.

Appellant does not allege a current financial interest, and takes no position, as a non-attorney, on whether this history satisfies any conflict-of-interest statute. What the record shows is that the

presiding officer had an undisclosed personal history with this exact property, these neighbors, and this defect, and voted without recusing. At minimum, this raises a substantial question about the impartiality of the hearing Appellant received, and supports de novo reconsideration on the merits rather than deference to the Commission's vote.

**D. The Permit Holder's Sworn Testimony to the Commission Has Already Been Contradicted by His Own Post-Hearing Conduct.**

The Commission's approval rested heavily on the Permit Holder's own characterization of how the space would actually be used. That characterization has not survived the weeks since the hearing.

At the hearing, Mr. Cosentino told the Commission: “I'm not trying to throw a rave. We're literally at the most . . . It's just a very small setup with one speaker for a DJ, if there's a wedding party and that's the extent of what we've been doing,” and that “the only thing you're going to hear is just ambient traditional restaurant music. Nothing louder than that.” (Exhibit E; Exhibit L at 2–3, 18.) He further told the Commission, “I'm not interested in ticketed events, again, I don't do ticket events,” and “I personally have never done a ticketed event.” (Exhibit L at 16.)

Within days of the hearing, the Permit Holder's own Instagram account published a video in which the manager personally promises that the venue will “have all the TVs blaring” for 2026 World Cup matches. (Exhibit G.) “Blaring” is the opposite of “ambient,” and a venue's own promotional video promising loud television audio for sporting events is not consistent with sworn testimony that nothing louder than ambient restaurant music would be audible.

The Permit Holder's Instagram account also continues, as of the date of this brief, to publicly display an “Events” highlight branding the patio as a venue for structured dance and movement classes — the kind of “dance floor” branding an LLP permit's prohibition on dancing is meant to

prevent. (Exhibit H.) And the Permit Holder's pre-hearing Peerspace listing — never withdrawn or corrected on this record — separately advertised the same patio for up to 80 guests with a “DJ OPEN UNTIL 2 AM,” a description squarely at odds with the “one speaker,” wedding-party-only characterization given under questioning. (Exhibit B.)

A Commission decision premised on an applicant's representations about limited, low-impact use is entitled to little weight once those representations are contradicted by the applicant's own subsequent public conduct. Appellant respectfully submits that the Board should not defer to findings the Commission made in reliance on testimony that has already proven unreliable.

**E. The Permit Holder's Continued Solicitation of Private Events During the Pendency of This Appeal Demonstrates That the Conditions Imposed Are Insufficient.**

On June 11, 2026, the Board suspended Permit No. EC-1932 by operation of law upon the filing of this appeal. As of June 17, 2026 — six days into that suspension — the Permit Holder's website continued to display an active pop-up inviting the public to “Let Us Host Your Special Event!” and to “Book your next party or get together” at the property. (Exhibit I.) The same account continues to solicit catering bookings for “your next big celebration.” (Exhibit K.) Appellant does not know whether any event has occurred since the suspension took effect, but the Permit Holder's uninterrupted solicitation of private events at the disputed space — during the very period its legality is under direct appeal — speaks to the adequacy of the conditions imposed. A permit holder who treats an active appeal and suspension as a non-event has not shown the good-faith compliance that would justify light-touch conditions such as a self-reported calendar and a single sound-meter reading.

This conduct is consistent with — not an aberration from — the pattern that led to the citations the Permit Holder received before applying for this permit. Appellant submits that the Board

should weigh this continuing pattern in determining what conditions, if any, would actually be sufficient to protect the surrounding neighborhood.

## **V. CONCLUSION**

For the foregoing reasons, Appellant respectfully requests that the Board revoke Limited Live Performance Permit No. EC-1932. In the alternative, Appellant requests remand with instructions that the Commission: (1) require a verified performance-area diagram demonstrating compliance with the 200-square-foot limit as defined by Commission staff; (2) require demonstrated, monitored compliance with the existing 49-person occupancy limit set by Permit No. 108258, and confirmation of the appropriate Place of Assembly classification before any entertainment or dance use is permitted; (3) reassign review to decision-makers without a personal ownership history with the property; (4) impose enforceable structural remediation conditions addressing the patio's documented sound and light leakage, rather than informal suggestions; and (5) adopt event-frequency and per-event duration limits, rather than relying solely on self-reported calendars and single-point decibel readings, given the Permit Holder's documented history of noncompliance both before and after the permit was granted.

Respectfully submitted,

Robert Sayegh  
Appellant  
2816 Laguna Street  
San Francisco, CA 94123

## INDEX OF EXHIBITS

*Appellant Robert Sayegh — Appeal No. 26-031 (Sayegh v. EC)*

Exh.	Title	Description / Source
<b>A</b>	Floor Plan & Listing Brochure	Blatteis Realty Co. leasing brochure for 1875 Union Street, including the existing floor plan and patio floor plan showing the rear patio measures 864 square feet. Cited in Argument IV.A.
<b>B</b>	Peerspace Commercial Listing	Screenshot of the Permit Holder's Peerspace listing for Sacred Taco confirming “DJs are allowed,” “Live music is allowed,” “Amplified music is allowed,” 80-guest capacity, and “DJ open until 2 AM.” Cited in Arguments IV.A, IV.C, and IV.E.
<b>C</b>	Hearing Transcript Excerpt — Conflict of Interest Disclosure	Excerpt of the official June 2, 2026 Entertainment Commission hearing transcript (p. 9–10) in which the presiding Commissioner discloses prior personal ownership of the subject property and personal knowledge of the skylight sound-leakage defect. Cited in Argument IV.B.
<b>D</b>	Hearing Transcript Excerpt — Staff Definition of “Performance Area”	Excerpt of the hearing transcript (p. 15) in which Commission staff defines the 200-square-foot LLP performance-area limit to include “the live dance.” Cited in Argument IV.A.
<b>E</b>	Hearing Transcript Excerpt — Permit Holder's Sworn Testimony	Excerpts of the hearing transcript (pp. 2–3, 16, 18, 21–22) containing the Permit Holder's testimony characterizing the venue's entertainment as limited, ambient, and non-ticketed. Cited in Argument IV.C and Statement of Facts.
<b>F</b>	Permit No. EC-1932 — Signed Letter of Determination	The Entertainment Commission's signed Limited Live Performance permit and accompanying Deputy Director memorandum, dated June 2–3, 2026, listing all permit conditions. This is the determination under appeal. Cited throughout.
<b>G</b>	Instagram Video Screenshot — “TVs Blaring”	Screenshot of a post-hearing video posted to the Permit Holder's Instagram account (@sacredtacof) in which the manager promises televisions will be “blaring” for 2026 World Cup matches. Cited in Argument IV.C.
<b>H</b>	Instagram “Events” Highlight — Dance Class Promotion	Screenshot of an active “Events” highlight on the Permit Holder's Instagram profile depicting a group dance/movement class held on the patio. Cited in Argument IV.C.
<b>I</b>	Website Screenshot, Captured June 17, 2026	Screenshot of the Permit Holder's website showing an active pop-up soliciting private event bookings, captured six days into the Board-ordered suspension of Permit No. EC-1932. Cited in Argument IV.D.

<b>J</b>	Photograph, April 25, 2026 — Light Pollution	Photograph taken from the vicinity of 2816 Laguna Street showing multi-colored light patterns projecting from the patio's glass skylights onto the adjacent residential structure, approximately five weeks before the hearing. Cited in Statement of Facts.
<b>K</b>	Instagram Post — Continued Private-Event Marketing	Screenshot of a recent Instagram post from the Permit Holder soliciting catering bookings for private celebrations, posted during the pendency of this appeal. Cited in Argument IV.D.
<b>L</b>	Complete Hearing Transcript, June 2, 2026	Full transcript of the San Francisco Entertainment Commission's June 2, 2026 hearing on Permit No. EC-1932, provided in its entirety for context and verification of all excerpts cited above.
<b>M</b>	SF Fire Department / DBI Permit Record No. 108258	Screenshot of the official City permit database record for 1875 Union Street, showing Place of Assembly Permit No. 108258, held by TWOSIDESOFACOYNE LLC, status “Approved,” capping the ground floor patio dining area at 49 persons or less. Cited in Argument IV.B and Statement of Facts.
<b>N</b>	Joint Protest Letter, May 7, 2026	Formal written protest jointly submitted to the Entertainment Commission before the hearing by Appellant and four neighboring households on the 2800 block of Laguna Street, requesting denial of the application and Organized Opposition status, and documenting the Permit Holder's March 21, 2026 refusal to comply with an EC Inspector's direct order. Cited in Statement of Facts § II.B.

*Exhibits follow this index in the order listed above.*

**EXHIBIT A**  
**Floor Plan & Listing Brochure — 1875 Union Street**

---

Blatteis Realty Co. commercial leasing brochure for 1875 Union Street, including the existing floor plan and the patio floor plan showing the rear patio measures 864 square feet. Relevant pages follow. Cited in Argument IV.A.



[CLICK HERE FOR VIRTUAL TOUR!](#)

**1875** UNION STREET  
SAN FRANCISCO, 94123  
COW HOLLOW DISTRICT

**THRILLING RESTAURANT/BAR SPACE!**  
**RARE TYPE 47 LIQUOR LICENSE AVAILABLE**

**CALL FOR PRICE**

**NEIGHBORHOOD:** COW HOLLOW DISTRICT

**BETWEEN LAGUNA & OCTAVIA STREETS**

**SIZE:**

**±3,184 SF**

RESTAURANT SPACE FOR LEASE

**INCREDIBLE RESTAURANT LOCATION**  
**SITUATED ON BUSTLING UNION STREET!**

**RARE AND COVETED TYPE 47 LIQUOR LICENSE ALSO**  
**AVAILABLE FOR PURCHASE FROM EXISTING TENANT!**

**THIS PREMIER RESTAURANT LOCATION OFFERS:**

- \*Fantastic Window Lining
- \*High Ceilings
- \*Solid Foot Traffic
- \*Type 1 Hood
- \*Outdoor Patio
- \*Direct Deal

\*Maximum Occupancy: 105 People

*(Per Existing Tenant)*

**Please Note:** Hollow Cow, the existing Tenant, is looking to sell their FF&E and Type 47 Liquor License.



INCORPORATED | EST. 1922

**JEREMY BLATTEIS**

415.321.7493 | [jfb@brsf.co](mailto:jfb@brsf.co) | DRE #01460566

[sfretail.net](http://sfretail.net)

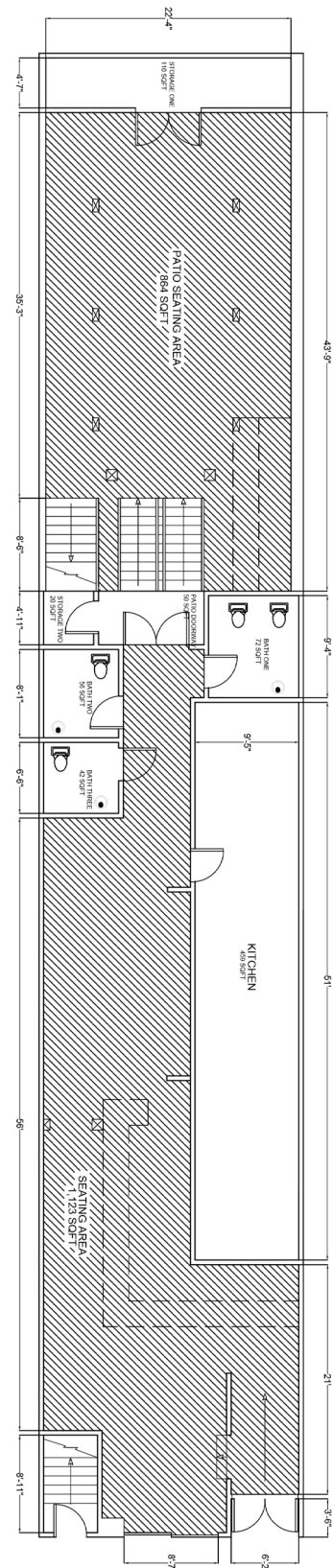
This Statement with the information it contains is given with the understanding that all negotiations relating to the purchase, renting or leasing of the property described above shall be conducted through Blatteis Realty Company. The above information, while not guaranteed, has been secured from sources believed to be reliable. Blatteis Realty has not verified its accuracy and make no guarantees, warranty or representation regarding this information and it is published subject to the possibility of errors, omissions, changes of listing information including price, term, financing, or withdrawal without notice. We include projections, estimates, opinions and/or assumptions, for example only, and they may not represent current or future performance of the property. You should consult your tax and legal advisors before to verify the validity of estimates. All commercial or mixed-use property presented by Blatteis Realty is subject to local zoning codes and regulations. It is the sole responsibility and liability of tenants and property owners to obtain all applicable required building permits and/or certificates from the local city/town Planning Department before commercial property use can commence or a building can be built.

44 Montgomery Suite 1288, San Francisco, CA 94104 | t: 415.981.2844 | f: 415.981.4986 | [info@brsf.co](mailto:info@brsf.co) | DRE #01421282

# EXISTING FLOOR PLAN

SCALE 3/32" = 1'

Area description:	SQFT:
Storage one	110
Storage two	20
lower patio door way	50
Patio seating(including bar area)	864
Bath one	72
Bath two	56
Bath three	42
Kitchen	459
Indoor seating area(including bar area)	1,123
<b>Total</b>	<b>2,796</b>



INCORPORATED | EST. 1922

**JEREMY BLATTEIS**

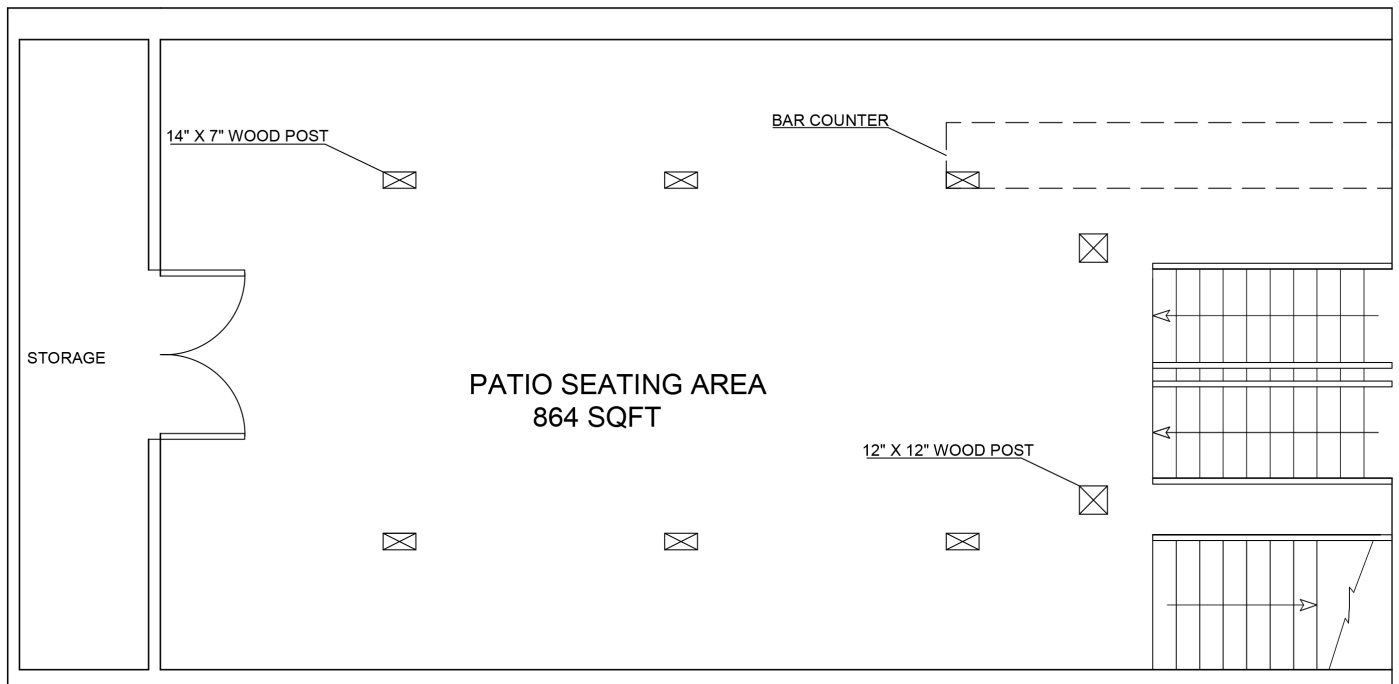
415.321.7493 | jfb@brsf.co | DRE #01460566

**sftail.net**

This Statement with the information it contains is given with the understanding that all negotiations relating to the purchase, renting or leasing of the property described above shall be conducted through Blatteis Realty Company. The above information, while not guaranteed, has been secured from sources believed to be reliable. Blatteis Realty has not verified its accuracy and make no guarantees, warranty or representation regarding this information and it is published subject to the possibility of errors, omissions, changes of listing information including price, term, financing, or withdrawal without notice. We include projections, estimates, opinions and/or assumptions, for example only, and they may not represent current or future performance of the property. You should consult your tax and legal advisors before to verify the validity of estimates. All commercial or mixed-use property presented by Blatteis Realty is subject to local zoning codes and regulations. It is the sole responsibility and liability of tenants and property owners to obtain all applicable required building permits and/or certificates from the local city/town Planning Department before commercial property use can commence or a building can be built.

## PATIO FLOOR PLAN

SCALE 3/16" = 1'



INCORPORATED | EST. 1922

**JEREMY BLATTEIS**

415.321.7493 | [jfb@brsf.co](mailto:jfb@brsf.co) | DRE #01460566

[sfretail.net](http://sfretail.net)



This Statement with the information it contains is given with the understanding that all negotiations relating to the purchase, renting or leasing of the property described above shall be conducted through Blatteis Realty Company. The above information, while not guaranteed, has been secured from sources believed to be reliable. Blatteis Realty has not verified its accuracy and make no guarantees, warranty or representation regarding this information and it is published subject to the possibility of errors, omissions, changes of listing information including price, term, financing, or withdrawal without notice. We include projections, estimates, opinions and/or assumptions, for example only, and they may not represent current or future performance of the property. You should consult your tax and legal advisors before to verify the validity of estimates. All commercial or mixed-use property presented by Blatteis Realty is subject to local zoning codes and regulations. It is the sole responsibility and liability of tenants and property owners to obtain all applicable required building permits and/or certificates from the local city/town Planning Department before commercial property use can commence or a building can be built.



## EXHIBIT B

### Peerspace Commercial Listing for Sacred Taco (Captured Prior to Permit Application)



---



**Rules for cooking and food preparation**  
No cooking is allowed on-site

 **Alcoholic Beverages** 

 **AV and Music** 

**Rules for AV and music**  
DJs are allowed  
Live music is allowed  
Amplified music is allowed  
Guests may amplify music by connecting a personal device to speakers within the space

 **Event Rules** 

 **Parking** 

Screenshot of the Permit Holder's commercial Peerspace listing, advertising the rear patio for up to 80 guests and confirming "DJs are allowed," "Live music is allowed," "Amplified music is allowed," and "DJ open until 2 AM." Cited in Arguments IV.A, IV.C, and IV.E.

**EXHIBIT C**  
**Excerpt of Official Hearing Transcript — Conflict-of-Interest Disclosure**

---

*Source: JUNE 2, 2026 Entertainment Commission Meeting Audio Transcript, pp. 9–10 (official transcript provided to Appellant; full transcript reproduced at Exhibit L).*

...Yeah, skylights look great, but sometimes they, they, uh, Oh, a lot of echoing, a lot of, yeah, yeah, you're right. Thank you.

*So I used to own this place, actually. And uh, we had issues ongoing, uh, conversations with the neighbors who lived right there. Um, So I understand the situation over there. One thing we looked at, I'm not sure we ever did it, but might be worth considering. I wouldn't condition it. Um, but is we actually, I actually at one point looked at um, some blankets. They're like some blankets, and yeah, I was considering like when we had a larger event back there, because we never had DJs, but we would, we would turn our music up loud of just kind of laying them over the skylights.*

That's a good idea.

*Yeah, it was an interesting concept. I never we sold the place before it quite got was able to accomplish that goal, but it was something that came up.*

I'm fighting for it, then. I didn't sell it to you.

*Yeah, I know. Multiple owners between them.*

[The presiding Commissioner did not recuse and proceeded to participate in and vote on the permit application discussed in this transcript.]

**EXHIBIT D**  
**Excerpt of Official Hearing Transcript — Performance-Area Definition**

---

*Source: JUNE 2, 2026 Entertainment Commission Meeting Audio Transcript, p. 15 (official transcript provided to Appellant; full transcript reproduced at Exhibit L).*

Can you can you clarify what the 200 square foot provision is?

*The 200 square foot requirement for the LLP permit is the performance area. So the dimensions of the performance area, which is what we consider the space that the performers occupy. So the DJ, the band, the live dance, et cetera. Needs to be less than 200 square feet, and it can't be more than half of the entire business model.*

## **EXHIBIT E**

### **Excerpts of Official Hearing Transcript — Permit Holder’s Sworn Testimony**

---

*Source: JUNE 2, 2026 Entertainment Commission Meeting Audio Transcript, pp. 2–3, 16, 18, 21–22 (official transcript provided to Appellant; full transcript reproduced at Exhibit L).*

#### **pp. 2–3 — characterization of entertainment:**

*...I’m not trying to throw a rave. We’re literally at the most... It’s just a very small setup with one speaker for a DJ, if there’s a wedding party and that’s the extent of what we’ve been doing. Um, that’s the most that I desire. I don’t desire to be anywhere, uh, anywhere after 11 doing anything that’s out of the, uh, the normal, uh, business.*

#### **p. 16 — ticketed events:**

*Well, I don’t, I’m not interested in ticketed events, again, I don’t do ticket events. I’m not going to do ticket events... I personally have never done a ticketed event.*

#### **p. 18 — sound characterization:**

*...the most only thing you’re going to hear is just ambient traditional restaurant music. Nothing louder than that.*

#### **pp. 21–22 — manager contact failure:**

*You’re 100% right. I had a problem. Do you know the auto AI answering systems? They took over my phone system just because phones were being missed. And it’s gone completely haywire. The worst thing I’ve ever done. So there’s no way to reach anybody, including for orders for myself in my restaurant using that AI model. So I had to switch phone numbers that happened recently.*

**EXHIBIT F**  
**Permit No. EC-1932 — Signed Letter of Determination**

---

The Entertainment Commission's signed Limited Live Performance permit for Sacred Taco and accompanying Deputy Director memorandum, dated June 2–3, 2026, listing all permit conditions and the Commissioners' vote.

This is the determination under appeal. Relevant pages follow. Cited throughout.



# Entertainment Commission

## *City and County of San Francisco*



### Memorandum

**To:** Kristian Cosentino  
**From:** Kaitlyn Azevedo, Deputy Director  
**Date:** June 2, 2026  
**RE:** EC-1932 - Sean Coyne of TWOSIDESOFACOYNE LLC, *dba Sacred Taco*, 1875 Union St, Limited Live Performance

---

Hi Kristian,

This letter is to memorialize the decision made by the San Francisco Entertainment Commission on June 2, 2026, at the regularly scheduled Entertainment Commission hearing regarding the Limited Live Performance (LLP) permit for Sacred Taco at 1875 Union Street. Please note, this letter is not your permit.

The Commission voted to approve the LLP permit with the following conditions:

1. Permit holder shall comply with San Francisco Municipal Police Code under the jurisdiction of the Entertainment Commission, including but not limited to, Article 15, Article 15.1, Article 15.2, and Article 29; and
2. Permit holder shall comply with the Commission-approved Security Plan; and
3. Adhere to Entertainment Commission's Good Neighbor Policy; and
4. Permit holder shall send a monthly calendar of events to SFPD Northern Station and the Entertainment Commission; and
5. Indoor entertainment allowed Friday – Monday 11am – 11pm; and
6. Sound abatement internal limit for main restaurant/bar approved at 85dBA/92dBC maximum, measured from bottom of ADA ramp at left after entering; and
7. Sound abatement internal limit for rear event space approved at 85dBA/94dBC maximum, measured from the top of the stairs at the right.

The following Commissioners voted aye: President Bleiman, Vice President Wang, Commissioner Wilson, Commissioner Poggio, Commissioner Davis, Commissioner Thomas, and Commissioner Schlander

The following Commissioners voted nay: none

The following Commissioners recused themselves: none

ENTERTAINMENT COMMISSION

49 South Van Ness Avenue, Suite 1482, San Francisco, CA 94103

(628) 652-6030 Main

The following Commissioners were absent: none

Per Municipal Police Code Article 15.1 Section 1060.24.2 you have a right to appeal this decision to the Board of Appeals:

- (a) The following actions taken under this Article may be appealed to the Board of Appeals:  
The granting or denial of a permit, including a conditionally granted permit, or an amendment to a permit, and the suspension or revocation of a permit. Any such appeal shall be filed within ten days from the date of the decision, as provided in Section [8](#) of the San Francisco Business and Tax Regulations Code.

The 10-day appeal window for the Commission's decision begins at the issuance of this letter. If you wish to file an appeal, contact the Board of Appeals at:

49 South Van Ness, Suite 1475  
San Francisco, CA 94103  
628-652-1150  
[boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org)

Thank you,



Kaitlyn Azevedo  
Deputy Director  
cc: Maggie Weiland, Entertainment Commission Executive Director

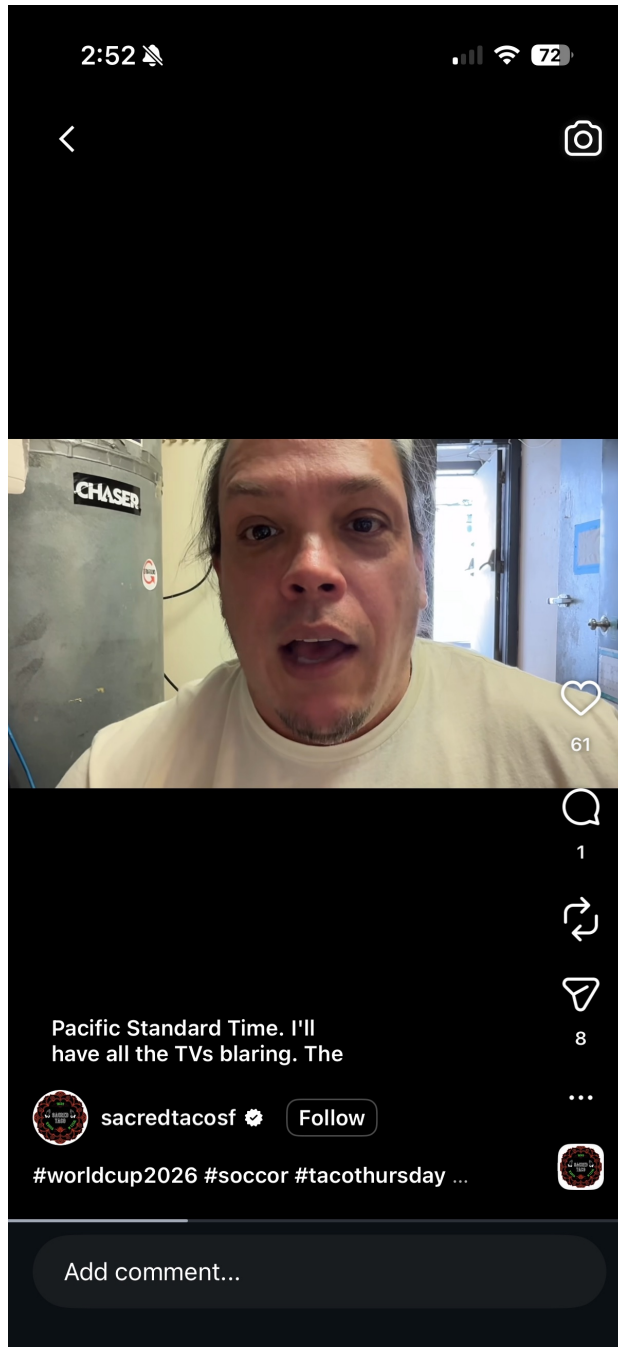
ENTERTAINMENT COMMISSION

49 South Van Ness Avenue, Suite 1482, San Francisco, CA 94103

(628) 652-6030 Main

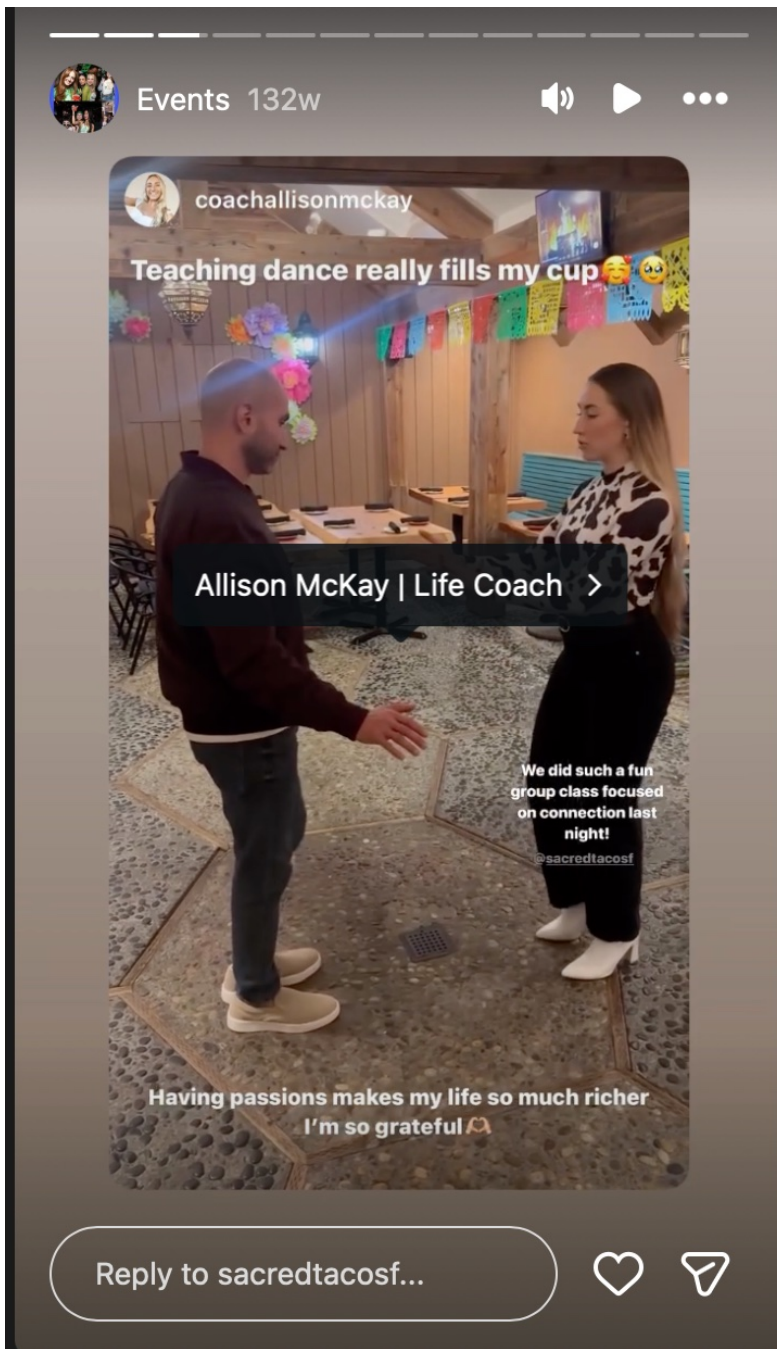
**EXHIBIT G**  
Instagram Video Screenshot — “TVs Blaring” (Post-Hearing)

---



Screenshot of a video posted to the Permit Holder's Instagram account (@sacredtacosf), referencing the 2026 World Cup, in which the manager states he will “have all the TVs blaring.” Cited in Argument IV.C.

**EXHIBIT H**  
Instagram “Events” Highlight — Patio Dance/Movement Class

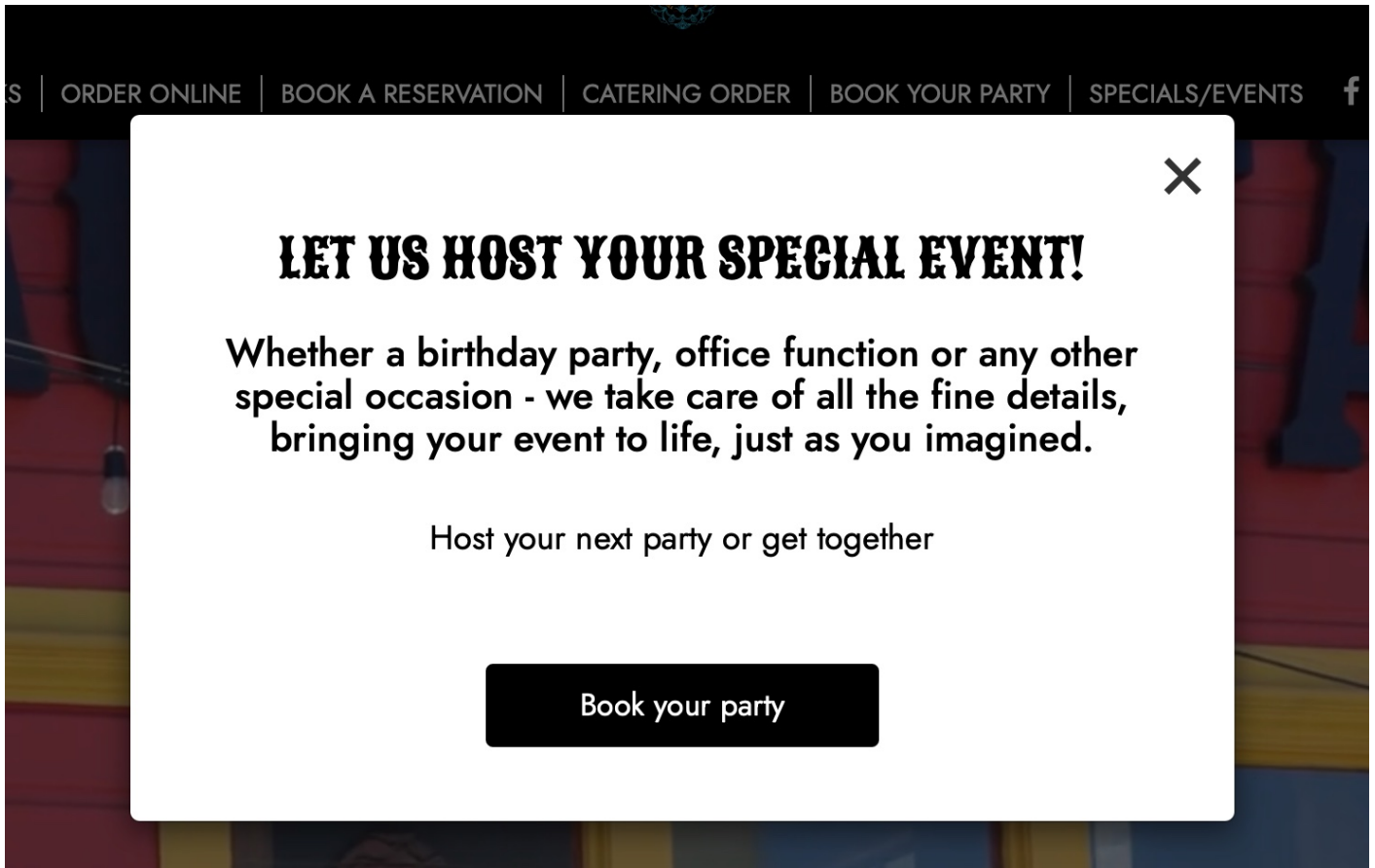


Screenshot of an “Events” highlight, currently active and publicly displayed on the Permit Holder's Instagram profile (@sacredtacosf), depicting a group dance/movement class conducted on the patio. Cited in Argument IV.C.

## EXHIBIT I

Website Screenshot, Captured June 17, 2026 (During Permit Suspension)

---



Screenshot of the Permit Holder's website, captured June 17, 2026 — six days into the Board-ordered suspension of Permit No. EC-1932 — showing an active pop-up soliciting private event bookings. Cited in Argument IV.D.

## **EXHIBIT J**

**Photograph, April 25, 2026 — Light Projection from Patio Skylights**

---



Photograph taken from the vicinity of 2816 Laguna Street on the night of April 25, 2026, approximately five weeks before the hearing, showing multi-colored light patterns projecting from the patio's glass skylights onto the adjacent residential structure.  
Cited in Statement of Facts § II.F.

**EXHIBIT K**  
Instagram Post — Continued Private-Event Marketing



Screenshot of a recent Instagram post from the Permit Holder's account soliciting catering bookings for “your next big celebration,” posted during the pendency of this appeal. Cited in Argument IV.D.

## **EXHIBIT L**

### **Complete Transcript — June 2, 2026 Entertainment Commission Hearing**

---

Full transcript of the San Francisco Entertainment Commission's June 2, 2026 hearing on Permit No. EC-1932, provided in its entirety for context and to allow verification of all excerpts cited at Exhibits C, D, and E and throughout this brief. Relevant pages follow.

## **JUNE 2, 2026 Entertainment Commission Meeting Audio Transcript**

Commissioner Poggio.

Commissioner slander.

Commissioner Thomas.

Hi, and Commissioner Wilson.

All right, I have to read this.

The commission has reviewed the record and finds that none of the denial criteria under the police code article 15.15.2 apply in this case.

This premises meet applicable regulatory requirements in the proposed operation does not present impacts that warrant denial.

Therefore, the permit is conditionally granted.

Please follow up with the commission staff for next steps.

Okay.

The next permit on our agenda is for an LLP permit for sacred taco located at 1875 Union Street.

Sacred Taco is a Mexican restaurant with a type 47 liquor license in the marina.

As you may recall, Sacred Taco received several sound complaints late last year and earlier this year, which resulted in us issuing the business 3 citations in February and March.

In response, the operating manager applied for the LLP permit and ceased the entertainment activity.

The LLP permit before you tonight includes the ability to host indoor entertainment, such as DJs and acoustic bands, daily between 11 AM to 11 PM in both the main restaurant and in their rear private event space.

For outreach, the applicant used the mailing service to send a letter to the commercial and residential buildings within 150 feet of the business.

You'll see in your file, we received a packet of opposition that was submitted jointly between 5 nearby residential neighbors.

Their packet included numerous links to pictures and videos for entertainment that's at Secret Taco when they didn't have an AC permit.

The main concern expressed by the neighbors is that the business' rear event space has a glass roof with windows, and when they are open, sound escapes into their homes.

I responded to the neighbors with education about the EC's role and enforcement tools and explain that doors and windows must be closed during entertainment.

Further, I made this doubly clear with the applicant during our intake meeting, which she understood, and an EC inspector set an internal sound limit for the space in accordance with article 29 this past Sunday, May 31st, and the windows were confirmed that they were closed and they will be kept closed during entertainment.

SFPD Northern Station included a standard calendaring condition.

And here to speak with you tonight is operating manager, Christian.

Just put to sleep.

Sorry.

Hello, how are you, Ben?

Hello, Miss Swan.

How are you?

Um, yeah, we're, uh, I have no uh, real pushback on what the neighbors want.

Um, I've been uh, we've been there 4 years now.

I've watched people come and go.

Um, and I, I'm not trying to throw a rave.

We're literally at the most.

It's just a very small setup with one speaker for a DJ, if there's a wedding party and that's the extent of what we've been doing.

Um, that's the most that I desire.

I don't desire to be anywhere, uh, anywhere after 11 doing anything that's out of the, uh, the normal, uh, business.

So, I mean, that's pretty much all I have to say, really.

I'm totally willing to close the doors, willing to check, uh, adjustable meter, we did the decibel test.

Um, It all, I mean, I've been, I've been, I haven't had the dust of the meter, the moment, I knew I needed to have one.

We've been checking it for weeks.

It's far below, but what I would imagine you guys would feel as acceptable.

Um, and I like to keep it that way as well.

So there's not a whole lot of, I think if whatever neighbor this is.

I think we eat align pretty well.

That's my, at least that's my goal.

Oh yeah, share photos.

This is kind of what we did.

We had Microsoft yesterday.

There was no DJ, but again, there was music.

That's the back room that we have.

Um, uh, that's, Um, but, uh, there were more photos, more photos than that kind of showing, oh, do I do?

Yeah, yeah, you need to.

Oh, I didn't even know I needed to.

Yeah, yeah.

Okay, so this is just an example of what we're doing back there.

This is just an example of what we're doing back there.

Just weddings like this.

Okay.

I think there's one.

Oh, right, because it was I couldn't do both.

That's right.

And then, yeah, I need to go.

Yeah, okay, thank you.

That's just the type of parties we're throwing.

Um, nothing.

Nothing over the top.

That's pretty much it.

So, um, that's the only goal. What we're trying to do.

Questions for the applicant.

Absolutely.

The bachelorette party looks like ragers.

Um, same question too, is like, do you, will you be on site, you know, is there a master control for the sound decibels and then does your staff?

Obviously know where that is.

Yeah, there's a, well, we only have one speaker that's providing any volume at all that's relevant here, and that speaker has its own off switch and control, of course.

Is that outdoor?

No, it's in fact, one of the pictures had it. A little speaker like this.

Okay.

And that's where the volume's coming from.

It's just a matter of turning it off in the back.

Thank you.

And I could hear the, you know, the enthusiasm of what you're trying to do and appreciate that.

Thank you.

It's I'm sincere what I'm saying.

I'm not trying to throw a big rage.

I'm just trying to help.

Watch out for those batrooms?

Yeah, yeah.

Those the, um, just because there were uh, a set of neighbors that were concerned, what's been your communication with them and how do you plan to work with them going forward?

I'd be glad to give them my my personal access.

I've spoken to.

I know they said there's 5 people that complain.

Um, there's, from my experience, I've only spoken to one in the last 4 years.

Um, and it's been a little bit weird.

We spoke the 1st few times.

The 1st couple times there wasn't any.

It wasn't us, and I know that I'm not trying to be defensive.

I was even wondering whether I even needed to mention this, but I'm like, this isn't us.

There was a couple of other places around us that were having some sound, but it seems to be, I think we're the closest.

So the assumption is that it's us.

And then, um, I'm not claiming complete innocence.

There were times when we did have music.

There were times when it was too loud.

Um, that and this works good because then we all kind of sit at 11 o'clock.

There's nothing after 11 o'clock.

My goal is not to be 1103 or 1115 or 1130.

I want it shut down at 11 o'clock.

That's that's the idea. And I think that's fair for all of us, to be honest.

I appreciate your transparency.

I appreciate you doing this.

And I think one thing that residents usually want too, is just transparency and consistency.

And so I'm just wondering, I know you've laid it out.

Um, but is this truly just going to be one off events here and there or is this going to be, do you anticipate?

It's a great question.

I have, um, Probably 15 events a month now, but not all of them have DJs, not all of them have, it's almost always wedding parties.

And sometimes those wedding parties, you know, it depends on age brackets.

If they're 25 years old, they're going to want a DJ that they're going to want to dance.

They're going to have a wedding dance, they're going to do that.

And but it's not ever that loud.

I mean, we're, even before I had the measuring done.

I don't think we ever exceeded, to my knowledge, 75 decibels.

So um, That's kind of where I want to sit, and I don't know, you know, where we ended up with the sound testing, but I'll accept whatever it is you guys say.

I just want to double check.

So, um, the bathroom is the bathroom is made of windows on the roof.

It's thick greenhouse.

Okay.

It's like a cool greenhouse and it's got 3 panels that can open for heat because again, think greenhouse.

But those cannot, and I agree, they shouldn't be open when the sound is gone.

When in the entertainment's being done.

Okay, so and so you're saying you will not have those windows open?

I'll have them hopefully I'll have them open when it's hot and there's no entertainment.

But other than that, if there's entertainment or if there's any elevated sound, I close those.

And they're closed generally, it's hard to open.

They're not even easy.

So it's not like an easy opening.

You have to get a long panel move it over.

It's processed.

So, um, Um, I see that, uh, the permit, um, recommendation is 11 AM to 11 PM.

And, you know, often we have some sort of amount of hour limitations of the day.

Is there any circumstance in which you would be using the entire 11 AM to 11 PM, any type of event that lasts?

Could it happen?

Maybe.

I've never in 4 years, I've never seen one.

It was an all day thing.

It's almost, almost always at the earliest start at 4 at the latest end at 11.

I mean, that's kind of where I'm hoping.

So no, uh, and during the daytime, uh, you know, I'll give you an example.

Union Street Fare, is it going to be loud?

Yeah, is it going to be live because of us?

Probably not.

Um, and it's going to be an all day thing, but there's not because we're going to be pushing it or have a DJ or anything like that.

But I, no, I don't think anything over 8 hours.

I mean, if that's the stipulation you guys wanna make, I'm completely okay with that.

And if, by the way, if it did come up, I would apply for an extended, or whatever I need to do with you guys, if it did come up, but I don't anticipate that.

Thank you Um, and this is sort of, I guess, about the windows, but also the skylights in the back room.

I know glass obviously transmits sound a little differently than our roof does.

Do you feel like there's anything you might be able to do to help mitigate some of the sound escaping through the.

Well, I already did try to mitigate.

So I sealed, um, One, when we closed it, uh, I put caulking and I don't even know what it's called, but it's a, it looks like tar around the seal of the windows to try to keep it a little bit more quiet.

I already did that.

So, uh, I think we're good.

I mean, and even when the sound tests were being done this Sunday.

He was like, I mean, we were both kind of like, I can't hear anything, you know?

We were kind of that place.

So I think we got it nailed, but I did the best I can as far as getting that quiet.

Yeah, yeah, thank you.

Yeah, skylights look great, but sometimes they, they, uh, Oh, a lot of echoing, a lot of, yeah, yeah, you're right.

Thank you.

So I used to own this place, actually.

And uh, we had issues ongoing, uh, conversations with the neighbors who lived right there.

Um, So I understand the situation over there.

One thing we looked at, I'm not sure we ever did it, but might be worth considering.

I wouldn't condition it.

Um, but is we actually, I actually at one point looked at um, some blankets.

They're like some blankets, and yeah, I was considering like when we had a larger event back there, because we never had DJs, but we would, we would turn our music up loud of just kind of laying them over the skylights.

That's a good idea.

Yeah, it was an interesting concept.

I never we sold the place before it quite got was able to accomplish that goal, but it was something that came up.

I'm fighting for it, then.

I didn't sell it to you.

Yeah, I know.

Multiple owners between them.

Any more questions?

Um, one thing I would say also is just making sure that your information is, or your general managers is, uh, it's required that somebody can contact you in real time.

Oh, it's always me.

And actually for our situation in that same space.

I had a neighbor who would just call me directly and maybe a couple times a month.

I won't mention his name here, but we actually struck up a friendship, but, um, he would just call me a couple times a month.

I was able to get my manager because we had a lot of hours at that and get the music down.

Made a huge difference when they knew that, um, they could address it very quickly, uh, rather than put a complaint and wait for us to show up.

Oh, yeah.

I'd welcome that.

The opposite of doing exactly what you're describing, I would welcome it.

I love that.

They just stop calling.

And I don't want to call them or, you know.

I just I basically said, I don't need you to say sorry.

I don't need you to say a whole story.

Just it's too loud, turn it down.

I was like, I won't take it personally.

Just cut right to the chase.

And he would just write, write me that.

There was no hard feelings.

I'd be like, it's too loud.

Boom. Couldn't agree more.

Yep.

I'm completely, whatever we got to do to give them my phone number.

I down with that.

All right, any more questions?

All right, um, why don't you have a seat and we can open this up for public comment?

I have a few packets for...

Oh, okay.

I apologize.

I have printed these much bigger.

I did not think they were safe.

I saw I saw you trying to get through security and I was right behind you.

Yeah.

If you can talk into the mic when you're ready.

Yeah, we'll get the timer starting at 3 minutes.

Thank you.

Yes.

Sorry, I had to adjust so I will be using my phone.

Good evening, commissioners.

My name is Robert, and I am a resident of 2816 Laguna Street, representing my friends and neighbors of the 2800 block of Laguna Street, directly adjacent to 1875 Union Street.

My neighbors and I love our neighborhood, and supporting the wonderful small businesses within our community.

However, we unfortunately formally protest the issuance of a limited live performance permit for the venue currently called sacred taco.

Please direct your attention to the comprehensive evidence binder in front of you, and I will make 4 very clear arguments.

All of them are objective statutory disqualifiers, not discretionary judgment calls.

One, this venue is 4.3 times too large to qualify for an LLP.

Sandwich is slow law, hard caps the performance area for a limited live performance permit at 200 square feet.

Sacred tacos patio documented in exhibit B3 on page 7 and 8 of your packet measures 864 square feet.

Their own pure space listing, confirms the entire patio functions as the entertainment zone, advertising 80 guests inside it for DJ events.

This is all before permit was given.

A venue operating entertainment across 864 square feet does not qualify for an LLP.

It requires a place of entertainment permit.

I asked the commission to place this question on the record.

Has the applicant sublimated a client performance area diagram showing 200 square feet or less?

If not, this application is structurally defective on its face.

Two, the applicant's own advertising proves they cannot honor the LLP curfew.

LP performances must end by 10 or by 11 p.m. Under San Francisco law.

Sacred tacos, own Instagram, advertising scene, and exhibit C2, on page 10, advertises in their own words, a DJ, open until 2 AM.

Every entertainment commission enforcement visit happened after midnight.

The ticketed event right event in exhibit A1 on page 2 started at 1015 PM.

This operator has publicly announced they will violate the mandatory curfew.

They will also openly advertise their patio as an entertainment space with commercial event platform pier space as seen in exhibit C1.

Explicitly stating DJ's are allowed, like music is allowed, and amplified music is allowed, all without the permit, which is very different than what this gentleman had presented to you as far as doing focusing on specifically weddings.

Three.

This is not a restaurant with incidental entertainment.

It is a commercial nightclub.

LLP law requires that entertainment be a secondary use.

The operator rents their patio as 4 higher event venue on pure space, sells tickets through event right, publicly brands of space as a dance floor, an activity explicitly prohibited under an LLP.

But is being applied for here is a backdoor place of entertainment permit, for a structure that cannot support one.

We have seen the glass has been an issue through years.

Um, that is got it structurally cannot contain sound.

Um, All right, is there any further public comment here?

All right, seeing none will close anything online, nothing.

Oh, no, no my public comment.

Thank you.

Okay.

The close public comment.

Definitely want to call Christian back up here.

We can address some of these.

Um, All right, so, and I have some questions for staff here too.

So, um, I do want to address the public commenters, um, uh, 3 points that he that he made during that.

So 1st of all, this is for staff.

Can you can you clarify what the 200 square foot provision is?

The 200 square foot requirement for the LLP permit is the performance area.

So the dimensions of the performance area, which is what we consider the space that the performers occupy.

So the DJ, the band, the live dance, et cetera. Needs to be less than 200 square feet, and it can't be more than half of the entire business model.

Um, and then I have a question for Christian on number two.

So it does seem like in the past you've had some unpermanent events there that were published.

I paid the fine for that.

And I realized what was going on very quickly.

Um, All the excuses in the world.

I'd rather not.

I just took care of it, and I, and that's why I'm trying to get this done now.

And then, so how could you...

Oh, okay, I can explain.

No, I don't need to explain what happened before, but what if we're going to vote on this.

I personally would like to hear what your plan is to make sure that does not continue or that doesn't happen, is that.

Well, I don't, I'm not interested in ticketed events, again, I don't do ticket events.

I'm not going to do ticket events.

I'd be glad to make an agreement with whatever neighbors. Whatever they want, whatever they need me to do to make sure this happens.

I think the ticket events aside, the time.

Oh, yeah?

I mean, I can guarantee a shutdown at 11, if it doesn't happen, whatever we have to do to make that work, I have my phone number, you guys can reach me immediately.

Anybody can reach me immediately.

And I've always made myself available.

Um, any uh, event that I'm selling at this point, say I have a wedding, say I have, even a wedding with people dancing, whatever, they're gonna know that at 11, everything is shut down completely.

No DJ, no entertainment whatsoever.

I mean, I'm willing to agree with that, no problem.

So, just to clarify, these ticketed, like, DJ dance events from the past, you have, I've never done them long.

I personally have never done a ticketed event.

What's happening is, uh, and I think the one the gentleman had a reference to was she was throwing a birthday party.

It was her birthday party at her friend's wedding party, and then they ended up selling tickets for that event.

That wasn't me selling tickets for them.

I didn't even know it was a sold ticket event.

I didn't promote it.

Her birthday party.

This sounds goofy, but she Instagrammed me.

I might have put it on my wall.

Maybe that's what confusion's occurring, but um, that's all I've ever done.

I've never I don't even know how to, I don't have an event right or anything like that.

So.

So in the application, you say you want to have live entertainment until 12 AM on Friday and Saturday?

Are you saying that that you would be willing to?

I'll change that.

That's not even an issue.

I didn't even realize that.

He's asking you, yeah.

Oh, I'm looking, sorry, sorry.

Yeah, yeah, sorry. Looking at the wrong thing.

Yeah, yeah, yeah.

I would do it wrong.

Yeah, perfect.

That's on me.

But to to further amend what the gentleman before me was saying, um, Selling the events is a thing, but selling it as a DJ event, I've never done.

But selling events, I want to sell events. How we're making rent.

You know, that's how we're staying alive.

Um, that said, the parameters around which that's being done, completely willing to fix or change or amend whatever you guys want.

Yeah, I don't think we, we don't so much.

We don't so much condition how people get people in the door.

What we condition is how loud it is and what time they end.

Right?

And then security, you know, public nuisance, anything that's happening outside or around it or safety inside, right?

So, um, So I think where my concerns more are, is how loud is it going to be and what time is it over?

That's where that's where my head's at.

Oh, a hard end at 11.

Well, you have to.

Oh, yeah, that's done.

But even beyond that, the most only thing you're going to hear is just ambient traditional restaurant music.

Nothing louder than that.

If that's okay with you guys.

I think our staff wants to...

Yeah, commissioners, I would like to.

I actually haven't seen one of these photos.

I'd like to call your attention to it.

I think is worth mentioning on page 17 of 18.

It's exhibit E3A. And I do see.

Oh, do you have a back yet?

I don't. Okay, though.

Can use mine.

Okay.

Oh, thanks, man.

So what I'm looking at here, is there is a picture of some folks that are in an outdoor exposed outdoor area patio space, and this is the breezeway between the main restaurant and the patio, uh, uh, private event space.

I think it's really important that we just clarify with the applicant, that no entertainment can occur in this outdoor breezeway.

I don't think that's considered, but just making it like doubly clear and that the doors to the events space also must be closed if people are outside in this breezeway.

And I would also like to put on the record that the internal sound limit for the event space was set using an ambient reading measured from this breezeway area.

So actually not on union, but in a more quiet location.

Yeah, I mean, that's very close to the patio to that area.

So that it's a even closer sensitive receptor.

Right.

Yeah, so, um, of course, I mean, there isn't any music out there.

There aren't speakers out there.

I think uh, to even solidify even more is making sure that door stays closed after 11 and that people can't go in and out.

Anytime, though.

Anytime after 11.

No, no period.

If there's any music occurring in the event space, the doors need to be closed.

Oh, okay, gotcha, yeah.

Of course.

I'll be glad to comply with that.

That's an interesting picture. Um Yeah, yeah. Totally makes sense.

I couldn't see why that would be too loud.

Yeah.

Yeah, so Christian part of this too is just the phrasing, right?

Just, um, and I know, I, I, I get understand the spirit of what you're saying, so I totally understand it.

So we have a good neighbor policy.

Those are the rules, right?

So whether or not you're glad to comply with them or you're happy to or you're able to.

It doesn't matter, right?

It's just you will comply with all of the good neighbor policy, all 10 items, whatever it's on there right now.

Eight items.

Yep.

Got it.

Um, I know some of the things.

Some of the items that were mentioned a minute ago were stuff.

I'm assuming that you read it online or website or wherever.

Yeah, we just...

I'll make sure it's changed.

So this is, we can definitely facilitate a conversation between you and the name, like even right after you've stabbed off of here.

Right now this is because of our brown act.

We have to keep this coming right here.

It's a 3 minutes for public comment.

Each person coming, it gets 3 minutes.

Yeah, that's by law.

Yeah.

So, um, All right, any more questions for Christian?

Yeah, Christian, earlier I asked you about your communication with the neighbors and your responsiveness.

This does indicate there's like a lot of calls that aren't being returned and that you're going through some kind of AI monitored system.

Where will you be leaving your phone number for neighbors to call or how would neighbors contact?

I'll give it to them directly.

You're 100% right.

I had a problem.

Do you know the auto AI answering systems?

They took over my phone system just because phones were being missed.

And it's gone completely haywire. The worst thing I've ever done.

So there's no way to reach anybody, including for orders for myself in my restaurant using that AI model.

So I had to switch phone numbers that happened recently.

But I'll be glad to get myself on to anybody that needs it.

And you'll be posting it somewhere for folks.

I can post myself, my cell number.

So part of part of our good neighbor policy just to reiterate is that a number, it could be your cell phone number, it could be a direct line to a human being, it could be a hard phone, but it's posted, um, online, easily accessible on your website, where somebody who has an issue can call that and somebody will pick up and realize it.

That's how we solve issues too often here.

Going above and beyond, which is what I did when I was there, was offering my personal cell phone number to a few particularly sensitive neighbors and allowed them to reach out to me directly.

You can put your cell phone number out there. Sometimes the best solution and you can also go further than that.

Of course.

Any more questions for?

I just want to say this is like the best organized packet, I think we've ever gotten, so it goes.

Spiral bound?

I know.

Okay, yep.

Oh, no, I don't have any.

Okay, you can have a secret.

We're gonna talk this over.

So, you know, I like to give applicants the benefit of doubt, but it does give me pause with the 3 notices of violation.

I do...

Think that there should be some limitations on both how many hours per day and how many days per week to start.

Because of this.

And it looks like a lack of responsiveness to neighbor complaints.

Yeah, and, you know, I hope that going forward, they can regain trust from the community.

But um, I think there should be some limitations.

Do you have a proposal?

Um, I propose, uh, 4 days per week, not exceeding 8 hours a day.

And to get 11 of course.

Or I guess not, of course.

Yes, anyway.

So just if we say 4 days a week, how do we know which 4 days?

How do we know they're doing 4 days and we want to do it?

Are you proposing?

Because I want to discuss this too.

Yeah.

So, um, that's hard to enforce on our side.

Is it like certain nights of the week or?

Well, I was hesitant to, uh, name certain nights of the week because it sounds like they get private parties and that could be, uh, you know, kind of random.

A regulatory challenge, so I would urge the commission to name the days and name the set of hours, please, if you can.

I mean, I'd be comfortable with just limiting the hours.

At this time.

So proposing to limit it to 8 hours per day.

So 3 PM to 8 to 11 A. It's 11 p.m.

Well, they can choose whatever.

Oh, okay.

Is that?

Again, I think as much as you can get specific with the days and the hours, it makes it a lot easier for us to regulate and then be able to answer neighbor complaints.

Otherwise, it's a bit of a gray area.

Right.

I'll also note commissioners that generally when we do the hour window, it's for outdoor amplified sound, you know, condition not to exceed 50 feet.

So generally we are not seeing you condition indoor entertainment between a set hour, for sure.

You can, but just, um, putting that up there.

Before we act punitively here.

Let's get some more details here, and this is for the staff.

So there were multiple notices of violation.

How were those addressed?

Were they addressed quickly or did it take a little bit of time?

And this is knowing that not everybody knows who we are and what we're doing and is it a, you know, we get a lot of notices from the city and sometimes you just ignore them and they go away and sometimes they don't.

And so can you just talk, give a little call around that?

Yeah, we issued a notice of violation and then we issued 3 citations, actually, because the entertainment continued unpermitted entertainment continued.

Our inspectors responded and obviously witnessed the entertainment occurring.

There were some instances when it was after midnight, um, after one o'clock in the morning.

So, Those were, um, and I will say admittedly that I had a tricky time getting in touch with Christian, but ever since I have made contact with him, he's been very responsive, but there was an initial, um, time in which I had a trouble.

I had trouble getting a hold of him.

So I think that we have, uh, surpassed that.

He now responds to my messages quickly, promptly, and I do believe that he ceased entertainment since the final citation was issued, and all of them have been paid.

Yep.

Okay.

Um, Christian, can you come up here for a sec?

It's hard for us to, it sounds like the commission is exploring the idea of limiting to starting the 4 days a week.

Do you have a lot of events that are on, you know, sending money Tuesday or Tuesday, Wednesday, Thursday?

Because it's really hard for us to...

Actually, I'm kind of okay with that.

Tuesday, Wednesday, Thursdays?

Aren't that big?

Mondays are good because, for example, Memorial Day or a lot of the a lot of the pub crawls are on those days.

So, but any Tuesday was Thursday, I'm completely willing to do that.

So like Friday, Saturday, Sunday, Monday.

And Mondays is generally only when there's a holiday.

Yeah, if it's a holiday, that's when I'm just looking at...

I don't remember Mondays on Union Street being like a...

It's a hit and miss, but compared to Tuesday.

I mean, it's Taco Tuesday, the most you're going to have is just some music, ambient music in that restaurant.

Okay, you can have a seat again.

You can sit down.

All right, so.

So it sounds like we're coming up on, like, for eight, like 3 to 11 PM, Friday, Saturday, Sunday, Monday.

Yeah.

But so, but some of these Mondays events are more daytime focused.

So.

I don't know.

I don't know about the hours.

I don't know, the hours to me, because we generally don't. Limit hours, the total hours.

It's hard to pay a DJ for 12 straight hours.

Like you're, usually you play ambient music, have a DJ and then turn it off.

So I think that's somewhat self-regulating.

Yeah, but what are no private events I've ever done?

They're like, we're going to go for 10 straight hours.

Um, usually even for them, it's like the DJ's coming at 9 and it's over at 11, you know, so.

I mean, we have to do this for that outdoor time, though, where it's like it's between this and this for a maximum of 8 hours or max.

We do for hours per hour.

Generally not for LLPs, but...

No, but it does...

You know.

So I'm I guess I'm somewhat okay with with saying 8 hours, I just don't want this staff.

I mean, is there a way to enforce that the same way that we do from the outdoor enforcement, like similar or I mean, it's going to be very tricky to know exactly, did they go 8 minute or 8 hours and 10 minutes or?

It definitely makes it tricky for our enforcement staff.

Um, if You are going to land on conditioning hours, I would suggest that that needs to be included in their monthly calendar, events.

So it's stated specifically what hours, which is already number 4 on the staff recommendations that they send a monthly calendar of events.

You might want to further elaborate on that that says, including the hours of entertainment.

Just so that we have a awareness in advance, but, and I mean, as we discuss.

I mean, I guess limiting the hours, um, If we're just cutting out 11 AM to 3 PM, I guess I, now that I'm thinking about it, I don't know how much of a difference that would make.

So if we just limited the days, I think that would make a bigger effect.

I mean, I think I think limiting the days would actually, to me, help maybe leave some of the concerns of neighbors.

They know it's just not going to happen whenever, maybe not all the concerns.

Um, definitely not all the concerns, but, um, yeah, and then my only, my only other hangup on the hours is that, you know, sometimes, uh, there's a street fair or there's something going on and that, and then you can't start till three, but it's, it's, the crawls coming through it this time and wants it, you know.

I always think daytime entertainment's less less of an issue than nighttime generally with neighbors.

I'd also be fine with making an exception for, you know, street beer or something like that too.

Yeah, it gets a little tricky too.

Okay, special.

Yeah.

Okay, stuff, sneaky face.

No.

Yeah, I forget bringing another example that happens on Tuesday, Wednesday, Thursday, but...

All right.

Commissioner Davis.

I propose.

Um, that we, um, uh, I, what is the phrasing again?

I moved to approve with staff recommendations, but limiting the days to Friday, Saturday, Sunday, Monday.

Or indoor entertainment.

For indoor entertainment.

And hours?

Was this transcription useful or not useful?

# EXHIBIT M

## San Francisco Fire Department / DBI Permit Record No. 108258 — Place of Assembly Occupancy Limit



SEARCH

SUMMARY - 238,406 RECORDS FOUND



RECORD INFORMATION

Summary

New Search

19 records in this list

### LATEST PERMIT

Permit Record Number

**108258**

Date

**July 15, 2022**

Type

**Place Of Assembly, Operation [142]**

Holder

**TWOSIDESOFACOYNE LLC**

Capacity

**105**

Conditions

**PLACE OF ASSEMBLY FOR A MAXIMUM OCCUPANT LOAD OF 105 PERSONS. SHALL HAVE OCCUPANT LOAD SIGN(S) POSTED NEAR MAIN ENTRANCE. LOCATION: GROUND FLOOR PATIO DINING AREA 49 OR LESS PERSONS**

Status

**Approved**



**1875 UNION ST**

**SAN FRANCISCO, CA 94123**

Screenshot of the official City & County of San Francisco permit record for 1875 Union St, Permit Record No. 108258, holder TWOSIDESOFACOYNE LLC, status "Approved." The permit conditions state: "PLACE OF ASSEMBLY FOR A MAXIMUM OCCUPANT LOAD OF 105 PERSONS... LOCATION: GROUND FLOOR PATIO DINING AREA 49 OR LESS PERSONS." Cited in Argument IV.B.

## **EXHIBIT N**

### **Joint Protest Letter, May 7, 2026 — Pre-Hearing Neighborhood Opposition**

---

Formal written protest jointly submitted to the Entertainment Commission on May 7, 2026 by Appellant and four neighboring households on the 2800 block of Laguna Street (2808, 2810, 2812, 2814, and 2816 Laguna Street), requesting denial of the application and Organized Opposition status. Relevant pages follow. Cited in Statement of Facts § II.B.

May 7, 2026

**TO:** San Francisco Entertainment Commission  
49 South Van Ness Avenue, Suite 1482, San Francisco, CA 94103  
**Email:** entertainment.commission@sfgov.org

**FORMAL PROTEST AND PETITION FOR DENIAL: LIMITED LIVE PERFORMANCE PERMIT**

**APPLICANT: TWOSIDESOFACOYNE LLC (DBA SACRED TACO) | 1875 UNION STREET**

---

**JOINT OBJECTION OF THE LAGUNA STREET RESIDENTIAL CORRIDOR**  
**(2808, 2810, 2812, 2814, & 2816 LAGUNA STREET)**

Dear Commissioners,

We, the residents of the 2800 block of Laguna Street, situated within the 300-foot notification radius, formally submit this joint protest. We urge the Commission to deny this permit application in its entirety. The applicant's venue suffers from fundamental structural incompatibilities, the applicant is actively demonstrating bad faith by operating unpermitted entertainment, and the premises has a documented history of failure as an entertainment venue.

**1. STRUCTURAL INCOMPATIBILITY WITH SAN FRANCISCO LAW (EXHIBITS B & E)**

---

The Compliance Checklist dictates a mandatory condition: *"All doors and windows must be kept closed while hosting indoor entertainment."* Sacred Taco's "indoor patio" is a glass-roofed structure mere feet from our residential windows. Aerial maps, realty brochures, and structural photos (**Exhibits B-1, B-2, B-3**) confirm the ceiling comprises openable skylights. It is functionally impossible for the applicant to comply with the closed-window mandate while meeting Health/Fire Code ventilation requirements. Photographic evidence (**Exhibit E-3**) proves they routinely leave these skylights open while playing amplified music. Even when closed, standard glass vibrates like a drum, broadcasting bass directly into the residential "donut hole."

**2. BAD FAITH AND ACTIVE ILLEGAL OPERATIONS (EXHIBITS A & C)**

---

Under SF Police Code Article 15.1, Section 1060.1, it is unlawful to operate or advertise a place of entertainment without a permit. The applicant is in flagrant violation:

- **Illegal Advertising:** Sacred Taco advertises the space on Peerspace for DJs and live events (**Exhibit C-1**) and heavily promotes "dance floor" capabilities (**Exhibit A-3**).
- **Manager Admissions & Table Dancing:** Promotional videos show DJs performing for crowds dancing on tables (**Exhibit A-1**). Furthermore, the onsite manager explicitly admitted on video to hosting unpermitted live entertainment on the patio (**Exhibit A-2**).

**3. DOCUMENTED REFUSAL TO COMPLY WITH CITY ENFORCEMENT (EXHIBIT D)**

Recent EC Enforcement Memos confirm Sacred Taco was cited multiple times in Feb/March 2026 for unpermitted DJ events. Most alarmingly, on March 21, 2026, **the onsite manager declined to reduce the volume or stop the DJ despite explicit direction from an EC Inspector (Exhibit D-2).**


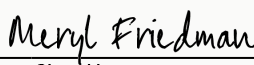

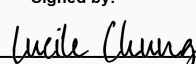
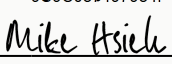
Rewarding an applicant with a permit while they exhibit hostile disregard for City enforcement sets a dangerous precedent.

**4. HISTORICAL FAILURE OF THE PREMISES AND RESIDENTIAL NUISANCE**

Previous tenants (Hollow Cow, Lightning Tavern) failed due to insurmountable noise complaints in this exact space. Residents have logged dozens of 311 complaints and call logs (Exhibits E-1, E-2), proving Sacred Taco avoids neighborly resolutions. The architectural limitations cannot be willed away.

**REQUEST FOR ORGANIZED OPPOSITION STATUS**

We formally request Organized Opposition Status for the May 19th hearing. We request the 10-minute presentation block to address these incurable structural and operational issues.

Printed Name	Laguna St. Address	Signature / Date
Robert Sayegh Jr.	2816 Laguna St	DocuSigned by:  5/3/2026
Meryl Friedman	2814 Laguna St	DocuSigned by:  5/3/2026
Jeremy and Daisy Downs	2812 Laguna St	DocuSigned by:  5/4/2026
Lucile Chung	2810 Laguna St	DocuSigned by:  5/4/2026
Mike Hsieh	2808 Laguna St	DocuSigned by:  5/4/2026

## **BRIEF SUBMITTED BY THE PERMIT HOLDER(S)**

## **I. Introduction**

Applicant respectfully submits this rebuttal to the Appellant's Opening Brief. Each of the Appellant's arguments either misstates the facts, misinterprets the regulations, or raises issues outside the Entertainment Commission's jurisdiction.

## **II. Rebuttals**

### **A. 200-Square-Foot Performance Area**

The Appellant fundamentally misinterprets the 200-square-foot performance area requirement. This limit applies solely to the designated area occupied by the performers and their equipment, not the entire patio where guests are seated. Applicant submitted a layout diagram to the Entertainment Commission clearly identifying the precise location and dimensions of the DJ performance area, which is substantially less than 200 square feet. This diagram was part of the application record and was reviewed by Commission staff prior to approval. The Commission granted the permit with full knowledge of the patio's total size.

### **B. Occupancy Limit**

The 49-person figure cited by Appellant applies only to the patio as currently classified. The entire building has an occupant load of 110 people. The patio functions as an extension of the main restaurant dining area. When hosting larger groups, guests

naturally flow between the patio and the main restaurant, which is how the business has always operated.

We have never exceeded the building's legal occupancy of 110 people and have no intention of doing so. This is fundamentally a Fire Department matter, not grounds for the Entertainment Commission to deny or condition an entertainment permit.

### **C. Alleged Conflict of Interest**

The Appellant's suggestion of bias is without merit. The Commissioner openly disclosed his past ownership of the property on the record during the hearing. Far from showing favoritism, this Commissioner actually imposed the strictest conditions on the permit. He was the one who reduced the requested seven days per week down to only four days per week. His questions and conditions were among the most rigorous of the entire panel.

### **D. Alleged Contradicted Testimony**

The Appellant mischaracterizes the testimony given at the hearing. The reference to "one speaker" and "ambient traditional restaurant music" was accurate. As a restaurant, we are fully permitted to play ambient background music and have televisions without requiring an entertainment permit. The single speaker referenced was for any amplified entertainment, which remains subject to the strict decibel limits in the permit.

Regarding the mention of dance classes, these are instructional salsa and merengue classes held in the private room. These are

lawful activities and do not involve a DJ or amplified performance. They are standard private event offerings and do not violate any permit conditions.

We have installed calibrated decibel meters on site, and the Entertainment Commission has already performed follow-up inspections to confirm compliance.

### **E. Solicitation of Events During Suspension**

The Appellant's characterization is misleading. The suspension only prohibits regulated entertainment, not normal restaurant operations. Continuing to accept reservations and market the space as available for private parties is lawful because not every gathering at a restaurant requires an entertainment permit. Many events booked are simply dinner parties or regular restaurant functions with no amplified entertainment or dancing.

### **Conclusion**

For the reasons stated above, Applicant respectfully requests that the Board uphold the Entertainment Commission's decision granting Limited Live Performance Permit No. EC-1932.

# **BRIEF SUBMITTED BY RESPONDENT DEPARTMENT**

**Entertainment Commission**

July 2, 2026

Honorable President John Trasviña  
Honorable Members, Board of Appeals  
Board of Appeals  
49 South Van Ness, Suite 1475  
San Francisco, CA 94103

Dear President Trasviña and Honorable Members:

RE: Appeal No. 26-031 – EC-1932 Limited Live Performance permit for Sacred Taco:  
Brief of Respondent Entertainment Commission

**I. INTRODUCTION**

On June 2, 2026, the Entertainment Commission (“Commission”) granted a Limited Live Performance (“LLP”) permit to TWOSIDESOFACOYNE LLC, dba Sacred Taco, located at 1875 Union St, San Francisco, CA 94123. A neighbor, Robert Sayegh (“Appellant”), has appealed the grant of the permit to the Board of Appeals (“Board”).

The appeal raises several claims — arguing that the permit should have been denied or substantially further restricted based on alleged inconsistencies regarding the permitted performance area, occupancy limitations, neighborhood compatibility, and the applicant’s prior operations. These claims are unsubstantiated and without merit.

Under Police Code (PC) Article 15.1 Section 1060.5.1(f) (**Exhibit A, Code**), the Commission must grant an LLP permit unless one of three enumerated grounds for denial is present. None were present here. This Brief explains why the Commission properly granted the permit and why the Board should uphold that decision.

## II. OVERVIEW: ENTERTAINMENT COMMISSION

In 2002, the San Francisco voters created the Entertainment Commission (“the Commission”) as the Charter body responsible for live entertainment and nightlife in San Francisco. Under Section 4.117 of the Charter, the seven-member Commission consists of representatives who reflect the interests of City “neighborhood associations or groups,” “entertainment associations or groups,” the “urban planning community,” the “law enforcement community,” and the “public health community.” Under Chapter 90 of the Administrative Code, the Commission is responsible for promoting – and regulating – entertainment venues for the economic and cultural enrichment of San Franciscans and visitors to San Francisco. Among other things, the law directs the Commission to “(1) assist the organizers and operators of cultural, entertainment, athletic, and similar events and establishments to apply for, and obtain from the Commission and other City departments when the applicant satisfies the requirements therefore, all necessary permits from the City; (2) promote the responsible conduct and operation of such events and establishments; [and] (3) promote the development of a vibrant entertainment and late-night entertainment industry within the City ....” (S.F. Admin. Code § 90.1.)

The Commission’s permit system balances the interests of those presenting entertainment – and the people and communities whose lives are directly enriched by the presentation of entertainment – with the interests of the public at large, which also may benefit from entertainment. It promotes the cultural, economic, employment, and other benefits of a vibrant entertainment industry while protecting the health, safety, and public welfare of the community – and particularly of residents and businesses – through the permitting process (including the placement of conditions on permits) and various enforcement mechanisms. In performing its permitting function, the Commission works closely with the SFPD, SFFD, DBI, and DPH, as well as other City agencies, to ensure that safeguards designed for the benefit of the public at large are maintained while the LLP permit is in effect.

### III. DEFINITIONS AND ZONING CONTROLS

PC Article 15.1 Section 1060 (**Exhibit A, Code**) defines “Entertainment” as including live performances, musical acts, recorded music presented by a live disc jockey, fashion shows, and other enumerated activities.

It is important to note that the definition of entertainment does not include indoor prerecorded music (such as a playlist) or a single unamplified performer ending by 10:00 p.m. As such, a permit for these indoor activities is not required by the Commission.

Also defined in Section 1060 (**Exhibit A, Code**) is “Limited Live Performance Locale,” which states the following:

- (a) The presentation of Live Performances is a secondary purpose of the locale rather than its primary purpose.
- (b) The locale is indoors, or consists of an outdoor patio, plaza, courtyard, or similar space, with or without open means of public ingress and egress, with an area in which Live Performances are presented that is no greater than 200 square feet. For purposes of this provision, “outdoor patio, plaza, courtyard, or similar space” also shall include, regardless of the square footage of the Live Performance area, (1) any Plaza as identified in Administrative Code Chapter 94; (2) any Shared Space as identified in Administrative Code Chapter 94A, or (3) any Greater Downtown Activation Location as identified in Administrative Code Chapter 94D.
- (c) Live Performances presented at the locale conclude by 11 p.m. Notwithstanding the previous sentence, Live Performances must conclude by 10 p.m. at any locale in any of the following areas: (1) the North Beach

Neighborhood Commercial District as defined in Planning Code Section 722; (2) the north and south sides of Chestnut Street between the east side of Fillmore Street and the west side of Divisadero Street; and (3) the north side of Lombard Street, between Fillmore Street and Divisadero Street.

(d) The locale is not a Private Residence.

The Commission currently oversees more than 830 active entertainment permits citywide, including 260 LLP permits. LLP permits are considered accessory use permits, so there must also be principle, non-entertainment use established at the premises to make a business eligible for this permit.

Sacred Taco is a full-service restaurant and bar in Cow Hollow, located in the Union Street Neighborhood Commercial zoning district. The business has both a street level restaurant and bar and a second story private event space at the rear of the property. The principle use of the business is a restaurant, allowing the Commission to grant the accessory use LLP permit.

#### **IV. DETERMINATION OF APPLICATION FOR LLP PERMIT**

PC Article 15.1 Section 1060.5.1(f)(1-3) (**Exhibit A, Code**) sets forth the standards for granting an LLP permit. “The Entertainment Commission shall grant or conditionally grant a permit for a Limited Live Performance permit pursuant to this Article *unless* it finds that:

(1) The premises or the proposed operation of the Business does not comply with the health, zoning, fire, and safety requirements of the laws of the State of California or ordinances of the City and County of San Francisco applicable to the Business; or

(2) The establishment does not qualify as a Limited Live Performance Locale as defined in Section 1060; or

(3) The presentation of Live Performances at the Limited Live Performance Locale will (A) generate the type and volume of vehicle and pedestrian traffic that will cause substantial congestion, (B) adversely affect the safety and security of persons, (C) impede the orderly dispersal of individuals and traffic, or (D) otherwise substantially interfere with the public health, safety, and welfare or the peaceful enjoyment of neighboring property due to excessive noise or any other factor. The Commission may impose conditions on the permit, including a security plan or time, place, and manner restrictions, if necessary and appropriate to guard against these adverse effects. The Limited Live Performance Permit is subject to Article 29 of this Code, regulating noise.

Because live entertainment constitutes expressive activity protected by the First Amendment, the Police Code appropriately limits denial to specific, objective findings rather than generalized opposition. The Commission may not deny an LLP permit based on generalized neighborhood opposition or speculative concerns. Denial is permitted only if one of these enumerated findings can be made.

The Commission reviewed Sacred Taco's LLP permit application (**Exhibit B, Application**), including the required site plan depicting the performance area and existing health permit to operate and fire assembly permit. The Commission determined that none of the four statutory grounds for denial were present.

## V. PROCEDURAL HISTORY & BACKGROUND

All brick and mortar permits from the EC require public noticing, community outreach, and a public hearing process. Applicants must post notice for 30 days on the façade of their building stating which permit they are applying for and the details of the public hearing. They are also required to conduct neighborhood outreach by sending written notice to commercial and residential neighbors within 150 feet of the premises prior to the Commission hearing.

On March 13, 2026, Sacred Taco applied for an LLP permit for indoor entertainment (**Exhibit B, Application**). The initial application sought indoor entertainment in the front restaurant and rear event space daily until 11pm.

The matter was initially scheduled for the May 19th hearing. In accordance with Commission requirements, the owner was required to notify all residential and commercial neighbors within 150 feet of the business no less than two weeks in advance of the scheduled hearing date. However, the applicant missed the deadline to complete the outreach, so the item was postponed to the June 2<sup>nd</sup> hearing. In response, the EC received one packet of opposition jointly submitted by the appellant and four other residential neighbors requesting that the Commission deny the LLP permit entirely. Although other residential buildings are located within 150 feet of Sacred Taco, the Commission received opposition only from these residents.

The appellant, who submitted the opposition packet on behalf of the neighbor group, was provided with information regarding the Commission's role, the sound-setting standards set forth under PC Article 29 (**Exhibit A, Code**), and the Commission's enforcement escalation protocol. EC staff also offered to put the appellant in touch with the permit applicant directly, as direct lines of communication often yield the most positive results between neighbors, but there was no response to the suggestion.

After reviewing the full record — including proposed use, site plans depicting performance areas, outreach documentation, neighborhood opposition, existing DPH & SFFD permits, and approvals from SFPD Northern Station — the Commission determined that it did not have legal grounds under Section 1060.5.1(f) to deny the application.

However, based on the neighbors' concerns, the Commission voted to **reduce the scope of the permit** and only allow entertainment between 11am – 11pm Friday – Monday, and not allow any entertainment Tuesday – Thursday. For reference, the full scope of the LLP permit allows entertainment

daily between 9am – 11pm, so this is a significant narrowing of Sacred Taco’s permit.

Numerous safeguards remain in place should compliance issues arise, including written Notices of Violation, administrative penalties, reconditioning hearings, suspension, or revocation.

## **VI. ADDRESSING APPELLANT’S CLAIMS**

The appellant asserts multiple claims, including: (1) the size of Sacred Taco’s performance area, (2) the occupancy of the rear patio, (3) the EC Commission President’s previous ownership history of the space, (4): the permit holder’s use of speakers, and (5): the permit holder’s event advertisements. The below will address each of the claims and demonstrate they do not warrant the Board to overturn the Entertainment Commission’s decision to grant the LLP permit to Sacred Taco.

(1) As previously defined in PC Article 15.1, a Limited Live Performance Locale shall include an area in which Live Performances are presented that is no greater than 200 square feet. Specifically, this means that the area in which the performance takes place – meaning, the space that the performers occupy - does not exceed 200 square feet. In Sacred Taco’s LLP permit application (**Exhibit B, Application**) they submitted two site plans depicting potential performance areas - one for the main restaurant and one for the rear event space. In the rear event space diagram, the yellow square that is highlighted to reflect the performance area is measured at approximately 5 feet wide by 22.5 feet long, which equates to 112.5 square feet. Sacred Taco’s LLP permit application listed DJs and acoustic bands as the type of entertainment they will host – so realistically, 112.5 square feet is likely much larger than the actual performance area the musicians would occupy while performing but regardless is still less than 200 square feet maximum.

(2) The occupancy of the rear patio is 49 people, which is stated on their Place of Assembly permit (**Exhibit C, Place of Assembly Permit**). The Entertainment Commission is not responsible for

verifying occupancy as this falls under SFFD's purview

(3) The Commission President stated on the record that he previously owned a business at this location; there have been other instances where a commissioner had a prior ownership interest in the same locale as a permit applicant. The Commission President has no financial interest in the matter, so he did not need to recuse himself from the discussion and possible action regarding this permit application item at our Commission hearing. He disclosed on the record that he previously owned a business at this location but is otherwise not involved in current ownership and was able to remain impartial in the matter.

(4) The type, quantity, or configuration of speakers used by a permit holder is not relevant so long as the permit holder complies with the sound limits established pursuant to Police Code Article 29. The Entertainment Commission does not regulate entertainment based on the type of sound equipment used; rather, it regulates the sound produced at the property line. Under Police Code Article 29, no commercial noise may exceed eight dBA or dBC above the local ambient sound level at any point outside the property plane. The Commission establishes a unique sound limit for each permitted venue based on site-specific ambient sound measurements using professional-grade sound level meters. The interior sound limit is then calculated so that entertainment within the premises does not increase the exterior ambient sound level by more than eight decibels with doors and windows closed. Both dBA (higher frequency sounds such as voices and treble) and dBC (lower frequency sounds such as bass) are measured when establishing these limits. Accordingly, whether entertainment is produced through one speaker, multiple speakers, or another amplification system is immaterial provided the permit holder remains within the approved sound limits. Any exceedance of those limits constitutes a violation of Police Code Article 29 and is enforceable by the Entertainment Commission through its established enforcement process.

Future compliance with sound limit conditions is an enforcement issue, not a permitting issue. The existence of a permit does not excuse future violations, and any sound exceeding the approved limits remains subject to investigation and enforcement.

(5) Advertising events does not mean there is a violation of the stay on the permit during the appeal window as events may occur without entertainment. Examples include corporate events, baby showers, receptions, etc. The business may utilize their rear event space so long as no entertainment, as defined in Police Code **(Exhibit A, Code)** is furnished.

## VII. COMMISSION'S ENFORCEMENT TOOLS

The grant or conditional grant of an LLP permit does not occur in a vacuum. LLP permits are subject to conditions the Commission places on them, above and beyond the minimum requirements of the Police Code. And LLP permits, once issued, are not forgotten by the City. The operations of entertainment venues are subject to the ongoing oversight of the Commission and its staff and, if problems arise, the Police Department as well.

The Entertainment Commission imposed six conditions on the LLP permit at issue **(Exhibit D, Permit)**. The first condition requires compliance with PC Articles 15, 15.1, and 29. The second condition requires the permit holder to adhere to the Commission's "Good Neighbor Policy." **(Exhibit E, GNP)**. This condition is really 8 separate conditions, or best practices, for nighttime entertainment activities to ensure that the quiet, safety, and cleanliness of the premises and vicinity are maintained. These conditions are based on the City's extensive experience of the operations of businesses who host entertainment and cover a wide range of issues from noise to lighting and ventilation to management operations and cleanliness. A violation of these conditions, particularly if serious or persistent, may trigger the Commission, and in some circumstances its Executive Director, acting against the permit, or

may trigger the imposition of additional and more specific conditions on the permit holder.

The third condition on the LLP permit is that the permit holder must send a monthly calendar of events to the Commission and SFPD Northern Station and the Entertainment Commission for situational awareness, and the fourth condition are the days and times that entertainment is permitted. The final two conditions establish maximum interior sound limits determined in accordance with Police Code Article 29. These limits are unique to the premises and are based on site-specific ambient sound measurements. They are enforceable by the Entertainment Commission and provide an objective standard for evaluating future compliance. After full review of the application, the Commission determined that it was both prudent and sufficient to attach these conditions to the LLP permit at issue.

Finally, if a permittee violates the conditions of its permit or otherwise violates the law applicable to the permitted operation, the Commission has broad oversight and enforcement authority. Police Code Sections 1060.20–1060.24 (**Exhibit A, Code**) authorize both the Commission's Executive Director and the Commission to take enforcement action throughout the operation of a permitted business. Available enforcement tools include Notices of Violation, administrative penalties, permit reconditioning, suspension or revocation of a permit, and the imposition or modification of Security Plan requirements, as appropriate. Should compliance issues arise, the Commission has the authority to take progressive enforcement action to bring the business back into compliance.

## VIII. CONCLUSION

The grant of Sacred Taco's LLP permit satisfies all Police Code requirements. None of the limited statutory grounds for denial were present. The Commission acted in accordance with its mandatory duty under Section 1060.5.1(f). For these reasons, and based on the record and exhibits incorporated herein, the Board should deny the appeal and uphold the Commission's grant of the LLP

permit with its existing conditions.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Maggie Weiland', written in a cursive style.

Maggie Weiland  
Executive Director  
Entertainment Commission

# Exhibits Table of Contents

- A. **Code:** Relevant Sections of Police Code Article 15.1, Article 29, and Planning Code Article 7 Section 722
- B. **Application:** EC-1932 dba Sacred Taco's Application for a Limited Live Performance Permit
- C. **Place of Assembly Permit:** Place of Assembly Permit for Sacred Taco
- D. **Permit:** EC-1932 dba Sacred Taco's Limited Live Performance Permit
- E. **GNP:** Entertainment Commission Good Neighbor Policy

# EXHIBIT

# A

## SEC. 1060. DEFINITIONS.

For the purposes of this Article 15.1, unless otherwise provided in this Article, the following words and phrases shall mean:

“Amplified Sound Equipment.” Any machine or device, including but not limited to a loudspeaker, for the reproduction or amplification of the human voice, music, or other sound. Notwithstanding the foregoing sentence, Amplified Sound Equipment shall not include: (a) warning devices, such as but not limited to sirens, on authorized emergency vehicles, or warning devices, such as but not limited to horns, on other vehicles used only for traffic safety purposes; (b) radio or television sets that are (1) permanently installed in motor vehicle to receive programs broadcast from regularly licensed and established radio or television stations, or (2) installed in any dwelling house to receive programs broadcast from regularly licensed and established radio or television stations for the pleasure and entertainment of the occupants of such dwelling houses, or (3) established or maintained in stores indoors to demonstrate radio or television sets carried for sale or demonstration; (c) other mechanical sound or voice-reproducing devices used for the pleasure and entertainment of the occupants of private motor vehicle, or (d) pedestrian operated bullhorns, not exceeding 10 watts, E.I.A.; provided, however, that the provisions of Section 49 of this Code shall be applicable to all items encompassed in exceptions (a)-(d).

“Any Sidewalk Abutting the Premises.” The sidewalk not more than 50 feet from the premises of the Business that is located between the premises and a public street. For purposes of this definition, “premises” includes any immediately adjacent area that is owned, leased, or rented by the permit applicant or Permittee.

“Bona Fide Nonprofit Club or Organization.” Any fraternal, charitable, religious, benevolent, or other nonprofit organization for mutual social, mental, political, or civic welfare, to which admission is limited to members and guests if the revenue accruing therefrom is used exclusively for the benevolent purposes of said organization or agency, and if the organization or agency is exempt from taxation under the Internal Revenue laws of the United States as a bona fide fraternal, charitable, religious, benevolent, or nonprofit organization.

“Business.” The enterprise for which a permit is sought or has been issued under this Article, whether operated on a for-profit or not-for-profit basis.

“Conduct that Constitutes a Nuisance.” Any conduct that would constitute a violation of the following laws: assault and battery (Cal. Penal Code § 240, 242, 245); sexual battery (Cal. Penal Code § 243.4); discharging firearm (Cal. Penal Code § 246, 246.3); unlawful weapons (Cal. Penal Code § 12020; S.F. Police Code § 1291); disturbing the peace (Cal. Penal Code § 415, 416, 417); unlawful threats (Cal. Penal Code § 422); obstruction of pedestrian or vehicle right-of-way (Cal. Penal Code § 370); gambling (Cal. Penal Code §§ 330, 337a); rape (Cal. Penal Code § 261); statutory rape (Cal. Penal Code § 261.5); prostitution and related offenses (Cal. Penal Code §§ 266, 266a, 266e, 266h, 266i, 315, 316, 647(b)); sex crimes for which registration is required under the Sex Offender Registration Act (Cal. Penal Code § 290); felony sexual assault loitering for lewd or lascivious purposes (Cal. Penal Code § 647(d)); loitering on private property without lawful business (Cal. Penal Code § 647(h)); identify theft (Cal. Penal Code § 530.5); a violent felony warranting enhancement of a prison term (Cal. Penal Code § 667.5); criminal gang activity (Cal. Penal Code § 186.22); drug offenses (Cal. Health & Safety Code §§ 11351, 11352, 11359, 11360, 11378, 11379, 11378.5, 11379.5); violation of Alcohol Beverage Control laws (Cal. Business & Professions Code §§ 23300, 25602, 25631, 25657, 25658); public urination or defecation (San Francisco Police Code § 153); accumulation of filth (Cal. Health & Safety Code § 17920.3(j)); or excessive noise emissions (San Francisco Police Code Section 49 or Article 29).

“Corrective Action.” Action which includes, but is not limited to, the following:

- (a) Requesting assistance from the local law enforcement agency in a timely manner regarding the conduct.

(b) Requesting those individuals engaging in Conduct that Constitutes a Nuisance to cease the conduct, or ejecting those Persons from the premises.

(c) Revising the Security Plan, subject to approval by the Entertainment Commission or the Director as provided under this Article.

“Director.” The Executive Director of the Entertainment Commission or individual designated by the Director to act on his or her behalf.

“Entertainment.” Any of the following, except when conducted in a Private Residence:

(a) Any act, play, review, pantomime, scene, song, dance act, song and dance act, or poetry recitation, conducted in or upon any premises to which patrons or members are admitted.

(b) The playing or use of any instrument capable of producing or used to produce musical or percussion sounds, including but not limited to, reed, brass, percussion, or string-like instruments, or karaoke, or recorded music presented by a live disc jockey on the premises.

(c) A fashion or style show.

(d) The act of any female entertainer, while visible to any customer, who exposes the breast or employs any device or covering which is intended to simulate the breast, or wears any type of clothing so that the breast may be observed.

“Fixed Place Outdoor Amplified Sound Locale.” A Business that uses Amplified Sound Equipment, not attached to a Sound Truck, at any location out of doors in the City for more than a total of 12 days, whether consecutive or non-consecutive, per 12-month period, and at which Entertainment is not furnished or does not occur; for example, playing recorded music on Any Sidewalk Abutting the Premises, patio, courtyard, plaza, or other outdoor space that is under the control of the Business or for which the Business has obtained a permit to use from the City. This definition shall not include property that is a Private Residence.

“Fixed Place Outdoor Amplified Sound Permit.” A permit allowing a Fixed Place Amplified Sound Locale to use Amplified Sound Equipment outdoors.

“Just Add Music (JAM) Permit.” A temporary permit for authorization to provide outdoor entertainment or outdoor amplified sound on City sidewalks, City streets, and outdoor property that is not in the public right-of-way, issued pursuant to the 27th Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency Dated February 25, 2020, which Supplement is dated September 25, 2020.

“Limited Live Performance Permit.” A permit allowing a Limited Live Performance Locale to present Live Performances.

“Limited Live Performance Locale.” A locale with all the following features:

(a) The presentation of Live Performances is a secondary purpose of the locale rather than its primary purpose.

(b) The locale is indoors, or consists of an outdoor patio, plaza, courtyard, or similar space, with or without open means of public ingress and egress, with an area in which Live Performances are presented that is no greater than 200 square feet. For purposes of this provision, “outdoor patio, plaza, courtyard, or similar space” also shall include, regardless of the square footage of the Live Performance area, (1) any Plaza as identified in Administrative Code Chapter 94; (2) any Shared Space as identified in Administrative Code Chapter 94A, or (3) any Greater Downtown Activation Location as identified in Administrative Code Chapter 94D.

(c) Live Performances presented at the locale conclude by 11 p.m. Notwithstanding the previous sentence, Live Performances must conclude by 10 p.m. at any locale in any of the following areas: (1) the North Beach Neighborhood Commercial District as defined in Planning Code Section 722; (2) the north and south sides of Chestnut Street between the east side of Fillmore Street and the west side of Divisadero Street; and (3) the north side of Lombard Street, between Fillmore Street and Divisadero Street.

(d) The locale is not a Private Residence.

016

(e) Patrons or members are admitted to the locale, except this requirement shall not apply to a Plaza as identified in Administrative Code Chapter 94 or a Shared Space as identified in Administrative Code Chapter 94A.

“Live Performance.” Any act, play, review, pantomime, scene, song, dance act, song and dance act, poetry recitation, fashion or style show, recorded music presented by a live disc jockey on the premises, or the playing or use of any instrument capable of producing or used to produce musical or percussion sounds, including but not limited to, reed, brass, percussion, or string-like instruments.

)<sup>1</sup> “Manager.” The individual authorized by the Permittee to exercise discretionary power to organize, direct, carry out or control the operations of the Business.

“One Time Event.” An indoor event, or outdoor event such as a concert, parade, fair, festival, athletic event, or block party, that is organized for a group of people, (a) at which Entertainment is furnished or occurs, and (b) which takes place at any location in the City that is not a Private Residence.

“One Time Event Permit.” A permit, as further described in Section 1060.29, allowing a Person to conduct a One Time Event on the premises specified in the permit for no longer than one 24-hour period.

“One Time Outdoor Amplified Sound.” An outdoor gathering, occurrence, or event at which (a) no Entertainment is furnished or occurs, and (b) Amplified Sound Equipment not attached to Sound Trucks is used to project sound outside of any building or at any location out of doors in the City that is not a Private Residence.

“One Time Outdoor Amplified Sound Permit.” A permit allowing One Time Outdoor Amplified Sound on the premises specified in the permit.

“Permittee.” The Person to whom a permit has been issued under this Article.

“Person.” Any person, individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit excepting the United States of America, the State of California, and any political subdivision of either.

“Place of Entertainment.” Every premises, including outdoor premises, to which patrons or members are admitted which serves food, beverages, or food and beverages, including but not limited to alcoholic beverages, for consumption on the premises and wherein Entertainment is furnished or occurs upon the premises.

“Private Residence.” A residence that is used solely or primarily to provide housing and not rented out to third parties for Entertainment uses.

“Professional Entertainer.” A person who is compensated for his or her performance. This definition does not restrict the definition of “Entertainment” in this Section 1060 and is relevant only to the extent the term “Professional Entertainer” is used in this Article.

“Sale of the Business” or “Sell the Business.” The sale or other transfer of the ownership interest in a Business that results in a Person (who did not already have such a percentage interest) owning 50% or more of the Business, regardless of the form of ownership.

“Security Guard.” A person who has a valid Proprietary Private Security Officer registration document issued by the California Department of Consumer Affairs; or a person who is a Patrol Special Police Officer appointed by the Police Commission or an assistant to a Patrol Special Police Officer and is operating in accordance with rules of the Police Commission governing Patrol Special Police Officers and assistants to Patrol Special Police Officers; or, a person who is a Private Patrol Operator, as defined by California Business and Professions Code Sections 7582.1-7582.2, as may be amended from time to time.

“Security Plan.” A plan that adequately addresses the safety of persons and property by (a) providing a ratio of one Security Guard to a specific number of individuals as described in the paragraph immediately below (b)

securing the sidewalk for a 100-foot radius in all directions around the premises of the Business to prevent injury to persons and/or damage to property, and (c) providing for the orderly dispersal of individuals and traffic from the premises of the Business and within 100 feet of any door that patrons use to enter or exit the premises. The phrase “100 feet” in (c) means 100 feet from the door in both directions on the same side of the street as the premises of the Business. The plan shall include sufficient staff with the requisite experience to implement the plan.

The Security Plan must provide at least one Security Guard for every 100 individuals anticipated to be present at any one time during Entertainment events on the premises of the Business, with the following two qualifications. There must always be at least one Security Guard for every 100 individuals actually present at any one time during Entertainment events on the premises of the Business. Further, in those areas of the City where a conditional use authorization is required for a late night use, on Thursdays, Fridays, Saturdays, and Sundays from 9:00 p.m. until closing (including early morning hours Friday, Saturday, Sunday, and Monday) the Security Plan must provide at least one Security Guard for every 100 individuals authorized by the Occupancy Permit during Entertainment events on the premises of the Business.

The definition of Security Plan in this Section 1060 does not limit the discretion of the Entertainment Commission and Director as specified in this Article to impose more stringent requirements for a Security Plan as circumstances warrant.

If no Entertainment event is occurring on the premises, the Security Plan does not have to include Security Guards, but the Entertainment Commission retains discretion to impose Security Guard requirements as part of a Security Plan.

“Sound Truck.” Any motor vehicle or other means of conveyance, having mounted thereon, attached thereto, or carrying any Amplified Sound Equipment, except that an “Unenclosed Tour Bus” as defined in Section 2913 of this Code shall not be considered a Sound Truck for purposes of this Article.

“Sound Truck Permit.” A permit allowing a Sound Truck to use Amplified Sound Equipment.

“Tax Collector.” Tax Collector of the City and County of San Francisco.

(Amended by Ord. 42-83, App. 2/4/83; Ord. 325-91, App. 9/4/91; Ord. 165-93, App. 5/28/93; Ord. 262-04, File No. 041148, App. 11/4/2004; Ord. 239-09, File No. 080323, App. 11/20/2009; Ord. [172-11](#), File No. 110506, App. 9/12/2011, Eff. 10/12/2011; Ord. [100-13](#), File No. 130182, App. 6/6/2013, Eff. 7/6/2013; Ord. [82-14](#), File No. 140064, App. 6/13/2014, Eff. 7/13/2014; Ord. [224-16](#), File No. 160893, App. 11/22/2016, Eff. 12/22/2016; Ord. [163-17](#), File No. 170443, App. 7/27/2017, Eff. 8/26/2017; Ord. [205-19](#), File No. 181211, App. 9/11/2019, Eff. 10/12/2019; Ord. [111-21](#), File No. 210285, App. 8/4/2021, Eff. 9/4/2021; Ord. [96-23](#), File No. 230309, App. 5/26/2023, Eff. 6/26/2023; Ord. [250-23](#), File No. 230861, App. 12/14/2023, Eff. 1/14/2024, Retro. 1/1/2023; Ord. [237-24](#), File No. 240804, App. 10/11/2024, Eff. 11/11/2024)

#### CODIFICATION NOTE

- 1. So in Ord. [163-17](#).

---

## **SEC. 1060.1. PERMIT REQUIRED.**

(a) Except as provided in subsections (e) and (f), it shall be unlawful for any Person to own, conduct, operate, or maintain, or to cause or permit to be conducted, operated, or maintained, any Place of Entertainment, Limited Live Performance Locale, One-Time Event, Fixed Place Outdoor Amplified Sound Locale, One Time Outdoor Amplified Sound, or Sound Truck in the City and County of San Francisco without first having obtained the required permit from the Director or Entertainment Commission. No Person shall operate a Place of Entertainment between 2:00 a.m. and 6:00 a.m. without having both a Place of Entertainment Permit and an Extended-Hours Premises Permit.

(b) It shall be unlawful for any Person to conduct, operate, or maintain, or cause or permit to be conducted, operated, or maintained, a Place of Entertainment, Limited Live Performance Locale, One-Time Event, Fixed Place Outdoor Amplified Sound Locale, One Time Outdoor Amplified Sound, or Sound Truck for which a permit has been granted (1) after the permit has been revoked or is otherwise invalid or (2) for any period of time during which the permit has been suspended.

(c) It shall be unlawful for any Person who is required to surrender a permit upon the sale of a Business as required under Section 1060.24(b) to fail to do so.

(d) Any place or premises where a Place of Entertainment Permit, Limited Live Performance Permit, One-Time Event Permit, Fixed Place Outdoor Amplified Sound Permit, or One Time Outdoor Amplified Sound Permit is sought must (1) conform to all existing health, safety, zoning, fire, and other ordinances of the City and County of San Francisco, and (2) must have a valid permit to operate (formerly referenced in this Article as a public eating place permit) from the Department of Public Health, if applicable. The Entertainment Commission, including the Director in the case of a One-Time Event Permit or One Time Outdoor Amplified Sound Permit, may issue a permit under this Article 15.1 conditional upon the applicant receiving the other required permits.

(e) No permit shall be required for any Person to own, conduct, operate, or maintain, or to cause or permit to be conducted, operated, or maintained a Limited Live Performance Locale, where any Entertainment ends by 10 p.m., and the Entertainment consists only of a single individual performing without amplification. Any place or premises where this Entertainment occurs must 1) conform to all health, safety, zoning, fire, and other ordinances of the City and County of San Francisco; and 2) have a valid permit to operate (formerly referenced in this Article 15.1 as a public eating place permit) from the Department of Public Health under Health Code Section 452, if applicable. This subsection (e) shall not apply to any premises that does not hold a currently valid permit that is required under this Article 16.

(f) No permit shall be required for a school to conduct activities that occur on school premises in the regular course of school operations, including but not limited to school sporting events, school dances, and school music program performances, that would otherwise require a Place of Entertainment Permit, Limited Live Performance Permit, or Fixed Place Outdoor Amplified Sound Permit. A school shall be required to obtain a One Time Event Permit or One Time Outdoor Amplified Sound Permit to engage in activities on school premises that do not occur in the regular course of school operations and that otherwise meet the criteria for such permits.

For purposes of this Section 1060.1, “school” means any Person that is a state-licensed child care center, state-licensed family day care, a public, private, or parochial institution that provides educational instruction for students in any or all of the grades from kindergarten through twelfth grade, or a public or private institution providing post-secondary education as part of a degree program, such as a college or university.

(Added by Ord. 193-05, File No. 051027, App. 7/29/2005; amended by Ord. 239-09, File No. 080323, App. 11/20/2009; Ord. [172-11](#), File No. 110506, App. 9/12/2011, Eff. 10/12/2011; Ord. [100-13](#), File No. 130182, App. 6/6/2013, Eff. 7/6/2013; Ord. [82-14](#), File No. 140064, App. 6/13/2014, Eff. 7/13/2014; Ord. [163-17](#), File No. 170443, App. 7/27/2017, Eff. 8/26/2017; Ord. 111-21, File No. 210285, App. 8/4/2021, Eff. 9/4/2021; Ord. [250-23](#), File No. 230861, App. 12/14/2023, Eff. 1/14/2024, Retro. 1/1/2023; Ord. [237-24](#), File No. 240804, App. 10/11/2024, Eff. 11/11/2024)

---

## **SEC. 1060.2.1 FILING APPLICATION AND NOTICE TO OTHER CITY DEPARTMENTS FOR LIMITED LIVE PERFORMANCE PERMIT.**

(a) Every Person seeking a Limited Live Performance Permit, or an amendment to such a permit, shall file an application with the Entertainment Commission upon a form provided by the Entertainment Commission and, except as otherwise provided in this Section 1060.2.1, shall pay a filing fee as provided in Section 2.26 of this Code.

(b) The Director shall send the application to the Police Department, which shall complete all necessary inspections and report their determinations to the Entertainment Commission within 20 City business days of receiving the application.

(c) **Waiver of Filing Fee.**

(1) The following Persons shall be eligible for a waiver of the filing fee for a Limited Live Performance Permit:

(A) A Person who previously held a JAM Permit and who, during the time period beginning January 1, 2023 and ending June 30, 2025, applies for a new or amended Limited Live Performance Permit to continue to provide outdoor entertainment and/or amplified sound in the same outdoor space as authorized by the JAM Permit; and

(B) A Person who, due to Planning Code amendments that take effect on or after January 1, 2023, becomes eligible to apply and applies for a Limited Live Performance Permit on or before June 30, 2025.

(2) Any filing fee that is waived pursuant to this subsection (c) but that has been paid shall be refunded, without interest, upon request of the payor of the fee to the Entertainment Commission. Any refund request under this subsection (c) must be filed in writing with the Entertainment Commission by June 30, 2025.

(d) If an applicant submits an application for a Limited Live Performance Permit, and the application is not granted, conditionally granted, or denied within 12 months, the Director shall require the applicant to submit a new application for a Limited Live Performance Permit that shall be accompanied by the payment of a new filing fee, as set forth in Section 2.26, at the time of submission of the new application.

(Added by Ord. [172-11](#), File No. 110506, App. 9/12/2011, Eff. 10/12/2011; Ord. [250-23](#), File No. 230861, App. 12/14/2023, Eff. 1/14/2024, Retro. 1/1/2023; Ord. [118-25](#), File No. 250537, App. 7/17/2025, Eff. 8/17/2025)

---

## **SEC. 1060.3.1. APPLICATION FORM FOR LIMITED LIVE PERFORMANCE PERMIT.**

An application for a Limited Live Performance Permit shall specify the following and be signed under penalty of perjury:

(a) The name and street address of the Business for which the permit is sought; however, if the application relates to (1) a Plaza as defined in Administrative Code Chapter 94 <sup>1</sup> (2) a People Place as defined in Administrative Code Chapter 94A, or (3) a Downtown Activation Location as defined in Administrative Code Chapter 94D, the application shall instead include the name and location of the Plaza, People Place, or Downtown Activation Location, and the name and street address of the Steward or permittee.

(b) The name and address of the applicant as follows:

(1) If the applicant is a corporation, the name of the corporation exactly as shown in its articles of incorporation; the date and place of incorporation; and the name and address of each officer and director.

(2) If the applicant is a Person other than a publicly traded company, the name and address of every Person that directly or indirectly owns or controls 10% or more of the assets, ownership interests or voting interests in that Person.

(c) The name of and contact information for the Manager who shall directly, or through designees, be on the premises during all hours of operation.

- (d) The name and address of each Person who appears<sup>020</sup> on the business registration certificate for the Business for which a permit is sought.
- (e) The name and address of each Person to whom the Department of Alcoholic Beverage Control has issued a license for the Business for which a permit is sought.
- (f) The names and addresses of the Persons who have or will have authority or control over the Business and a brief statement of the nature and extent of such authority and control, if the applicant has not otherwise provided this information in the application.
- (g) The name and address of the Person authorized to accept service of process.
- (h) A plan for the Business to operate as a Limited Live Performance Locale, specifying the days and hours of operation, the number of employees and their duties, the number of patrons, a statement certifying that the Business shall comply with the maximum occupancy load for the space as established under the San Francisco Building and Fire Codes, the types or classes of live performances (in terms of the types of instruments, numbers of performers, and sound levels) to be provided, and the amount of parking, both on and off-site, to be provided. If sound amplification is to be used, the plan shall also include a specific description of the amplification system, and whether the Business proposes to use Amplified Sound Equipment to project sound outside of any building or at any location out of doors. If the plan includes outdoor amplified sound, it shall also include the following information: (1) the location at which Amplified Sound Equipment will be placed out of doors, (2) the hours and dates during which sound will be amplified, (3) a specific description of the amplification system to be used, including the type of sound to be amplified (e.g., speech or music), (4) a statement certifying that the Business shall comply with the maximum noise levels as established under the Police and Health Codes, and (5) a statement whether the activity will take place within 300 feet of a hospital, school, house of worship, courthouse, public library, or mortuary during the normal hours of use of said facilities. Where applicable, the applicant shall submit a copy of a street closure permit, and any other City, state, or federal permit required for the proposed activity.
- (i) A proposed Security Plan, as defined in Section 1060, if the Director or Entertainment Commission determines that a Security Plan is necessary to protect the safety of persons and property or to provide for the orderly dispersal of persons and traffic.
- (j) Such further information as the Entertainment Commission requires regarding financial and lease arrangements and management, authority, and operational control of the Business or its premises when the information will assist the Commission in its determination whether to grant or deny the permit.

(Added by Ord. [172-11](#), File No. 110506, App. 9/12/2011, Eff. 10/12/2011; amended by Ord. [82-14](#), File No. 140064, App. 6/13/2014, Eff. 7/13/2014; Ord. [224-16](#), File No. 160893, App. 11/22/2016, Eff. 12/22/2016; Ord. [163-17](#), File No. 170443, App. 7/27/2017, Eff. 8/26/2017; Ord. [250-23](#), File No. 230861, App. 12/14/2023, Eff. 1/14/2024, Retro. 1/1/2023; Ord. [237-24](#), File No. 240804, App. 10/11/2024, Eff. 11/11/2024)

#### CODIFICATION NOTE

- 1. So in Ord. [237-24](#).

---

## SEC. 1060.4. NOTICE REQUIREMENTS AND CONTACT INFORMATION.

- (a) Unless otherwise provided in this Article, the following definitions apply.

(i) To provide notice "electronically" means to send written notice by email, facsimile or in any other manner that the Director designates as appropriate to transmit written information other than by mail or personal delivery.

(ii) To "mail" notice or give notice "by mail" means<sup>021</sup> depositing the notice in a sealed envelope or package, clearly labeled to identify the individual to whom it is sent, in a post office, mailbox, or other facility regularly maintained by the United States Postal Service, by First Class Mail, with postage prepaid. The requirement that notice be mailed within a specified period of time means that the notice is deposited in the mail within that period of time.

(iii) "Personally deliver" or "personal delivery" means delivering notice or causing notice to be delivered in person.

(iv) "Notice" means notice of a hearing, decision, action required of an applicant for a permit or a Permittee, or any other information that this Article requires to be given or which the Entertainment Commission or the Director find appropriate in implementing the provisions of this Article.

(b) Applicants for a permit and Permittees shall provide information necessary to enable the Entertainment Commission and the Director to give notice under this Article. Applicants and Permittees shall provide the Director in writing with a street address where the applicant and Permittee receive mail from the United States Postal Service, and with any email address, facsimile number or other information necessary to enable notice to be sent to the applicant and Permittee electronically. The applicant and Permittee shall keep the information required by this Section current by informing the Director in writing of any change. When the Commission or Director mails or personally delivers notice or sends notice electronically to the applicant or Permittee in accordance with the information most recently provided in writing by that Person, such action shall satisfy the requirements of this Article with respect to how notice is given.

(c) In some circumstances, this Article requires notice to the Manager. The Permittee shall provide a telephone and/or cell phone number and a facsimile number or email address for the transmission of notice to the Manager. The Permittee shall keep current the contact information for the Manager and shall notify the Director in writing of any change in this information. The Manager may designate other individuals to whom notice is to be given for any periods of the Manager's absence or unavailability by providing this information in writing to the Director. When the Commission or Director mails or personally delivers notice or sends notice electronically to the Manager, or to any individual designated by the Manager to receive notice in place of the Manager, in accordance with the information most recently provided in writing by the Permittee for the Manager, or by the Manager for his or her designee, such action shall satisfy the requirements of this Article that notice be given to the Manager.

(d) The Director may require applicants, Permittees and Managers to provide different or additional contact information for receipt of notice as communication technologies change.

(e) A Permittee may change the name and/or address of the individual provided by the Permittee in the permit application to accept service of process by providing written notice to the Director.

■ (Added by Ord. 140-70, App. 4/28/70; Ord. 239-09, File No. 080323, App. 11/20/2009)

---

## **SEC. 1060.5.1. DETERMINATION OF APPLICATION FOR LIMITED LIVE PERFORMANCE PERMIT.**

(a) The applicant shall file the application for a Limited Live Performance Permit with the Director. The Director may require that the applicant or the applicant's agent file the application in person. Upon determining that an application is complete, the Director shall accept and file it and shall schedule a public hearing before the Entertainment Commission to determine whether the permit should be granted. The Director shall provide written notice of the hearing to the applicant by mail or to the applicant's agent by personal delivery at least 30 days before the date of the hearing.

**(b) Notices.**

(1) The applicant shall cause a notice of the hearing on a form provided by the Entertainment Commission to be conspicuously and continuously posted on the premises of the Business for at least 30 days before the scheduled hearing date. The Director shall promptly provide notice of the hearing and a copy of the permit application to any Person who has filed a written request for such notice, which notice may be given electronically if the Person has provided electronic contact information, or by mail.

(2) In the event of a continued hearing, the applicant shall cause notice of the continued hearing to be conspicuously and continuously posted on the premises of the Business for at least 10 days before the date of the continued hearing. The Director shall promptly provide notice of the continued hearing electronically or by mail to any Person who has filed a written request for such notice.

(3) The applicant shall file with the Commission a declaration under penalty of perjury affirming compliance with the notice requirement of subsection (b)(1) and, if applicable, subsection (b)(2), on the form provided by the Commission.

(4) The failure of the Director to provide the notice of the hearing to any Person who filed a written request as provided in subsection (b)(1) shall not constitute grounds for invalidation of the actions of the Commission taken at the hearing.

(c) At the hearing on the application, the applicant and any other interested party, including the Police Department or any other public agency, may introduce evidence and present argument relating to the standards for review under Subsection (f).

(d) The Entertainment Commission shall hold a hearing and determine whether to grant or deny the permit within 45 City business days of the date that the applicant has submitted a complete application under Section 1060.5.1(a) except that this 45-day period shall be extended for such period or periods of time that apply under any of the following circumstances:

(1) If the Entertainment Commission finds that an extension of time is necessary to obtain additional information for its review of the application under the standards set forth in Subsection (f) of this Section, the time period shall be extended for an additional amount of time as the Commission determines appropriate, up to 15 additional days.

(2) Upon the applicant's request, the Entertainment Commission shall continue the hearing for an additional period of time to allow the applicant an opportunity to comply with the requirements of this Article, in which case the time period is extended for that additional period.

(3) If the applicant fails to post or maintain notice of the hearing as required by Subsection (b) of this Section, the Director shall have the hearing before the Entertainment Commission continued for such period or periods of time that the Director determines necessary for the applicant to comply with the posting requirement, in which case the time period is extended for that additional period or periods of time.

(4) If the Director finds that the Commission is unable to meet during the 45-day time period or any permitted time extension due to exigent circumstances, the time period shall be extended until the Commission is able to meet; the Commission shall consider the matter at the first meeting that it conducts following such circumstances.

(e) (1) If the permit applicant has not obtained all permits required for the Business from other City departments by the date of the hearing on the application, the Entertainment Commission may grant a conditional permit pending the issuance of the other required City permits; provided, however, the Commission shall take this action only if sufficient information has been provided to allow for adequate evaluation of the application and if grounds for denial, as set forth in subsection (f), are not present. Any permit conditionally granted by the Entertainment Commission under this subsection (e)(1) may be appealed to the Board of Appeals. Any such appeal shall be filed within 10 days of the decision of the Entertainment Commission's conditionally granting the permit. No Person may operate a Business for which a permit has been conditionally granted unless and until the Person has obtained all permits and authorizations required from other City departments.

(2) If the Entertainment Commission does not grant,<sup>0023</sup> conditionally grant, or deny the permit for a Limited Live Performance Locale within the time required by subsection (d), including any extensions of time provided for therein, the permit sought by the applicant shall be deemed granted, conditioned on the requirements that the Permittee obtain all required permits from other City departments within nine months and comply with all the requirements of this Article. The time by which the Entertainment Commission must act commences on the date that the applicant has filed a completed application under Section 1060.5.1(a).

(f) The Entertainment Commission shall grant or conditionally grant a Limited Live Performance Permit pursuant to this Article 15.1 unless it finds that:

(1) The premises or the proposed operation of the Business does not comply with the health, zoning, fire, and safety requirements of the laws of the State of California or ordinances of the City and County of San Francisco applicable to the Business; or

(2) The establishment does not qualify as a Limited Live Performance Locale as defined in Section 1060; or

(3) The presentation of Live Performances at the Limited Live Performance Locale will (A) generate the type and volume of vehicle and pedestrian traffic that will cause substantial congestion, (B) adversely affect the safety and security of persons, (C) impede the orderly dispersal of individuals and traffic, or (D) otherwise substantially interfere with the public health, safety, and welfare or the peaceful enjoyment of neighboring property due to excessive noise or any other factor. The Commission may impose conditions on the permit, including a security plan or time, place, and manner restrictions, if necessary and appropriate to guard against these adverse effects. The Limited Live Performance Permit is subject to Article 29 of this Code, regulating noise.

(g) In addition to the findings stated in subsections (f)(1)-(3), if the proposed operation of the Limited Live Performance Locale includes the emission of outdoor amplified sound within 300 feet of a hospital, school, place of worship, courthouse, public library, or mortuary during the normal hours of use of said facility, the Commission shall not grant the permit unless the Commission finds that the sound emitted will not be disruptive of the operations of said facility. If there are no other grounds for denial of the permit, the permit shall be issued where the sound emission would occur more than 300 feet from a hospital, school, place of worship, courthouse, public library, or mortuary, unless the Commission finds that the sound emitted will be disruptive of the operations of said facility.

(h) If there is an unresolved citation applicable to the premises that has been issued by a City department, the Entertainment Commission shall not grant the permit without documented authorization from the department that issued the citation.

(i) In considering whether to make any of the findings stated in subsections (f)(1)-(3) or the finding stated in subsection (g), or to impose conditions on a Limited Live Performance Permit, the Commission shall consider where relevant the circumstances surrounding any previous denial of a permit application or previous suspension or revocation of a permit, under this Article 15.1 or Article 15.2, for the same permit applicant or Permittee.

(j) If a Permittee has been conditionally granted a permit but has not obtained all of the permits required from other City departments within nine months from the date that the Entertainment Commission conditionally granted the permit, the conditionally granted permit shall expire by operation of law and be void. Notwithstanding the foregoing sentence, upon the Permittee's written request and a showing of good cause, the Commission may extend the aforementioned nine-month deadline for up to 24 months, subject to an additional extension or extensions totaling no more than 12 months beyond the aforementioned 24 months. In its discretion, the Commission may delegate to the Director, in whatever manner it deems appropriate, the power to extend the nine-month deadline.

(k) If the Permit is for a Plaza as identified in Administrative Code Chapter 94, the Permit shall state that it automatically expires upon termination or expiration of the Real Estate Division license for that Plaza or termination or expiration of the Public Works permit for that Plaza issued pursuant to Chapter 94 of the Administrative Code. If the permit is for a People Place as identified in Administrative Code Chapter 94A, the

Permit shall state that it automatically expires upon termination or expiration of the People Place Permit issued pursuant to Chapter 94A of the Administrative Code.

(l) When granting a permit, or after issuance of a permit, the Director or Entertainment Commission may require the applicant or Permittee, as a condition of the permit, to comply with an approved Security Plan if the Director or Entertainment Commission determines a Security Plan is necessary to protect the safety of persons and property or to provide for the orderly dispersal of persons and traffic. If, after approving a Security Plan, the Director or Entertainment Commission receives new information that provides a reasonable basis to determine that the Security Plan is inadequate to protect the safety of persons and property and/or provide for the orderly dispersal of persons and traffic, the Director or Entertainment Commission may require the applicant or Permittee to revise the Security Plan to better protect the safety of persons and property and/or the orderly dispersal of individuals and traffic.

(Added by Ord. [172-11](#), File No. 110506, App. 9/12/2011, Eff. 10/12/2011; amended by Ord. [75-16](#), File No. 160104, App. 5/13/2016, Eff. 6/12/2016; Ord. [163-17](#), File No. 170443, App. 7/27/2017, Eff. 8/26/2017; Ord. [250-18](#), File No. 180002, App. 11/2/2018, Eff. 12/3/2018; Ord. [250-23](#), File No. 230861, App. 12/14/2023, Eff. 1/14/2024, Retro. 1/1/2023; Ord. [118-25](#), File No. 250537, App. 7/17/2025, Eff. 8/17/2025)

---

## **SEC. 1060.11. POLICE AND ENTERTAINMENT COMMISSION – INSPECTION.**

The Police Department and the Entertainment Commission, in addition to their several other duties, shall have the authority to inspect any and all establishments that have been issued a permit pursuant to this Article 15.1.

■ (Added by Ord. 140-70, App. 4/28/70; amended by Ord. [250-23](#), File No. 230861, App. 12/14/2023, Eff. 1/14/2024, Retro. 1/1/2023)

---

## **SEC. 1060.20. SUSPENSION.**

(a) Permits issued under this Article may be suspended by the Entertainment Commission and the Director as follows

(1) The Entertainment Commission may suspend a permit issued under this Article as provided in Section 1060.20.1.

(2) The Director may issue an order of limited suspension as provided in Section 1060.20.2, which order the Permittee may appeal to the Entertainment Commission.

(3) The Director may issue an order of suspension for public safety as provided in Section 1060.20.3, which order is not appealable to the Entertainment Commission.

(4) The Entertainment Commission and the Director have independent authority to suspend permits; the action of one does not limit action by the other.

(b) Every Permittee shall request emergency medical services when any person who has been injured on the premises of the Business needs emergency medical services. The failure to request such services, when such a request would have been reasonable under the circumstances, shall be grounds for suspension of the permit. The Entertainment Commission and Director may allow any circumstances involving the operation of the Business that relate to the injury as evidence supporting suspension of a permit, but may not allow the request itself as evidence to support suspension.

(c) When considering whether to suspend a permit under this Article, the Commission and the Director shall consider any previous denial of a permit application or previous suspension or revocation of a permit, under this Article or Article 15.2, for the same permit applicant or Permittee when the circumstances warranting the previous action are relevant to the current determination.

(Added by Ord. 140-70, App. 4/28/70; amended by Ord. 325-91, App. 9/4/91; Ord. 81-00, File No. 000390, App. 5/5/2000; Ord. 164-02, File No. 020783, App. 7/26/2002; Ord. 239-09, File No. 080323, App. 11/20/2009)

---

## **SEC. 1060.20.1. SUSPENSION BY THE ENTERTAINMENT COMMISSION.**

(a) **GROUND FOR SUSPENSION.** The Entertainment Commission may suspend any permit issued under this Article under any of the following circumstances:

(1) The premises or operation of the Business does not comply with the health, zoning, fire, and safety requirements of the laws of the State of California and ordinances of the City and County of San Francisco applicable to the Business; or

(2) The Permittee or an employee or agent of the Permittee has operated the Business:

(A) In a manner that has harmed the public health, safety, or welfare by significantly increasing pedestrian congestion, the incidence of disorderly conduct, or the level of noise in the area in which the premises are located, and

(B) The Permittee has refused or failed, upon request by the Police Department, Entertainment Commission or the Director, to take reasonable steps to alleviate these conditions, such as providing additional off-street parking, security, soundproofing, restroom facilities, or refuse containers; or

(3) (A) The Permittee or any employee or agent of the Permittee has engaged in conduct on the premises of the Business, or in connection with the operation of the Business, that would constitute a violation of any of the following laws: assault and battery (Cal. Penal Code §§ 240, 242, 245); sexual battery (Cal. Penal Code § 243.4); discharging firearm (Cal. Penal Code §§ 246, 246.3); unlawful weapons (Cal. Penal Code § 12020; S.F. Police Code § 1291); disturbing the peace (Cal. Penal Code §§ 415, 416, 417); unlawful threats (Cal. Penal Code § 422); obstruction of pedestrian or vehicle right-of-way (Cal. Penal Code § 370); gambling (Cal. Penal Code §§ 330, 337a); rape (Cal. Penal Code § 261); statutory rape (Cal. Penal Code § 261.5); prostitution and related offenses (Cal. Penal Code §§ 266, 266a, 266e, 266h, 266i, 315, 316, 647(b)); sex crimes for which registration is required under the Sex Offender Registration Act (Cal. Penal Code § 290); felony sexual assault; loitering for lewd or lascivious purposes (Cal. Penal Code § 647(d)); loitering on private property without lawful business (Cal. Penal Code § 647(h)); identify theft (Cal. Penal Code § 530.5); a violent felony warranting enhancement of a prison term (Cal. Penal Code § 667.5); criminal gang activity (Cal. Penal Code § 186.22); drug offenses (Cal. Health & Safety Code §§ 11351, 11352, 11359, 11360, 11378, 11379, 11378.5, 11379.5); violation of Alcohol Beverage Control laws (Cal. Business & Professions Code §§ 23300, 25602, 25631, 25657, 25658); public urination or defecation (San Francisco Police Code § 153); accumulation of filth (Cal. Health & Safety Code § 17920.3(j)); or excessive noise emissions (San Francisco Police Code Section 49 or Article 29); or

(B) The Permittee has failed to take reasonable steps within the Permittee's control upon the request of the Police Department, the Entertainment Commission or the Director to halt conduct on the premises of the Business, or in connection with the operation of the Business, that would constitute a violation of the laws set forth in Section (a)(3)(A) of this Section; or

(C) The Permittee in the operation of the Business has implemented, maintained, or permitted an admission or related policy or practice prohibited by San Francisco Police Code Section 3305 (prohibiting

discrimination); or

(4) The Permittee or any employee or agent of the Permittee has violated any requirement of this Article or any other applicable ordinance, any regulation adopted pursuant to this Article, or any condition placed on the permit; or

(5) The Permittee has failed to submit a proposed Security Plan as required by Section 1060.31; or

(6) The Permittee or any agent or employee of the Permittee has failed to comply with an approved Security Plan as required by Section 1060.31 or a revised Security Plan as required by Section 1060.32; or

(7) The Permittee or any agent or employee of the Permittee has failed to request emergency medical services as required by Section 1060.20(b).

**(b) HEARING PROCEDURE AND DETERMINATION.**

(1) The Entertainment Commission shall give the Permittee and the Manager written notice of a hearing to determine whether to suspend a permit. The notice shall set forth the grounds for the proposed suspension and the date, time and location of the hearing.

(2) The Chief of Police or the Chief's designee may request in writing that the Director bring a suspension proceeding before the Entertainment Commission. If, within 10 business days of receiving the request, the Director has not brought the suspension proceeding, the Chief may bring the suspension proceeding before the Entertainment Commission. In such a case, the Chief or the Chief's representative shall present the case for suspension. The Director may join in presenting the case for suspension if the Director agrees to do so.

**(c) PERIOD OF SUSPENSION.** The Entertainment Commission may suspend a permit for the periods of time set forth in this Subsection (c).

(1) For the first violation under Subsection (a)(1) through (7) of this Section, for up to 30 days.

(2) For the second violation of the same or any other provision of Subsection (a)(1) through (7) within six months of the order of suspension for the first violation, for up to 60 days.

(3) For the third and subsequent violation of the same or any other provision of Subsection (a)(1) through (7) within six months of the order of suspension for the second or any subsequent violation, for up to 90 days.

(4) For the purpose of Subsections (c)(2) and (3) of this Section, calculation of the six months shall not include any period of time during which the permit was suspended.

(5) In determining the length of the suspension, the Entertainment Commission shall consider the seriousness and the frequency of the violation(s) in light of the effort taken to correct them and the impact of the violation(s) on the surrounding neighborhood.

(Added by Ord. 239-09, File No. 080323, App. 11/20/2009; amended by Ord. [100-13](#), File No. 130182, App. 6/6/2013, Eff. 7/6/2013; Ord. [75-14](#), File No. 140226, App. 5/28/2014, Eff. 6/27/2014)

---

## **SEC. 1060.20.2. LIMITED SUSPENSION BY THE DIRECTOR; APPEAL TO ENTERTAINMENT COMMISSION.**

**(a) GROUNDS FOR SUSPENSION.** The Director may suspend any permit issued under this Article for a period of up to fifteen days if the Director determines, after providing the Permittee, or his or her agent, including but not limited to the Manager, at least five days written notice and an opportunity to respond, that any of the circumstances set forth in Subsections (a)(1), (2), or (3) of this Section has occurred. Each order of limited

suspension may include multiple violations under Subsections (a)(1), (2), or (3) of this Section. The Director shall provide the written notice required under this Subsection either by mail and electronically or by personal delivery.

(1) The Business has exceeded the allowable noise emissions under Section 49 or Article 29 of the San Francisco Police Code, or as required under any condition imposed on the permit, on three separate days within a three month time period. The Director may suspend a permit under this Subsection (a)(1) only if:

(A) The San Francisco Police Department, the Director, or an authorized agent of either has issued a noise emission report for each violation showing noise levels that exceed those allowed under Section 49 or Article 29 of the San Francisco Police Code, or as required under any condition imposed on the permit, and

(B) The Director has provided notice of the issuance of each noise emission report to the Permittee or his or her agent, including but not limited to the Manager electronically or by mail within three City business days of its issuance.

(2) The Permittee or any employee or agent of the Permittee has engaged in Conduct that Constitutes a Nuisance or the Permittee has failed to take reasonable steps within the Permittee's control to halt another Person from engaging in Conduct that Constitutes a Nuisance. "Conduct that Constitutes a Nuisance" as defined in Section 1060(d), means any conduct that would constitute a violation of the following laws: assault and battery (Cal. Penal Code § 240, 242, 245); sexual battery (Cal. Penal Code § 243.4); discharging firearm (Cal. Penal Code § 246, 246.3); unlawful weapons (Cal. Penal Code § 12020; S.F. Police Code § 1291); disturbing the peace (Cal. Penal Code § 415, 416, 417); unlawful threats (Cal. Penal Code § 422); obstruction of pedestrian or vehicle right-of-way (Cal. Penal Code § 370); gambling (Cal. Penal Code §§ 330, 337a); rape (Cal. Penal Code § 261); statutory rape (Cal. Penal Code § 261.5); prostitution and related offenses (Cal. Penal Code §§ 266, 266a, 266e, 266h, 266i, 315, 316, 647(b)); sex crimes for which registration is required under the Sex Offender Registration Act (Cal. Penal Code § 290); felony sexual assault; loitering for lewd or lascivious purposes (Cal. Penal Code § 647(d)); loitering on private property without lawful business (Cal. Penal Code § 647(h)); identify theft (Cal. Penal Code § 530.5); a violent felony warranting enhancement of a prison term (Cal. Penal Code § 667.5); criminal gang activity (Cal. Penal Code § 186.22); drug offenses (Cal. Health & Safety Code §§ 11351, 11352, 11359, 11360, 11378, 11379, 11378.5, 11379.5); violation of Alcohol Beverage Control laws (Cal. Business & Professions Code §§ 23300, 25602, 25631, 25657, 25658); public urination or defecation (San Francisco Police Code § 153); accumulation of filth (Cal. Health & Safety Code § 17920.3(j)); or excessive noise emissions (San Francisco Police Code Section 49 or Article 29).

This Subsection (a)(2) applies only when both of the following apply:

(A) The conduct occurred on the premises of, or on Any Sidewalk Abutting the Premises of, the Business, and

(B) The conduct continued after the Director had notified the Permittee of the problem and informed the Permittee of Corrective Action, as defined in Section 1060, to address the problem, but the Permittee failed to take the Corrective Action.

(3) The Permittee or any agent or employee of the Permittee has failed to comply with an approved Security Plan as required by Section 1060.31 or a revised Security Plan as required by Section 1060.32.

(b) (1) **ISSUANCE OF ORDER; RIGHT TO APPEAL TO COMMISSION.** On the day that the Director issues an order of limited suspension, the Director shall send the order to the Permittee and Manager by mail or electronically. The order shall state the date that the order issued and the date that it takes effect. To provide the Permittee with an opportunity to file an appeal to the Entertainment Commission, an order of limited suspension shall not take effect for at least five City business days from the date that the Director issues the order.

(2) A Permittee may appeal an order of limited suspension to the Entertainment Commission by filing with the Commission Secretary a written request for review within five City business days of the date that the Director has issued the order. The filing of an appeal stays the order pending the Commission's decision. If a

Permittee withdraws the appeal, the Director's order shall no longer be stayed and shall take effect on the date of the withdrawal or the date that the order was to take effect, whichever is later.

(3) The Commission may affirm, overturn, or modify the Director's order. When the Commission affirms or modifies the Director's order, the order takes effect the day following the day of the hearing at which the Commission made its determination.

(4) If the Permittee does not file a timely appeal of the Director's order, the order shall take effect the day after the time to appeal has expired or the effective date set forth in the order, whichever is later; provided, however, that the Director and the Permittee may agree in writing to an earlier effective date.

(5) The Entertainment Commission may adopt a regulation establishing a procedure which would allow the Director or the Commission, or both, to stay and vacate an order of limited suspension if the Permittee submits and complies with a plan to address the problems that gave rise to the suspension.

(c) The Director shall initiate suspension proceedings before the Commission under Section 1060.20.1 against any Business that is suspended by the Director under this Section three times in any twelve-month period. For purposes of this Subsection (c), "suspended by the Director" includes a suspension affirmed in whole or part or modified by the Commission if appealed pursuant to Subsection (b)(2) but does not include a suspension overturned by the Commission on appeal. This Subsection (c) shall not in any way preclude the Commission from otherwise exercising its authority to suspend a Business under Section 1060.20.1, or preclude the Director or Chief of Police or Chief's designee from initiating a suspension proceeding under Section 1060.20.1.

(d) **POLICE DEPARTMENT RECOMMENDATION OF LIMITED SUSPENSION BY THE DIRECTOR.** The Chief of Police, or the Chief's designee, may recommend to the Director, orally or in writing, that the Director suspend a permit in accordance with the grounds for suspension stated in Subsection (a) above. If the recommendation is oral, it shall later be reduced to writing and filed with the Director when time permits. If the Director fails to follow the oral or written recommendation, the Director shall report to the Entertainment Commission both the recommendation and the reason or reasons for not following the recommendation. This report shall occur at the next regular Commission meeting subsequent to the recommendation, consistent with the provisions of the Brown Act and Sunshine Ordinance. For purposes of this Subsection (d), the Captain for the district where the Place of Entertainment is located, or the Captain's designee, is deemed the Chief's designee unless the Chief of Police directs otherwise.

This Subsection (d) shall not preclude any Police Officer from recommending to the Director that the Director suspend a permit in accordance with the grounds for suspension stated in Subsection (a) above.

■ (Added by Ord. 239-09, File No. 080323, App. 11/20/2009; amended by Ord. [100-13](#), File No. 130182, App. 6/6/2013, Eff. 7/6/2013)

---

## **SEC. 1060.20.3. SUSPENSION FOR PUBLIC SAFETY BY THE DIRECTOR.**

(a) **GROUND FORSUSPENSION.** The Director may suspend any permit issued under this Article for up to 72 hours if the Director determines, after providing the Permittee at least 8 hours written notice and an opportunity to respond, that any of the circumstances set forth in Subsection (a)(1)(A) or (B) of this Section has occurred either on the Premises of the Business, on Any Sidewalk Abutting the Premises of the Business, or within 100 feet of the Premises of the Business, provided in this last instance that the person engaging in the conduct that would constitute a violation of a law specified in Subsection (a)(1)(A) had been on the Premises of the Business no more than 30 minutes before engaging in that conduct; that the conduct has resulted or could have resulted in serious bodily injury or death; and that continued operation of the Business poses a serious threat to public safety.

(1) (A) The Permittee or any employee or agent of the Permittee has engaged in conduct that would constitute a violation of any of the following laws: assault and battery (Cal. Penal Code §§ 240, 242, 245); felony sexual assault; sexual battery (Cal. Penal Code § 243.4); rape (Cal. Penal Code § 261); statutory rape (Cal. Penal Code § 261.5); pimping (Cal. Penal Code § 266); discharging firearm (Cal. Penal Code §§ 246, 246.3); unlawful weapon (Cal. Penal Code § 12020; S.F. Police Code § 1291); disturbing the peace (Cal. Penal Code §§ 415, 416, 417); unlawful threats (Cal. Penal Code § 422); a violent felony warranting enhancement of a prison term (Cal. Penal Code § 667.5); criminal gang activity (Cal. Penal Code § 186.22); or

(B) The Permittee has failed to take reasonable steps within the Permittee's control and within the limits of the law to halt the conduct of another Person that would constitute a violation of any law described in Subsection (a)(1)(A) of this Section.

(b) **NOTICE OF PROPOSED ORDER.** The Director shall provide the written notice required under Subsection (a) of this Section to the Permittee by personal delivery and electronically.

(c) **EFFECTIVE DATE AND TIME OF ORDER.** The order of suspension for public safety issued under this Section shall take effect at the date and time stated in the order.

(d) **DIRECTOR MAY VACATE ORDER.** The Director may vacate an order of suspension for public safety if the Director determines that operation of the Business before expiration of the suspension order will not pose a danger to the public because additional information demonstrates that the conduct was not related to the operation of the Business, the Permittee has taken adequate steps to correct the problem giving rise to the suspension, or other circumstances warrant such action.

(e) **POLICE DEPARTMENT RECOMMENDATION OF SUSPENSION FOR PUBLIC SAFETY.** The Chief of Police, or the Chief's designee, may recommend to the Director, orally or in writing, that the Director suspend a permit for public safety in accordance with the grounds for suspension stated in Subsection (a) above. If the recommendation is oral, it shall later be reduced to writing and filed with the Director when time permits. If the Director fails to follow the oral or written recommendation, the Director shall report to the Entertainment Commission both the recommendation and the reason or reasons for not following the recommendation. This report shall occur at the next regular Commission meeting subsequent to the recommendation, consistent with the provisions of the Brown Act and Sunshine Ordinance. For purposes of this Subsection (e), the Captain for the district where the Place of Entertainment is located, or the Captain's designee, is deemed the Chief's designee unless the Chief of Police directs otherwise.

This Subsection (e) shall not preclude any Police Officer from recommending to the Director that the Director suspend a permit for public safety in accordance with the grounds for suspension stated in Subsection (a) above.

- (Added by Ord. 239-09, File No. 080323, App. 11/20/2009; amended by Ord. [100-13](#), File No. 130182, App. 6/6/2013, Eff. 7/6/2013)

---

## **SEC. 1060.20.4. REVOCATION OF A PERMIT.**

(a) **Grounds for Revocation.** The Entertainment Commission may revoke any permit issued under this Article if it determines after a public hearing that any of the following conditions exist:

(1) The Permittee has knowingly made any false, misleading, or fraudulent statement of material fact or has knowingly omitted a material fact in the application for a permit.

(2) The Permittee has failed to pay any fee or charge required under this Article.

(3) The Permittee has failed to surrender the permit as required by Section 1060.24(b).

(4) One or more of the grounds for suspension enumerated in Section 1060.20.1(a) applies, and considerations of public safety warrant revocation of the permit. For purposes of this provision, "considerations of public safety" means a substantial risk of physical harm or injury to individuals. In determining whether considerations of public safety warrant revocation, the Commission shall evaluate the likelihood and seriousness of the threat to public safety that continued operation of the Business under the permit presents. In making its determination, the Commission shall consider the following factors: (i) the history of violence and other public safety problems associated with the operation of the Business; (ii) a pattern of the Permittee's noncompliance with Security Plan requirements imposed by law or as a condition of the permit; (iii) the frequency of the Permittee's violations of other provisions of law or permit conditions, which violations have contributed to violence or other public safety problems associated with the operation of the Business; (iv) the degree to which the Permittee's action or inaction has been responsible for violence and other public safety problems associated with the operation of the Business; and (v) the degree to which the City, through the Entertainment Commission, Director, Police Department, or otherwise, has notified the Permittee of violence or other public safety problems associated with the operation of the Business and/or of the need to take action to reduce such problems, and the promptness and efficacy of the Permittee's responses.

(5) One or more of the grounds for suspension enumerated in Section 1060.20.1(a) applies, and revocation is warranted because the problems that those grounds have created have been serious and continuing, and the action or inaction of the Permittee contributing to those problems has been persistent; provided, that the circumstances warranting revocation under this provision would constitute a public nuisance within the meaning of Section 3480 of the California Civil Code.

(b) **Hearing by Commission.** The Entertainment Commission shall give the Permittee and the Manager written notice of a hearing to determine whether to revoke a permit. The notice shall set forth the grounds for the proposed revocation and the date, time and location of the hearing.

(c) **Application for Permit After Revocation.** The revocation of a permit under this Article shall not preclude the Permittee from applying for a new permit under this Article, except that, notwithstanding any other provision of law, including but not limited to Sections 1060.5(f) and 1060.5.1(f), revocation under Section 1060.20.4(a)(4) or Section 1060.20.4(a)(5) shall render the Permittee ineligible to apply for a new permit under this Article for one year from the date of revocation.

(d) When considering whether to revoke a permit under this Article, the Commission and the Director shall consider any previous denial of a permit application or previous suspension or revocation of a permit, under this Article or Article 15.2, for the same permit applicant or Permittee when the circumstances warranting the previous action are relevant to the current determination.

(Added by Ord. 239-09, File No. 080323, App. 11/20/2009; amended by Ord. 217-10, File No. 100674, App. 8/9/2010; Ord. [172-11](#), File No. 110506, App. 9/12/2011, Eff. 10/12/2011)

---

## **SEC. 1060.24. PERMITS NOT TRANSFERABLE; PERMIT MUST BE SURRENDERED UPON SALE OF BUSINESS; PERMIT AMENDMENT REQUIRED TO CHANGE PARTNERS OR OTHER OWNERS.**

(a) No Person may transfer a Place of Entertainment Permit, Limited Live Performance Permit, or Fixed Place Outdoor Amplified Sound Permit to any other Person.

(b) If a Place of Entertainment Permittee, Limited Live Performance Permittee, or Fixed Place Outdoor Amplified Sound Permittee sells the Business, the Permittee shall promptly surrender the permit to the Director. If the Permittee fails to surrender the permit to the Director, the Director may, after giving the Permittee notice by mail and electronically of the proposed action and an opportunity to respond, revoke the permit.

(c) Notwithstanding Subsections (a) and (b) of this Section 1060.24, a Permittee may change partners, shareholders, or other owners of a Business provided that (1) the sale or other transfer of ownership results in a Person owning no more than 50% of the Business, regardless of the form of ownership, and (2) the Permittee obtains an amendment to the Permit as provided in this Section. If the transfer of ownership does not result in any Person (who did not already have such a percentage interest) having an ownership interest of 10% or more, the Permittee is not required to obtain a permit amendment.

(d) A Permittee seeking to amend a permit as required under this Section 1060.24 shall pay the filing fee for Permit Amendment/Additional Partner set forth in Section 2.26 of this Code. The applicant shall provide that portion of the information sought under Section 1060.3, 1060.3.1, or 1060.3.2 for an application that the Director requires.

(e) The Director shall determine within 30 days of the filing of a complete application to amend a permit whether to approve it. The Director shall approve the application unless the Director determines that denial is warranted under any of the grounds set forth in Section 1060.5(f), 1060.5.1(f), or 1060.5.2(f) and shall notify the Permittee and Manager of the approval electronically and either by mail or personal delivery.

(f) If the Director determines that disapproval of the application may be warranted under Section 1060.5(f), 1060.5.1(f), or 1060.5.2(f), the Director shall schedule a hearing on the matter for the next regularly scheduled meeting of the Entertainment Commission. The Director shall promptly provide written notice of the hearing to the Permittee and the Manager by mail and electronically.

(g) The Entertainment Commission shall determine whether to approve the application according to the standards governing the initial application set forth in Section 1060.5(f), 1060.5.1(f), or 1060.5.2(f).

(Amended by Ord. 555-81, App. 11/12/81; Ord. 164-02, File No. 020783, App. 7/26/2002; Ord. 239-09, File No. 080323, App. 11/20/2009; Ord. [172-11](#), File No. 110506, App. 9/12/2011, Eff. 10/12/2011; Ord. [100-13](#), File No. 130182, App. 6/6/2013, Eff. 7/6/2013; Ord. [163-17](#), File No. 170443, App. 7/27/2017, Eff. 8/26/2017; Ord. [250-18](#), File No. 180002, App. 11/2/2018, Eff. 12/3/2018; Ord. [111-21](#), File No. 210285, App. 8/4/2021, Eff. 9/4/2021)

---

## **SEC. 1060.24.1. COMPLIANCE WITH CONDITIONS; AMENDMENT OF PERMIT TO CHANGE CONDITIONS.**

No Permittee shall operate a Business in any manner inconsistent with any condition imposed on the permit. A Permittee may request an amendment to a permit to remove or change a condition, including but not limited to, an amendment to increase the noise limits contained in the permit as authorized by subsection (e) of Section 2909 of this Code, by filing a request with the Secretary of the Entertainment Commission and paying the fee for an Amendment to a Permit required under Police Code Section 2.26. In the case of applications to amend Place of Entertainment, Limited Live Performance, and Fixed Place Outdoor Amplified Sound permits, the Commission shall conduct a hearing and determine whether to approve the application to amend the permit according to the applicable procedures and standards governing the initial application for said permit as set forth in this Article 15.1. In the case of applications to amend permits that may be issued by the Director under this Article 15.1, such as One Time Event Permits, One Time Outdoor Amplified Sound Event Permits, and Sound Truck Permits, the Director may decide whether to approve the application or may, in the Director's sole discretion, refer the application to amend to the Commission for a hearing and determination.

(Added by Ord. 239-09, File No. 080323, App. 11/20/2009; amended by Ord. [70-15](#), File No. 141298, App. 5/21/2015, Eff. 6/20/2015; Ord. [163-17](#), File No. 170443, App. 7/27/2017, Eff. 8/26/2017)

---

## SEC. 1060.24.2. APPEALS TO THE BOARD OF APPEALS.

(a) The following actions taken under this Article may be appealed to the Board of Appeals: The granting or denial of a permit, including a conditionally granted permit, or an amendment to a permit, and the suspension or revocation of a permit. Any such appeal shall be filed within ten days from the date of the decision, as provided in Section 8 of the San Francisco Business and Tax Regulations Code.

(b) Notwithstanding the provisions of Subsection (a) of this Section, the Permittee or permit applicant may seek immediate judicial review of the actions described in Subsection (a) of this Section pursuant to California Code of Civil Procedure Section 1085 or Section 1094.8, as these provisions may be amended, including any successor provisions, or any other procedure provided by law; the Permittee or permit applicant is not required to exhaust his or her administrative remedies before the Entertainment Commission or before the Board of Appeals.

■ (Added by Ord. 239-09, File No. 080323, App. 11/20/2009)

---

## SEC. 1060.25. CRIMINAL, ADMINISTRATIVE, AND CIVIL PENALTIES.

(a) **CRIMINAL PENALTIES.** Any person who violates any provision of this Article 15.1 shall be deemed guilty of an infraction. Any person who violates this Article, or Police Code Section 49, more than once in a 12-month period shall be guilty of a misdemeanor. A first violation of this Article 15.1, or Police Code Section 49, is an infraction that is punishable by a fine of not more than \$100. A second violation within one year of the date of the first violation is a misdemeanor punishable by a fine of not to exceed \$1,000 or by imprisonment in the County Jail for a period not to exceed six months, or by both such fine and imprisonment, at the discretion of the prosecutor. A third or subsequent violation within one year of the date of the second or subsequent violation is a misdemeanor punishable by a fine of not to exceed \$1,000 or by imprisonment in the County Jail for a period not to exceed six months, or by both such fine and imprisonment, at the discretion of the prosecutor. Each day a Person conducts, operates, or maintains a Business without a valid permit shall constitute a separate violation.

(b) **ADMINISTRATIVE PENALTIES.**

(1) The Director may issue administrative citations for the violation of any condition imposed on a permit granted under this Article 15.1 and the violation of any provision of this Article including but not limited to Section 1060.1 (operating without a lawful Place of Entertainment permit) and Section 1060.31 or 1060.32 (governing Security Plans). In addition, the Director may issue administrative citations for the violation of any provision of law regarding such permits, including but not limited to permits authorized under Police Code Article 29 (Regulation of Noise). Administrative Code Chapter 100, "Procedures Governing the Imposition of Administrative Fines," is hereby incorporated in its entirety and shall govern the amount of fees and the procedure for imposition, enforcement, collection, and administrative review of administrative citations issued under this subsection (b). The Director shall impose fines for violations of any permit condition and any violation of Section 1060.31 or 1060.32 as set forth in Section 100.5(a) of the Administrative Code. For purposes of calculating and imposing the administrative penalties under this subsection (b), each day a violation occurs or continues shall constitute a separate violation. The Director may recover any costs and fees, including but not limited to attorneys' fees, for enforcement initiated through this Section and authorized under this Article.

(2) Notwithstanding subsection (b)(1), the procedure governing the appeal of a citation set forth in Administrative Code Chapter 100 is revised as provided in this subsection (b)(2). The Controller may designate the Director of the Department of Public Works as a hearing officer under Administrative Code Section 100.7,

but shall designate such officer for no more than one appeal a month and for no more than 12 times in a 12-month period.

(3) **Failure to Pay the Administrative Penalties.** If the responsible party fails to pay the administrative penalties to the Department within 30 days of service of the administrative citation, or within 30 days of the date the penalties have been upheld on appeal, the Director may take such action to collect the fees as he or she deems appropriate, including referral of the matter to the Bureau of Delinquent Revenue Collection under Article V, Section 10.39 of the Administrative Code, initiation of lien proceedings under Article XX, Section 10.230 *et seq.* of the Administrative Code, and/or requesting that the City Attorney pursue collection of the penalties imposed against the responsible party in a civil action. The City Attorney may request its attorneys' fees in any action that the City Attorney pursues to collect the administrative penalties or to enforce collection of the penalties.

(c) **CIVIL PENALTIES.**

(1) **Presumption of Noncompliance with Order.** In addition to any other penalties provided in this Article 15.1, any person or entity served with a notice or order by the Director setting forth the nature of the violation of this Article, demanding correction of such violation, and specifying the time within which such violation must be corrected, shall be presumed, in subsequent civil proceedings, to have failed to comply with that notice or order at and after the time given in that notice or order for correction of such violation, after the time period specified in the notice or order has expired without correction of that violation.

(2) **Injunction.** In a civil action brought by the City Attorney, any person who commits, or proposes to commit, an action in violation of this Article 15.1 may be enjoined therefrom.

(3) **Penalty Amounts.** Any person or entity violating this Article 15.1 shall be liable for a civil penalty of up to \$1,000 per violation for each day such violation is committed or permitted to continue, which penalty shall be assessed and recovered in a civil action brought in the name of the people of the City and County of San Francisco by the City Attorney in any court of competent jurisdiction.

(4) **Setting Civil Penalty.** In assessing the amount of the civil penalty, the Court shall consider any one or more of the relevant circumstances presented by any of the parties to the case, including but not limited to the following: the nature and seriousness of the misconduct, the number of violations, the persistence of the misconduct, the length of time over which the misconduct occurred, the willfulness of the defendant's misconduct, and the defendant's assets, liabilities, and net worth. In addition, such violations will not be deemed legally abated until the property owner makes full payment of the assessment of costs and fees awarded to the City under this Article or any applicable State law.

(5) **Cost Recovery.** In any civil proceeding filed by the City Attorney to collect civil penalties, the Court may award the City costs and fees, including but not limited to attorneys' fees, and costs of investigation, enforcement, abatement, and litigation, authorized under this Article.

(d) The remedies specified in this Article 15.1 shall not preclude any other remedies available under state or local law.

(Amended by Ord. 273-73, App. 7/6/73; Ord. 262-04, File No. 041148, App. 11/4/2004; Ord. 239-09, File No. 080323, App. 11/20/2009; Ord. [100-13](#), File No. 130182, App. 6/6/2013, Eff. 7/6/2013; Ord. [163-17](#), File No. 170443, App. 7/27/2017, Eff. 8/26/2017; Ord. [250-18](#), File No. 180002, App. 11/2/2018, Eff. 12/3/2018)

---

## SEC. 2900. DECLARATION OF POLICY.

(a) Building on decades of scientific research, the World Health Organization and the U.S. Environmental Protection Agency have determined that persistent exposure to elevated levels of community noise is responsible

for public health problems including, but not limited to:<sup>034</sup> Compromised speech, persistent annoyance, sleep disturbance, physiological and psychological stress, heart disease, high blood pressure, colitis, ulcers, depression, and feelings of helplessness.

(b) The General Plan for San Francisco identifies noise as a serious environmental pollutant that must be managed and mitigated through the planning and development process. But given our dense urban environment. San Francisco has a significant challenge in protecting public health from the adverse effects of community noise arising from diverse sources such as transportation, construction, mechanical equipment, entertainment, and human and animal behavior.

(c) In order to protect public health, it is hereby declared to be the policy of San Francisco to prohibit unwanted, excessive, and avoidable noise. It shall be the policy of San Francisco to maintain noise levels in areas with existing healthful and acceptable levels of noise and to reduce noise levels, through all practicable means, in those areas of San Francisco where noise levels are above acceptable levels as defined by the World Health Organization's Guidelines on Community Noise.

(Added by Ord. 274-72, App. 9/20/72; amended by Ord. 278-08, File No. 081119, App. 11/25/2008; Ord. [75-14](#), File No. 140226, App. 5/28/2014, Eff. 6/27/2014)

---

## **SEC. 2901. DEFINITIONS.**

(a) "Ambient" means LAeq and LCEq values produced during a minimum ten-minute period as measured with a type 1, precision level sound meter, using "A" and "C" frequency weighting. The minimum sound level shall be determined with the noise source at issue silent, and in the same location as the measurement of the noise level of the source or sources at issue. However, for purposes of this Article 29, in no case shall the ambient be considered or determined to be less than: (1) 35 dBA for interior residential noise, and (2) 45 dBA in all other locations. If a significant portion of the ambient is produced by one or more individual identifiable sources of noise that contribute cumulatively to the sound level and may be operating continuously during the minimum ten-minute measurement period, determination of the ambient shall be accomplished with these separate identifiable noise sources silent or otherwise removed or subtracted from the measured ambient sound level.

(b) "Director" means the Director or department head of any City department having administrative or enforcement responsibilities under this Article or any other provision of the Municipal Code regarding noise control, as well as his or her designee.

(c) "Dwelling Unit" means

(1) a dwelling space consisting of essentially complete independent living facilities for one or more persons, including, for example, permanent provisions for living and sleeping;

(2) a room in group housing, even if such room lacks private cooking facilities and private plumbing facilities, such as rooms in senior citizen housing, single room occupancy or residential hotels, dorms, hostels, or shelters; or,

(3) a housekeeping room as defined in the Housing Code.

(d) "Emergency work" means work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger or work by private or public utilities when restoring utility service. This term shall not include testing of emergency equipment.

(e) "Fixed source" means a machine or device capable<sup>935</sup> of creating a noise level at the property upon which it is regularly located, including but not limited to: industrial and commercial process machinery and equipment, pumps, fans, air-conditioning apparatus or refrigeration machines.

(f) "Low frequency ambient" means the average, or L<sub>C</sub>eq value, produced during a ten-minute period as measured with a type 1, precision sound level meter. The sound level shall be determined with the music or entertainment noise source at issue silent, and in the same location as the measurement of the noise level of the source or sources at issue. However, for purposes of this Article 29, in no case shall the low-frequency ambient be considered or determined to be less than: (1) 45 dBC for interior residential noise, and (2) 55 dBC in all other locations. If a significant portion of the ambient is produced by one or more individual identifiable sources that would otherwise be operating continuously during the minimum ten-minute measurement period, determination of the low-frequency ambient shall be accomplished with these separate identifiable noise sources silent or otherwise removed or subtracted from the measured ambient sound.

(g) "Noise level" means the L<sub>A</sub>eq or L<sub>C</sub>eq value produced during a minimum one-minute period, produced by a source or group of sources as measured with a type 1, precision sound level meter. In order to measure a noise level, the controls of the sound level meter should be arranged to the setting appropriate to the type of noise being measured.

(h) "Person" means a person, firm, association, copartnership, joint venture, corporation, or any entity, public or private in nature, but shall not include the City and County of San Francisco.

(i) "Place of Entertainment" has the same meaning as the term is defined in San Francisco Police Code Section 1060.

(j) "Powered construction equipment" means any tools, machinery, or equipment used in connection with construction operations which can be driven by energy in any form other than manpower, including all types of motor vehicles when used in the construction process of any construction site, regardless of whether such construction site be located on-highway or off-highway, and further including all helicopters or other aircraft when used in the construction process except as may be preempted for regulation by State or Federal law.

(k) "Property plane" means a vertical plane including the property line that determines the property boundaries in space.

(l) "Public Property " means property leased or owned by a governmental entity, to which the public or a substantial group of persons has access, including but not limited to any street, highway, parking lot, plaza, transportation facility, school, place of amusement, park, or playground located within the City and County of San Francisco.

(m) "Residential Property" means any property that has at least one dwelling unit and has been approved for human habitation by the City and County of San Francisco.

(n) "Sound level," expressed in decibels (dB), means a logarithmic indication of the ratio between the acoustic energy present at a given location and the lowest amount of acoustic energy audible to sensitive human ears and weighted by frequency to account for characteristics of human hearing, as given in the American National Standards Institute Standard S1.1, "Acoustic Terminology," paragraph 2.9, or successor reference. All references to dB in this Article 29 refer to the A-level or C-level weighting scale, abbreviated dBA or dBC, measured as set forth in this section.

(o) "Limited Live Performance Locale" has the same meaning as the term is defined in San Francisco Police Code Section 1060.

(Amended by Ord. 309-73, App. 8/10/73; Ord. 278-08, File No. 081119, App. 11/25/2008; Ord. [172-11](#), File No. 110506, App. 9/12/2011, Eff. 10/12/2011; Ord. [100-12](#), File No. 120405, App. 6/8/2012, Eff. 7/8/2012; Ord. [118-25](#), File No. 250537, App. 7/17/2025, Eff. 8/17/2025)

---

## **SECS. 2901.1-2901.14. RESERVED.**

(Repealed by Ord. 278-08, File No. 081119, App. 11/25/2008)

## SEC. 2909. NOISE LIMITS.

### (a) Residential Property Noise Limits.

(1) No person shall produce or allow to be produced by any machine, or device, music or entertainment or any combination of same, on residential property over which the person has ownership or control, a noise level more than five dBA above the ambient at any point outside of the property plane.

(2) No person shall produce or allow to be produced by any machine, or device, music or entertainment or any combination of same, on multi-unit residential property over which the person has ownership or control, a noise level more than five dBA above the local ambient three feet from any wall, floor, or ceiling inside any dwelling unit on the same property, when the windows and doors of the dwelling unit are closed, except within the dwelling unit in which the noise source or sources may be located.

(b) **Commercial And Industrial Property Noise Limits.** No person shall produce or allow to be produced by any machine, or device, music or entertainment or any combination of same, on commercial or industrial property over which the person has ownership or control, a noise level more than eight dBA above the local ambient at any point outside of the property plane. With respect to noise generated from a licensed Place of Entertainment, licensed Limited Live Performance Locale, or other location subject to regulation by the Entertainment Commission or its Director, in addition to the above dBA criteria a secondary low frequency dBC criteria shall apply to the definition above. No noise or music associated with a licensed Place of Entertainment, licensed Limited Live Performance Locale, or other location subject to regulation by the Entertainment Commission or its Director, shall exceed the low frequency ambient noise level defined in Section 2901(f) by more than 8 dBC.

(c) **Public Property Noise Limits.** No person shall produce or allow to be produced by any machine or device, or any combination of same, on public property, a noise level more than ten dBA above the local ambient at a distance of twenty-five feet or more, unless the machine or device is being operated to serve or maintain the property or as otherwise provided in this Article.

(d) **Fixed Residential Interior Noise Limits.** In order to prevent sleep disturbance, protect public health and prevent the acoustical environment from progressive deterioration due to the increasing use and influence of mechanical equipment, no fixed noise source may cause the noise level measured inside any sleeping or living room in any dwelling unit located on residential property to exceed 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. or 55 dBA between the hours of 7:00 a.m. to 10:00p.m. with windows open except where building ventilation is achieved through mechanical systems that allow windows to remain closed.

(e) **Noise Caused By Activities Subject To Permits From the City and County of San Francisco.** None of the noise limits set forth in this Section apply to activity for which the City and County of San Francisco has issued a permit that contains noise limit provisions that are different from those set forth in this Article.

(Added by Ord. 274-72, App. 9/20/72; amended by Ord. 278-08, File No. 081119, App. 11/25/2008; Ord. [172-11](#), File No. 110506, App. 9/12/2011, Eff. 10/12/2011; Ord. [100-13](#), File No. 130182, App. 6/6/2013, Eff. 7/6/2013)

## SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

The North Beach Neighborhood Commercial District is a nonlinear district centered on Columbus Avenue, located in the valley between Telegraph Hill and Russian Hill north of Broadway. North Beach functions as a neighborhood-serving marketplace, Citywide specialty shopping, and dining district, and a tourist attraction, as well as an apartment and residential hotel zone. Traditionally, the District has provided most convenience goods and services for residents of North Beach and portions of Telegraph and Russian Hills. North Beach’s eating, drinking, and entertainment establishments remain open into the evening to serve a much wider trade area and attract many tourists. The balance between neighborhood-serving convenience stores and Citywide specialty businesses has shifted, as convenience stores have been replaced by restaurants and bars. The proliferation of financial services, limited financial services, and professional services has also upset the District’s balance of uses. The relocation of business and professional offices from downtown to North Beach threatens the loss of upper-story residential units.

The North Beach District controls are designed to ensure the livability and attractiveness of North Beach. The protection and enhancement of the unique architectural, cultural, and historic character of North Beach shall be prioritized. Building standards limit new development to a small to moderate scale. Rear yards are protected above the ground story and at residential levels. Active commercial uses shall be required at the ground floor. Special controls limit Health Services to small neighborhood-serving medical and dental services, while large-scale medical facilities are prohibited. Small-scale, neighborhood-serving businesses are strongly encouraged and formula retail uses are prohibited. To preserve and maintain the district’s small-scale, fine grain storefronts, the consolidation or merger of existing retail or commercial spaces or storefronts is restricted, and Use Sizes are controlled to encourage traditional small-scale commercial spaces. Special controls are necessary because an over-concentration of food and beverage service establishments limits neighborhood-serving retail sales and personal services in an area that needs them to thrive as a neighborhood. To honor the importance of Legacy Businesses in the success of the neighborhood, special controls are in place to prevent the replacement of an active Legacy Business with a non-Legacy Business. In order to maintain neighborhood-serving retail sales and personal services and to protect residential livability, additional Restaurants and Bars are prohibited in spaces that have been occupied by neighborhood-serving retail sales and personal services. Financial services, limited financial services, and ground-story business and professional office uses are prohibited from locating in the portion of the district south of Greenwich Street, while new financial services locating in the portion of the district north of Greenwich Street are limited. Restrictions on automobile and drive-up uses are intended to promote continuous retail frontage and maintain residential livability.

In keeping with the District’s existing mixed-use character, housing development in new buildings is encouraged above the ground floor. Existing residential units are protected by limitations of upper-story conversions, mergers, removals, and demolitions. Accessory Dwelling Units are permitted within the existing building envelope, but may not eliminate or reduce ground-story retail or commercial space.

**Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT**

**ZONING CONTROL TABLE**

<i>North Beach NCD</i>		
<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>
BUILDING STANDARDS (17)		

<i>Massing and Setbacks</i>		
	038	
Height and Bulk Limits.	102, 105, 106, 250–252, 260 , 263.19, 261.1, 270, 270.3 , 271. See also Height and Bulk District Maps	Varies. See Height and Bulk Map Sheet HT01 for more information. Height sculpting required on Alleys per §261.1.
5 Foot Height Bonus for Active Ground Floor Uses	§ 263.20	NP
Rear Yard	§§ 130, 134, 134(a)-(e), 136	Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet
Front Setback and Side Yard	§§ 130, 131, 132, 133	Generally not required; however, if the existing sidewalk does not meet the recommended width required by the Better Streets Plan, a front setback shall be provided so that, when combined with the existing sidewalk, the total distance from the curb to the building frontage meets or exceeds the required recommended width under the Better Streets Plan. This setback is required only up to 15 feet above street grade. See § 132(e).
<i>Street Frontage and Public Realm</i>		
Restrictions on Lot Mergers	§ 121.7	Restrictions on lot mergers resulting in a lot with a single public street or private frontage greater than 25 feet. For lots that do not have a street frontage, the merger would not result in a lot width greater than 25 feet.
Streetscape and Pedestrian Improvements	§ 138.1	Required
Street Frontage Requirements	§ 145.1	Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.
Ground Floor Commercial	§§ 145.4	Required within the entire District.
Vehicular Access Restrictions	§ 155(r) and(t)	Prohibited on Columbus Avenue between Washington and North Point Streets, Grant Avenue between Columbus Avenue and Filbert Street, and Green Street between Grant Avenue and Columbus/Stockton streets, and Alleys in the NBNC and Telegraph Hill-NB Residential SUD. Mandatory discretionary review required to

	039	install garages in buildings with two or more units.
<i>Miscellaneous</i>		
Lot Size (Per Development)	§§ 102, 121.1	P(16)
Planned Unit Development	§ 304	NP
Awning, Canopy or Marquee	§ 136.1	P
Signs	§§ 262, 602- 604, 607, 607.1, 608, 609	As permitted by § 607.1. Vintage Signs permitted per Section 608.14.
General Advertising Signs	§§ 262, 602, 604, 608, 609, 610, 611	NP
Design Guidelines and Standards	General Plan Commerce and Industry Element	Subject to the Urban Design Guidelines, Citywide Design Standards, historic resource consideration, and any other applicable design guidelines that have been approved by the Planning Commission. Properties in this District have been identified as potentially eligible for National Register or California Register.
Housing Choice-SF	§ 206.10	Form-based density, additional height, and other zoning modifications for eligible projects in the R-4 Height and Bulk District.

<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>
<i>RESIDENTIAL STANDARDS AND USES</i>		
<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>
<i>RESIDENTIAL STANDARDS AND USES</i>		
<i>Development Standards</i>		
Usable Open Space [Per Dwelling Unit]	§§ 135, 136	60 square feet if private, or 80 square feet if common, or the amount of open space required in the nearest Residential District, whichever is less.
Off Street Parking Requirements	§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5	No car parking required. P up to 0.5 parking spaces for each Dwelling Unit; C up to 0.75 parking spaces for each Dwelling Unit. (1) Per 155(t), special controls when installing garages in Residential Buildings. Bike parking required per § 155.2
Dwelling Unit Mix	§ 207.7	Generally required for creation of 10 or more Dwelling Units. No less than 25% of the total number of proposed Dwelling Units shall contain at least two Bedrooms, and no less than 10% of the total number of proposed Dwelling Units shall contain at least three Bedrooms.
<i>Use Characteristics</i>		
Intermediate Length Occupancy	§§ 102; 202.10	P(13)

Single Room Occupancy	§ 102 <sup>040</sup>	P		
Student Housing	§ 102	P		
<i>Residential Uses</i>		<i>Controls By Story</i>		
		<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
Residential Uses	§ 102	NP(3)(11)	P	P
Accessory Dwelling Units	§§102, 207.1, 207.2	P per Planning Code §§ 207.1 and 207.2.		
Dwelling Unit Density, General	§§ 102, 207	1 unit per 400 square foot lot area or the density permitted in the nearest R District, whichever is greater. Form-Based Density applies within the R-4 Height and Bulk District (§§ 263.19, 270(i)).		
Minimum Dwelling Unit Densities, if Applicable	§ 207.9	Varies depending on project location, but generally ranges between 50 and 100 dwelling units per acre.		
Maximum Dwelling Unit Size	§§ 207.10, 317	P up to 4,000 square feet of Gross Floor Area or an equivalent Floor Area Ratio for any individual Dwelling Unit of 1.2:1. C for Dwelling Units that exceed the greater of those thresholds.		
Group Housing Density	§ 208	1 bedroom per 140 square foot lot area, or the density permitted in the nearest R District, whichever is greater. Form-Based Density applies within the R-4 Height and Bulk District (§§ 263.19, 270(i)).		
Homeless Shelters	§§ 102, 208	Density limits regulated by the Administrative Code		
Senior Housing Density	§§ 102, 202.2(f), 207	P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location. Form-Based Density applies within the R-4 Height and Bulk District (§§ 263.19, 270(i)).		
<i>Loss of Dwelling Units</i>		<i>Controls by Story</i>		
		<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
Residential Conversion	317	C	NP	NP
Residential Demolition and Merger	§ 317	C	NP	NP

<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>		
NON-RESIDENTIAL STANDARDS AND USES (18)				

<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>		
<b>NON-RESIDENTIAL STANDARDS AND USES (18)</b>				
<i>Development Standards</i>				
Floor Area Ratio	§§ 102, 123, 124 , 207.9	1.8 to 1 <sup>4</sup> For Office Uses minimum intensities may apply pursuant to § 207.9.		
Use Size	§§ 102, 121.2, 121.5	P up to 3,000 square feet; C 3,001 square feet and above. (10)(5) Division of large use sizes per § 121.5		
Off Street Parking Requirements	§§ 150, 151.1, 155(r) and (t), 161	Car parking not required. Limits set forth in § 151.1. Bike parking required per Section 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per § 166. See restrictions under Vehicular Access.		
Off-Street Freight Loading	§§ 150, 152, 153 - 155, 161, 204.5	None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §§ 155 and 161. See restrictions under Vehicular Access.		
Storefront Mergers		C up to 3,000 square feet; NP 3,001 square feet and above.		
<i>Commercial Use Characteristics</i>				
Drive-up Facility	§ 102	NP		
Formula Retail	§§ 102, 303.1	NP		
Hours of Operation	§ 102	P 6 a.m. - 2 a.m.; NP 2 a.m. - 6 a.m.		
Maritime Use	§ 102	NP		
Open Air Sales	§§ 102, 703(b)	See § 703(b)		
Outdoor Activity Area	§§ 102, 145.2, 202.2	P if located in front or it complies with Section 202.2(a)(7); C if located elsewhere.		
Walk-up Facility	§ 102	P (2)		
		<i>Controls by Story</i>		
		<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
<i>Uses in Historic Buildings</i>				
Historic Buildings	§ 202.11	In Historic Buildings, Uses listed below as NP are C and Uses listed below as C are P, except Cannabis Retail, Hotel, and certain Industrial Uses, as specified in § 202.11.		
<i>Agricultural Use Category</i>				
<b>Agriculture Uses*</b>	§§ 102, 202.2(c)	NP	NP	NP
Agriculture, Neighborhood Agriculture	§§ 102, 202.2(c)	P	P	P
<i>Automotive Use Category</i>				
<b>Automotive Uses*</b>	§§ 102, 187.1, 202.2(b), 145.4	NP(11)	NP	NP

Electric Vehicle Charging Location	§§ 102, 202.2(b) <sup>042</sup> , 202.13	C(15) <sup>3</sup>	C(15)	C(15)
Fleet Charging	§ 102	C	C	C
<i>Entertainment, Arts and Recreation Use Category</i>				
<b>Entertainment, Arts and Recreation Uses*</b>	§ 102	NP	NP	NP
Arts Activities	§ 102	P	P	P
Entertainment, General	§ 102	P	P	NP
Entertainment, Nighttime	§ 102	C	NP	NP
Movie Theater	§§ 102, 202.4	P	P	P
Open Recreation Area	§ 102	C	C	C
Passive Outdoor Recreation	§ 102	C	C	C
<i>Industrial Use Category</i>				
Industrial Uses	§§ 102, 202.2(d)	NP	NP	NP
<i>Institutional Use Category</i>				
<b>Institutional Uses*</b>	§ 102	P	C	C
Child Care Facility	§ 102	P	P	P
Community Facility	§ 102	P	P	P
Hospital	§ 102	NP	NP	NP
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	DR	NP
Public Facilities	§ 102	P	P	P
Residential Care Facility	§§ 102, 145.4	NP	P	P
Social Service or Philanthropic Facility	§ 102	P	P	P
<i>Sales and Service Use Category</i>				
<b>Retail Sales and Service Uses*</b>	§§ 102, 202.2(a), 202.3	P(10)	P(10)	NP
Adult Business	§ 102	NP	NP	NP
Adult Sex Venue	§ 102	NP	NP	NP
Animal Hospital	§ 102	P	P	NP
Bar	§§ 102, 202.2(a)	C(5)	NP	NP
Cannabis Retail	§§ 102, 202.2(a)	C	C	NP
Flexible Retail	§§ 102, 202.9	P	NP	NP
Hotel	§ 102	C	C	C
Kennel	§ 102	NP	NP	NP
Liquor Store	§ 102	C(12)	NP	NP
Massage Establishment	§§ 102, 204, 303(n), 703	C(14)	C(14)	NP(14)
Massage, Foot/Chair	§ 102	P	NP	NP
Mortuary	§ 102	NP	NP	NP
Motel	§§ 102, 202.2(a)	NP	NP	NP

Reproductive Health Clinic	§§ 102, 202.5 <sup>043</sup>	P	P	P
Restaurant	§§ 102, 202.2(a)	C(5)	NP	NP
Restaurant, Limited	§§ 102, 202.2(a)	P	NP	NP
Services, Financial	§ 102, 781.6	C(7)	NP	NP
Services, Fringe Financial	§ 102, 781.6	NP(8)	NP(8)	NP(8)
Services, Health	§ 102	NP	C	C
Services, Limited Financial	§§102, 781.6	C(2)(7)	NP	NP
Services, Retail Professional	§§102, 781.6	C(7)	P	P
Specialty Food Manufacturing	§ 780.3(c)	C	NP	NP
Storage, Self	§ 102	NP	NP	NP
Tobacco Paraphernalia Establishment	§ 102	C	NP	NP
Trade Shop	§ 102	P	C	NP
<b>Non-Retail Sales and Service*</b>	§ 102	NP	NP	NP
Design Professional	§ 102, 781.6	C(7)	P	NP
Service, Non-Retail Professional	§ 102	NP	P	NP
Trade Office	§ 102, 781.6	C(7)	P	NP
<i>Utility and Infrastructure Use Category</i>				
<b>Utility and Infrastructure*</b>	§ 102	C(9)	C(9)	C(9)
Power Plant	§ 102	NP	NP	NP
Public Utilities Yard	§ 102	NP	NP	NP
Utility Installation	§§ 102, 145.4	NP	NP	NP

\* Not listed below

(1) NORTH BEACH OFF-STREET PARKING, RESIDENTIAL (Section 155(t))

**Boundaries:** North Beach NCD, North-Beach Telegraph Hill SUD

**Controls:**

(a) Installing a garage in an existing or proposed residential building of two or more units requires a mandatory Discretionary Review by the Planning Commission. In order to approve the installation of any garage in these districts, the City shall find that:

(i) the proposed garage opening/addition of off-street parking will not cause the elimination or reduction of ground-story retail or commercial space;

(ii) the proposed garage opening/addition of off-street parking will not eliminate or decrease the square footage of any dwelling unit;

(iii) the building has not had two or more evictions, with each eviction associated with a separate unit(s) within the past 10 years,

(iv) the garage would not front on an Alley pursuant to Section 155(r)(1) of this Code or on a public right-of-way narrower than 41 feet, and

(v) the proposed garage/addition of off-street parking is consistent with the Priority Policies of Section 101.1 of this Code.

(b) Prior to issuance of any required notification under Section 311 of this Code, the Department shall require a signed affidavit by the project sponsor attesting to (i) (ii) and (iii)<sup>2</sup> above, which the Department shall independently verify, and the Department shall determine whether the project complies with (iv) and (v) above. If the project sponsor does not provide such affidavit or the Department determines that the

garage would violate subsection (iv) above, the Department shall disapprove the application and no Planning Commission hearing shall be required.

(2) NORTH BEACH WALK UP FACILITIES: Walk-up facilities are P in the District, except automated bank teller machines (ATMs), which are NP.

(3) C in Historic Buildings pursuant to Section 202.11.

(4) [Note deleted.]

(5) Restaurants and Bars may be permitted as a Conditional Use on the First Story through the procedures set forth in Section 303 only if the Zoning Administrator first determines that the proposed new Restaurant or Bar would occupy a space that is currently or was last legally occupied by one of the uses described below; provided that its last use has not been discontinued or abandoned pursuant to Sections 186.1(d) or 178(d) of this Code and that the proposed new use will not enlarge the space; and provided further that no Conditional Use shall be required if the use remains the same as the prior authorized use, with no enlargement or intensification of use:

(A) A Bar may occupy a space that is currently or last legally occupied by a Bar;

(B) A Restaurant may occupy a space that is currently or was last legally occupied by a Limited Restaurant, Restaurant or Bar;

(C) Except as provided herein, no other use shall be allowed to convert to a Restaurant or Bar.

(6) [Note deleted.]

(7) NORTH BEACH FINANCIAL SERVICE, LIMITED FINANCIAL SERVICE, AND BUSINESS OR PROFESSIONAL SERVICE SUBDISTRICT (Section 781.6)

**Boundaries:** Applicable only for portions of the North Beach NCD south of Greenwich Street as mapped on Sectional Map SU01.

**Controls:** Financial Services and Limited Financial Services are NP at all stories; Retail Professional Services, Design Professional, and Trade Offices are NP at the First story.

(8) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) SECTION 249.35

**Boundaries:** The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the North Beach Neighborhood Commercial District.

**Controls:** Fringe Financial Services are NP within any FFSRUD and its 1/4 mile buffer pursuant to Section 249.35. Outside any FFSRUD and its 1/4 mile buffer, Fringe Financial Services are P subject to the restrictions set forth in Section 249.35(c)(3).

(9) C if a Macro WTS Facility; P if a Micro WTS Facility.

(10) [Note deleted.]

(11) GROUND FLOOR COMMERCIAL USES REQUIRED

**Boundaries:** North Beach NCD

**Controls:** Unless otherwise prohibited or limited by Section 722, or any other section of this Code, to promote active, pedestrian-oriented streetscape, Active Commercial uses shall be required at the Ground Floor pursuant to Section 145.4. Per Section 145.4(c)(1), "active commercial uses" shall not include Automotive Uses except for Automobile Sale or Rental uses where curbs-cuts, garage doors, or loading access are not utilized or proposed and such sales or rental activity is entirely within an enclosed building and does not encroach on surrounding sidewalks or open spaces.

(12) Temporary closures of existing liquor stores located in the North Beach Neighborhood Commercial District, for reconstruction or repair after a fire, shall not be considered an abandonment of such use pursuant to Section 178 of this Code, for up to six years from the date of the fire, unless the original liquor store elects to relocate somewhere else permanently. Temporary relocation of liquor stores in the North Beach Neighborhood Commercial District that have been closed as a result of a fire to another location in the North Beach Neighborhood Commercial District shall not require a new Conditional Use Permit for the duration of up to six years of interim relocation, from the date of the fire.

(13) NP for buildings with three or fewer Dwelling Units. C for buildings with 10 or more Dwelling Units.

(14) P if accessory to a Hotel, Personal Service or Health Service.

(15)<sup>3</sup> P where existing use is any Automotive Use.

(16) C for 2,500 square feet and above if located within the Priority Equity Geographies Special Use District established under Section 249.97.

(17) Architectural and Cultural Heritage of North Beach. Section 101.1 of the Planning Code includes the priority policy that historic buildings be preserved. The architectural and cultural character and features of Historic Buildings shall be preserved and enhanced. The Historic Preservation Commission or its staff shall review any proposed alterations to Historic Buildings, as defined in section 102, and must determine that such alterations comply with the Secretary of Interior's Standards for the Treatment of Historic Properties before the City approves any permits to alter such buildings.

(18) Legacy Business: Where an immediately prior use was a Legacy Business, as defined under Administrative Code Section 2A.242, the controls require any new Non-Residential use to obtain Conditional Use authorization; provided, however, that this requirement shall not apply where: (A) the subject non-residential space has had no occupant and has not been open to the public for three or more years from the date the application for the new use is filed, or (B) the Legacy Business has removed itself or has been otherwise removed from the Legacy Business Registry.

(Added by Ord. 69-87, App. 3/13/87; amended by Ord. 445-87, App. 11/23/87; Ord. 412-88, App. 9/10/88; Ord. 272-93, App. 8/25/93; Ord. 312-99, File No. 991586, App. 12/3/99; Ord. 87-00, File No. 991963, App. 5/19/2000; Ord. 260-00, File No. 001424, App. 11/17/2000; Ord. 275-05, File No. 051250, App. 11/30/2005; Ord. 289-06, File No. 050176, App. 11/20/2006; Ord. 269-07, File No. 070671, App. 11/26/2007; Ord. 87-08, File No. 071674, App. 5/13/2008; Ord. 244-08, File No. 080567, App. 10/30/2008; Ord. 245-08, File No. 080696; Ord. 51-09, File No. 081620, App. 4/2/2009; Ord. 77-10, File No. 091165, App. 4/16/2010; Ord. [66-11](#), File No. 101537, App. 4/20/2011, Eff. 5/20/2011; Ord. [140-11](#), File No. 110482, App. 7/5/2011, Eff. 8/4/2011; Ord. [75-12](#), File No. 120084, App. 4/23/2012, Eff. 5/23/2012; Ord. [56-13](#), File No. 130062, App. 3/28/2013, Eff. 4/27/2013; Ord. [287-13](#), File No. 130041, App. 12/26/2013, Eff. 1/25/2014; Ord. [227-14](#), File No. 120796, App. 11/13/2014, Eff. 12/13/2014; Ord. [232-14](#), File No. 120881, App. 11/26/2014, Eff. 12/26/2014; Ord. [235-14](#), File No. 140844, App. 11/26/2014, Eff. 12/26/2014; Ord. [14-15](#), File No. 141210, App. 2/13/2015, Eff. 3/15/2015; Ord. [20-15](#), File No. 110548, App. 2/20/2015, Eff. 3/22/2015; redesignated and amended by Ord. [30-15](#), File No. 140954, App. 3/26/2015, Eff. 4/25/2015; amended by Ord. [162-15](#), File No. 150805, App. 9/18/2015, Eff. 10/18/2015; Ord. [33-16](#), File No. 160115, App. 3/11/2016, Eff. 4/10/2016; Ord. [162-16](#), File No. 160657, App. 8/4/2016, Eff. 9/3/2016; Ord. [166-16](#), File No. 160477, App. 8/11/2016, Eff. 9/10/2016; Ord. [129-17](#), File No. 170203, App. 6/30/2017, Eff. 7/30/2017; Ord. [130-17](#), File No. 170204, App. 6/30/2017, Eff. 7/30/2017; Ord. [189-17](#), File No. 170693, App. 9/15/2017, Eff. 10/15/2017; Ord. [196-17](#), File No. 170419, App. 10/5/2017, Eff. 11/4/2017; Ord. [229-17](#), File No. 171041, App. 12/6/2017, Eff. 1/5/2018; Ord. [47-18](#), File No. 171108, App. 3/16/2018, Eff. 4/16/2018; Ord. [202-18](#), File No. 180557, App. 8/10/2018, Eff. 9/10/2018; Ord. [263-18](#), File No. 180861, App. 11/2/2018, Eff. 12/3/2018; Ord. [277-18](#), File No. 180914, App. 11/20/2018, Eff. 12/21/2018; Ord. [285-18](#), File No. 180806, App. 12/7/2018, Eff. 1/7/2019; Ord. [303-18](#), File No. 180915, App. 12/21/2018, Eff. 1/21/2019; Ord. [116-19](#), File No. 181156, App. 6/28/2019, Eff. 7/29/2019; Ord. [182-19](#), File No. 190248, App. 8/9/2019, Eff. 9/9/2019; Ord. [63-20](#), File No. 200077, App. 4/24/2020, Eff. 5/25/2020; Ord. [78-20](#), File No. 191075, App. 5/22/2020, Eff. 6/22/2020; Ord. [117-20](#), File No. 200114, App. 7/31/2020, Eff. 8/31/2020; Ord. [182-20](#), File No. 200673, App. 10/2/2020, Eff. 11/2/2020; [Proposition H](#), 11/3/2020, Eff. 12/18/2020; Ord. [136-21](#), File No. 210674, App. 8/4/2021, Eff. 9/4/2021; Ord. [233-21](#), File No. 210381, App. 12/22/2021, Eff. 1/22/2022; Ord. [37-22](#), File No. 211263, App. 3/14/2022, Eff. 4/14/2022; Ord. [75-22](#), File No. 220264, App. 5/13/2022, Eff. 6/13/2022; Ord. [95-22](#), File No. 220342, App. 6/24/2022, Eff. 7/25/2022; Ord. [190-22](#), File No. 220036, App. 9/16/2022, Eff. 10/17/2022; Ord. [264-22](#), File No. 220811, App. 12/22/2022, Eff. 1/22/2023; Ord. [248-23](#), File No. 230446, App. 12/14/2023, Eff. 1/14/2024; Ord. [249-23](#), File No. 230701, App. 12/14/2023, Eff. 1/14/2024; Ord. [33-24](#), File No. 231144, App. 2/21/2024, Eff. 3/23/2024; Ord. [62-24](#), File No. 230310, App. 3/28/2024, Eff. 4/28/2024; Ord. [85-24](#), File No. 231221, App. 4/26/2024, Eff. 5/27/2024; Ord. [173-25](#), File No. 250634, App. 9/5/2025, Eff. 10/6/2025; Ord. [217-25](#), File No. 250682, App. 11/14/2025, Eff. 12/15/2025; Ord. [245-25](#), File No. 250701, App. 12/12/2025, Eff. 1/12/2026, Oper. 1/12/2026; Ord. [1-26](#), File No. 250385, App. 1/8/2026, Eff. 2/8/2026; Ord. [37-26](#), File No. 250886, App. 3/11/2026, Eff. 4/11/2026)

#### AMENDMENT HISTORY

Zoning Control Table: 722.69C and 722.69D added; Ord. [66-11](#), Eff. 5/20/2011. Zoning Control Table: 722.10, 722.17, and 722.26 amended; Specific Provisions: 722.65 deleted, 722.68 added; Ord. [140-11](#), Eff. 8/4/2011. Zoning Control Table: 722.43 and 722.44 amended, former categories 722.42, 722.67, and 722.69A deleted; Specific Provisions: 722.43, 722.44 amended; Ord. [75-12](#), Eff. 5/23/2012. Zoning Control Table: 722.13, 722.40, 722.54, and 722.69B amended; Specific Provisions: 722.43, 722.44 amended, 722.54 added; Ord. [56-13](#), Eff. 4/27/2013. Zoning Control Table: former categories 722.38 and 722.39 redesignated as 722.36 and 722.37 and amended; Ord. [287-13](#), Eff. 1/25/2014. Zoning Control Table: 722.22 amended; Ord. [227-14](#), Eff. 12/13/2014. Zoning Control Table: 722.22 and 722.94 amended; Specific Provisions: 722.94 amended; Ord. [232-14](#), Eff. 12/26/2014. Specific Provisions: 722.54 amended; Ord. [235-14](#), Eff. 12/26/2014. Zoning Control Table: 722.92b added; Ord. [14-15](#), Eff. 3/15/2015. Zoning Control Table: 722.14, 722.15, 722.16, and 722.17 amended; Ord. [20-15](#), Eff. 3/22/2015. Section redesignated (formerly Sec. 722.1); Zoning Control Table: 722.54, 722.91, and 722.92 amended; Ord. [30-15](#), Eff. 4/25/2015. Introductory material amended; Zoning Control Table: 722.91 amended; Specific Provisions: 722.91 added; Ord. [162-15](#), Eff. 10/18/2015. Zoning Control Table: former categories 722.36 and 722.37 deleted, 722.96 and 722.97 added; Ord. [33-16](#), Eff. 4/10/2016. Specific Provisions: 722.91 amended; Ord. [162-16](#), Eff. 9/3/2016. Zoning Control Table: 722.33A added; Ord. [166-16](#), Eff. 9/10/2016. Introductory material amended; new Zoning Control Table and notes added; Ord. [129-17](#), Eff. 7/30/2017. Previous Zoning Control Table and Specific Provisions

deleted; Ord. [130-17](#), Eff. 7/30/2017. Zoning Control Table amended; Note (3) deleted; Ord. [189-17](#), Eff. 10/15/2017. Zoning Control Table and Note (1) amended; Ord. [196-17](#), Eff. 11/4/2017. Zoning Control Table amended; Ord. [229-17](#), Eff. 1/5/2018. Table Notes (5) and (6) amended; Ord. [47-18](#), Eff. 4/16/2018. Zoning Control Table amended; Ord. [202-18](#), Eff. 9/10/2018. Zoning Control Table amended; Note (12) added; Ord. [263-18](#), Eff. 12/3/2018. Zoning Control Table amended; Ord. [277-18](#), Eff. 12/21/2018. Zoning Control Table amended; Ord. [285-18](#), Eff. 1/7/2019. Zoning Control Table amended; Note (4) deleted; Ord. [303-18](#), Eff. 1/21/2019. Zoning Control Table amended; Ord. [116-19](#), Eff. 7/29/2019. Zoning Control Table amended; Ord. [182-19](#), Eff. 9/9/2019. Zoning Control Table and Note (8) amended; Ord. [63-20](#), Eff. 5/25/2020. Zoning Control Table amended; Note (13) added; Ord. [78-20](#), Eff. 6/22/2020. Zoning Control Table and Note (5) amended; Ord. [117-20](#), Eff. 8/31/2020. Note (6) amended; Ord. [182-20](#), Eff. 11/2/2020. Introductory material and Zoning Control Table amended; [Proposition H](#), 11/3/2020, Eff. 12/18/2020. Zoning Control Table and Notes (1) and (13) amended; Ord. [136-21](#), Eff. 9/4/2021. Zoning Control Table amended; Note (14) added; Ord. [233-21](#), Eff. 1/22/2022. Zoning Control Table and Note (14) amended; Ord. [37-22](#), Eff. 4/14/2022. Zoning Control Table amended; Ord. [75-22](#), Eff. 6/13/2022. Note (12) amended; Ord. [95-22](#), Eff. 7/25/2022. Zoning Control Table amended; Note (15)<sup>3</sup> added; Ord. [190-22](#), Eff. 10/17/2022. Zoning Control Table amended; Ord. [264-22](#), Eff. 1/22/2023. Zoning Control Table amended; Note (16) added; Ord. [248-23](#), Eff. 1/14/2024. Zoning Control Table and Notes (5), (6), and (7) amended; Ord. [249-23](#), Eff. 1/14/2024. Zoning Control Table amended; Ord. [33-24](#), Eff. 3/23/2024. Undesignated introductory material and Zoning Control Table amended; Ord. [62-24](#), Eff. 4/28/2024. Zoning Control Table amended; Ord. [85-24](#), Eff. 5/27/2024. Zoning Control Table and Note (10) amended; Ord. [173-25](#), Eff. 10/6/2025. Second introductory paragraph, Zoning Control Table, and Notes (2), (5), and (11) amended; Notes (6) and (10) deleted; Notes (17) and (18) added; Ord. [217-25](#), Eff. 12/15/2025. Undesignated introductory material, Zoning Control Table, and Note (1) amended; Ord. [245-25](#), Eff. 1/12/2026. Zoning Control Table amended; Ord. [1-26](#), Eff. 2/8/2026. Zoning Control Table amended; Note (3) added; Ord. [37-26](#), Eff. 4/11/2026.

#### CODIFICATION NOTES

1. So in Ord. [63-20](#).
2. So in Ord. [196-17](#).
3. Note “(15)” is referenced as “(14)” in Ord. [190-22](#). The note was redesignated by the codifier because a note designated as “(14)” previously had been added to this section by Ord. [233-21](#).
4. So in Ord. [245-25](#).

# **EXHIBIT**

# **B**



**City and County of San Francisco**  
**Entertainment Commission**

# Permit referral request

To SFPD EC Sound

Date 4/16/2026

We have received the attached application for a permit from the business listed below:

Permit(s) requested

LLP

Entertainment Commission notes:

We have received the attached application for a Limited Live Performance permit

Name Sean Coyne of TWOSIDESOFACOYNE LLC

DBA SACRED TACO

Street address 1875 UNION ST

Hearing date 5/19/2026

**Except for Planning, SFPD, and SF Port, we do not need a response before the hearing date.**

Please enter your recommendation below.

Your department \_\_\_\_\_

Your recommendation:

Signature \_\_\_\_\_

Date \_\_\_\_\_

# Permit application

## 1. Permit type

### Permit type

Entertainment may include musicians, bands, DJs, theater performances, comedy shows, drag shows, karaoke, fashion shows, or poetry readings. Entertainment does not include indoor pre-recorded music from a playlist, indoor trivia, music lessons or indoor magic shows.

1.1

### Tell us what you want to do

Choose one answer.

- I want to host live entertainment until 2:00 am

*You are applying for a Place of Entertainment (POE) permit.*

**i** Before completing this application you must email the Entertainment Commission at email@sfgov.org and visit the Planning Information Counter inside the Permit Center at 49 South Van Ness Avenue.

- I want to host live entertainment until 10:00 or 11:00 pm

*You are applying for a Limited Live Performance (LLP) permit.*

- None of the above

**⚠** You only need to answer this if you selected "None of the above" on question 1.1 on page 2.

### Amplified sound

Outdoor amplified sound includes TVs with sound, prerecorded music, and any amplified sound.

1.2

### Do you want to host outdoor amplified sound, such as prerecorded music or TV with no live entertainment?

Choose one answer.

- Yes

*If you only want outdoor amplified sound, you are applying for a Fixed Place Amplified Sound (FPAS) permit. If you want outdoor amplified sound and live entertainment it will be part of your LLP or POE permit.*

**i** Before completing this application you must email the Entertainment Commission at email@sfgov.org and visit the Planning Information Counter inside the Permit Center at 49 South Van Ness Avenue.

- No

Continue **1. Permit type** on the next page →

## 1. Permit type

**Extended hours**

1.3

**Do you want to host entertainment or serve food after 2 am?***Choose one answer.* Yes*You are applying for an Extended Hours Premises (EHP) permit.*

**i** Before completing this application you must email the Entertainment Commission at email@sfgov.org and visit the Planning Information Counter inside the Permit Center at 49 South Van Ness Avenue.

 No**Pool tables**

You need a permit only if you charge your customers to use the pool tables.

1.4

**Do you want to have 1 or more pool table that you charge customers to use?***Choose one answer.* Yes*You are applying for a Billiard Parlor (BP) permit* No**Amusement devices**

You need a permit if you are:

- A bar and charge your customers to use 2 or more paid machines, or
- Not a bar and have 11 or more paid machines.

1.5

**Do you want to have 2 or more paid machines, such as pinball, skeeball, or other arcade style games?***Choose one answer.* Yes*You are applying for a Mechanical Amusement Device (MAD) permit.vv* No

*To be completed by the Entertainment Commission.*

**Neighborhood outreach plan:**

we will send a letter to our neighbors notifying them of the LLP permit application

# Permit application

## 2. Type of entertainment

**⚠** You only need to complete this section if you selected to apply for a Place of Entertainment (POE) or Limited Live Performance (LLP) permit on question 1.1, or an Extended Hours Premises (EHP) permit on question 1.3.

### Type of entertainment

Outdoor amplified sound includes TVs with sound, prerecorded music, and any amplified sound.

Entertainment may include musicians, bands, DJs, theater performances, comedy shows, drag shows, karaoke, fashion shows, or poetry readings.

Entertainment does not include indoor pre-recorded music from a playlist, indoor trivia, music lessons, or indoor magic shows.

2.1

### What type of entertainment would you like to provide?

*Select all that apply*

- Indoor entertainment
- Outdoor entertainment
- Outdoor amplified sound

# Permit application

## 3. About you

Complete this section as the person submitting the application on behalf of the business seeking an entertainment permit.

### Your role

3.1

Tell us about your role.

Select one option.

- Business owner
- Business manager
- Nonprofit director
- Other role \_\_\_\_\_

### About you

We will use this information to contact you.

3.2

Name Kristian Cosentino

Email \_\_\_\_\_

Phone \_\_\_\_\_

# Permit application

## 4. Business owners

### Number of owners

If you are a non-profit organization, list the number of your directors.

4.1

Number of people owning 10% or more of the business.

1

### Business owners

Enter your director information if you are a non-profit organization, and leave the "Percentage owned" field blank.

4.2

#### Business owner 1

Name Sean Coyne Percentage owned 100  
 Email [REDACTED] Phone [REDACTED]  
 Residential address [REDACTED]  
 City [REDACTED] State [REDACTED] Zip [REDACTED]

#### Business owner 2 (if applicable)

Name \_\_\_\_\_ Percentage owned \_\_\_\_\_  
 Email \_\_\_\_\_ Phone \_\_\_\_\_  
 Residential address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

#### Business owner 3 (if applicable)

Name \_\_\_\_\_ Percentage owned \_\_\_\_\_  
 Email \_\_\_\_\_ Phone \_\_\_\_\_  
 Residential address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Continue 4. Business owners on next page →

# Permit application

## 6. Business location

### Business information

6.1

#### Business Account Number (BAN)

Your BAN is a 7-digit number. If you don't know it, find your BAN at <https://data.sfgov.org/Economy-and-Community/Registered-Business-Locations-San-Francisco/g8m3-pdis/data>

1133953

Business name (DBA) SACRED TACO

Ownership name TWOSIDESOFACOYNE LLC

Date of incorporation 04-08-2022

### Location information

6.2

#### Location identification number (LIN)

Your LIN is a 12-digit number. If you don't know it, find your LIN at <https://data.sfgov.org/Economy-and-Community/Registered-Business-Locations-San-Francisco/g8m3-pdis/data>

1302077-04-221

Location street address 1875 UNION ST

License code (LIC) D04 H26

# Permit application

## 7. Business activity

### Business identity

7.1

Select what best describes your business.

Choose one answer.

- Bar
- Restaurant or cafe
- Live entertainment venue
- Retail
- Other \_\_\_\_\_

### Food and alcohol

7.2

Will you be serving these items?

Choose one answer.

- Food
  - Include a copy of your permit to operate from the Department of Public Health. You must provide this before a permit can be issued.**
- Alcohol
  - Include a copy of your permit to operate from the Department of Public Health. You must provide this before a permit can be issued.**
- Both food and alcohol
  - Include a copy of your permit to operate from the Department of Public Health. You must provide this before a permit can be issued.**
- Neither

Continue 7. Business activity on next page →

 You only need to answer this if you selected "Alcohol" or "Both food and alcohol" on question 7.2.

## Liquor license

7.3

### Do you have a liquor license?

You need a liquor license to serve alcohol at your business.

Choose one answer.

- Yes, I have a liquor license
- Yes, I have a temporary liquor license
- No, but I have applied for a liquor license

 You only need to answer this if you selected "Alcohol" or "Both food and alcohol" on question 7.2.

## Liquor license type

7.4

### Liquor license type

Select all that apply.

- Type 41
- Type 47
- Type 48
- Type 90
- Other \_\_\_\_\_

 You only need to answer this if you selected "Alcohol" or "Both food and alcohol" on question 7.2.


## Liquor license permit number

7.5

### Liquor license permit number

If you don't know it, you can look it up at <https://www.abc.ca.gov/licensing/license-lookup/>

637421

-  Attach a copy of your liquor license. You must provide this before a permit can be issued.

# Permit application

## 8. Proposed hours

### Your business hours

Include all hours you are open even when you do not plan to have entertainment.

**Additional details:**

8.1

### Your hours of operation for your business.

*For each day you are open, enter your hours as 4 digits, like 09:00 am.*

<b>Monday</b>	11:00 AM - 11:00 PM
<b>Tuesday</b>	11:00 AM - 11:00 PM
<b>Wednesday</b>	11:00 AM - 11:00 PM
<b>Thursday</b>	11:00 AM - 11:00 PM
<b>Friday</b>	11:00 AM - 12:00 AM
<b>Saturday</b>	11:00 AM - 12:00 AM
<b>Sunday</b>	11:00 AM - 10:00 PM

 You only need to answer this if you selected "Indoor entertainment" on question 2.1.

### Indoor entertainment hours

Only include the hours you plan to have indoor entertainment.

**Additional details:**

8.2

### Your proposed indoor entertainment hours.

*Enter your hours as 4 digits, like 09:00 am.*

<b>Monday</b>	11:00 AM - 11:00 PM
<b>Tuesday</b>	11:00 AM - 11:00 PM
<b>Wednesday</b>	11:00 AM - 11:00 PM
<b>Thursday</b>	11:00 AM - 11:00 PM
<b>Friday</b>	11:00 AM - 11:00 PM
<b>Saturday</b>	11:00 AM - 11:00 PM
<b>Sunday</b>	11:00 AM - 11:00 PM

Continue 8. Proposed hours on next page →

# Permit application

## 9. Entertainment details

**⚠** You only need to complete this section if you selected to apply for a Place of Entertainment (POE) or Limited Live Performance (LLP) permit on question 1.1, a Fixed Place Amplified Sound (FPAS) permit on question 1.2, or an Extended Hours Premises (EHP) permit on question 1.3.

**⚠** You only need to answer this if you selected "Indoor entertainment" on question 2.1.

### Indoor entertainment description

9.1

#### Describe your proposed indoor entertainment.

DJs and acoustic bands in main restaurant and in rear private event space

**⚠** You only need to answer this if you selected "Indoor entertainment" on question 2.1.

### Indoor sound system

Soundproofing and testing are not required to receive a permit.

9.2

#### Describe your sound system, including soundproofing and testing you have done.

We have a house sound system that includes a range speaker (10") and one subwoofer (12"). These will be used in either the main restaurant or private event space depending where entertainment is.

Continue 9. Entertainment details on next page →

## 9. Entertainment details

**⚠** You only need to answer this if you selected to apply for an Extended Hours Premises (EHP) permit on question 1.3, or "Indoor entertainment" on question 2.1.

## Indoor occupancy

If you have a public assembly permit from the Fire Department, enter the occupancy you were approved for.

**9.3**

### What is the occupancy of your space?

105

**i** If the occupancy is 50 or greater, attach a copy of your public assembly permit from the Fire Department. You must provide this before a permit can be issued.

Continue **9. Entertainment details** on next page →


# Permit application

## 15. Legal agreements

### Legal agreements

15.1


- I declare under penalty of perjury that the foregoing is true and correct. I understand that any false or incomplete information provided by me in connection with this application constitutes cause to either deny the requested permit or revoke the permit if granted.

 You only need to answer this if you selected to apply for a Fixed Place Amplified Sound (FPAS) permit on question 1.2, or either "Outdoor entertainment" or "Outdoor Amplified Sound (OAS)" on question 2.1.

### Outdoor noise levels

15.2


- I hereby certify that the business shall comply with the maximum noise levels as established under Municipal Police Code, Article 15.1 Sec. 1060.16 for this outdoor premises, unless otherwise conditioned by the Entertainment Commission.

 You only need to answer this if you selected "Indoor entertainment" on question 2.1.

### Indoor noise levels

15.3

- I hereby certify that the business shall comply with the maximum noise levels as established under Municipal Police Code Article 29 Sec. 2909(b) for indoor entertainment, unless otherwise conditioned by the Entertainment Commission.

 You only need to answer this if you selected to apply for a Place of Entertainment (POE) permit on question 1.1, or an Extended Hours Premises (EHP) permit on question 1.3.

### Security plan

15.4

- I hereby certify that the business shall adhere to the Security Plan approved by the Entertainment Commission.

Continue **15. Legal agreements** on the next page →

---

**Shared spaces**

15.5

- I acknowledge that if my entertainment is hosted in an approved Shared Spaces, Tables and Chairs, or Parklet location, my entertainment permit is only valid with a current permit from the appropriate program or a Temporary Use Authorization (TUA) from the Planning Department.

---

**Property owner's approval**

15.6

- I hereby certify that I have the property owner's approval to host the entertainment described in this application on the property.

---

**Signature**

15.7

Signature *Kristian Cosentino* Date 4/16/2026

---

SAN FRANCISCO

FIRE DEPARTMENT



Bureau of Fire Prevention

**FIRE PERMIT**

A permit is hereby granted for the following activity regulated by the fire code:

**P142-PLACE OF ASSEMBLY, OPERATION**

**PERMIT INFORMATION**

Permit Address: 1875 UNION ST  
Permit Holder: TWOSIDESOFACOYNE LLC  
Permit DBA: SACRED TACO  
Permit Number: 108258  
Issue Date: 07/15/2022  
Expiration Date:

**PERMIT CONDITIONS**

PLACE OF ASSEMBLY FOR A MAXIMUM OCCUPANT LOAD OF 105 PERSONS.  
SHALL HAVE OCCUPANT LOAD SIGN(S) POSTED NEAR MAIN ENTRANCE.  
LOCATION: GROUND FLOOR  
PATIO DINING AREA 49 OR LESS PERSONS

Authorized by:

Handwritten signature of Ken Cofflin in black ink.

Ken Cofflin, Fire Marshal

Approved by:

Handwritten signature of Victor C. Gonzales in black ink.

Victor C Gonzales, Inspector

1. A permit issued without an expiration date requires an annual Tax Collector License issued by the Office of the Tax Collector of the City and County of San Francisco.
2. This permit and annual Tax Collector License (when required), or copies thereof, shall be posted and available on the premises at all times.
3. This permit is invalid upon expiration date, change of permit holder or permit location, or failure to possess a current Tax Collector License (when required).

Telephone: (415) 558-3300  
Fax Nos: (415) 558-3323/3324

698 Second Street, Room 109  
San Francisco, CA 94107-2015



# PERMIT TO OPERATE

## AND CERTIFICATE OF SANITARY INSPECTION

Issued according to provisions of the San Francisco Health Code

# A 116445

AUTHORIZING conduct of the following class of

**FOOD PREPARATION AND SERVICE ESTABLISHMENT**

ISSUED: 7/20/2022

Type of Operation: Restaurant over 2000 sq ft

Tax Code: H26

DPH Code: 1004

CERT No. 1133953

Name and Address Below:

Owner: TWOSIDESOFACOYNE LLC

DBA: SACRED TACO

Street Address: 1875 UNION ST

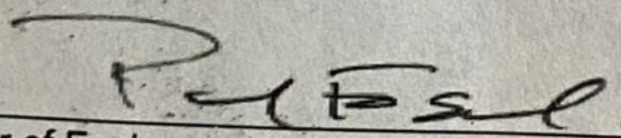
San Francisco, CA 94123

Cooking Allowed

Valid only when accompanied by a receipt from the Tax Collector showing payment of current license fee. THIS PERMIT TO OPERATE MAY BE REVOKED OR SUSPENDED FOR CAUSE AND IS NOT TRANSFERABLE. CHANGE OF OWNERSHIP must be reported immediately.

### DEPARTMENT OF PUBLIC HEALTH

Environmental Health Branch  
City and County of San Francisco

  
Director of Environmental Health

STATE OF CALIFORNIA  
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
ALCOHOLIC BEVERAGE LICENSE

ON-SALE GENERAL EATING PLACE

VALID FROM

Jun 01, 2025

EXPIRES

May 31, 2026

TWOSIDESOFACOYNE LLC  
1875 UNION ST  
SAN FRANCISCO, CA 94123-4307

TYPE NUMBER DUP

47 637421

AREA CODE

3800 24

BUSINESS ADDRESS DBA: SACRED TACO  
(IF DIFFERENT)

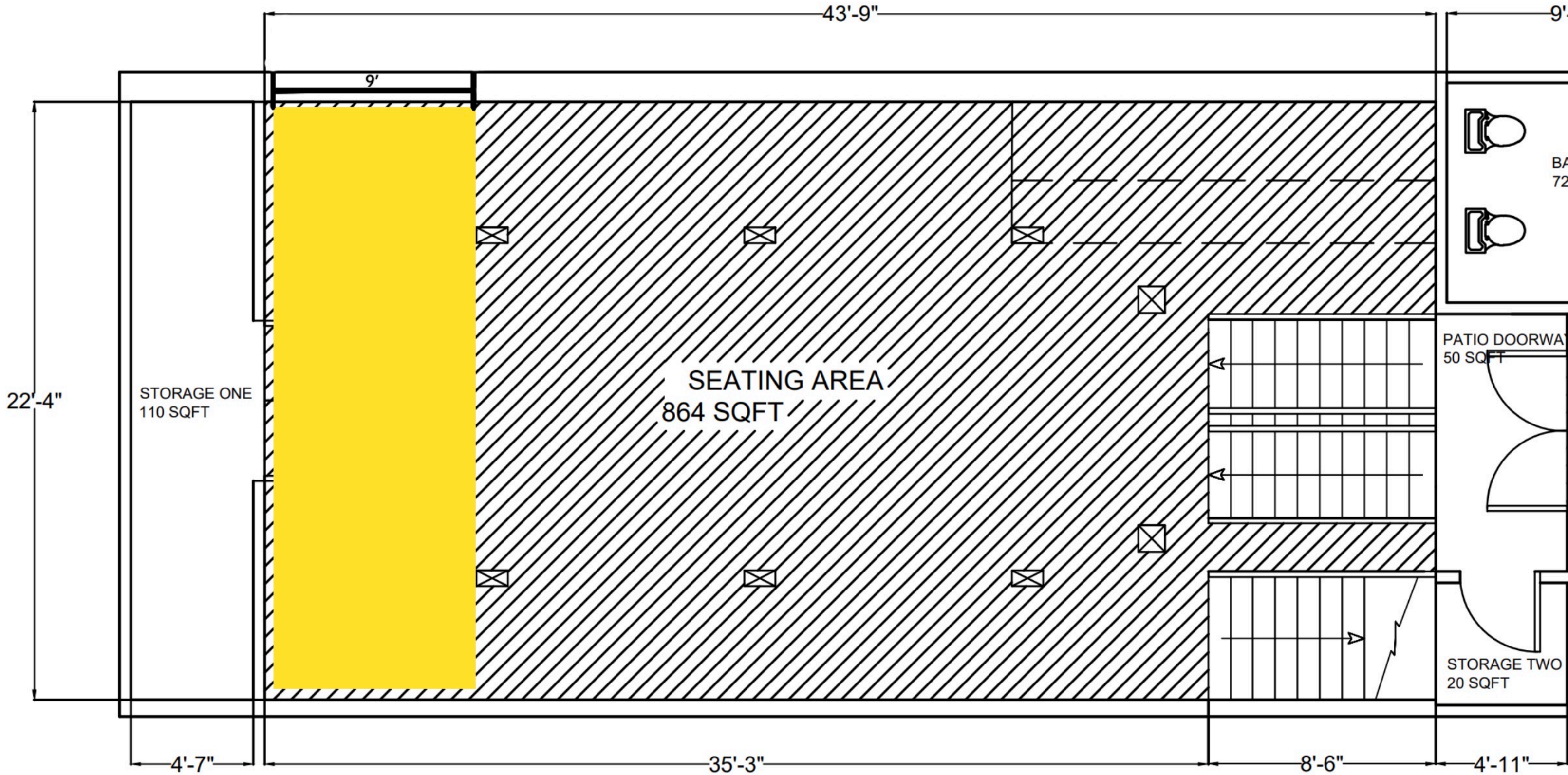
RENEWAL

CONDITION

OWNERS TWOSIDESOFACOYNE LLC

7

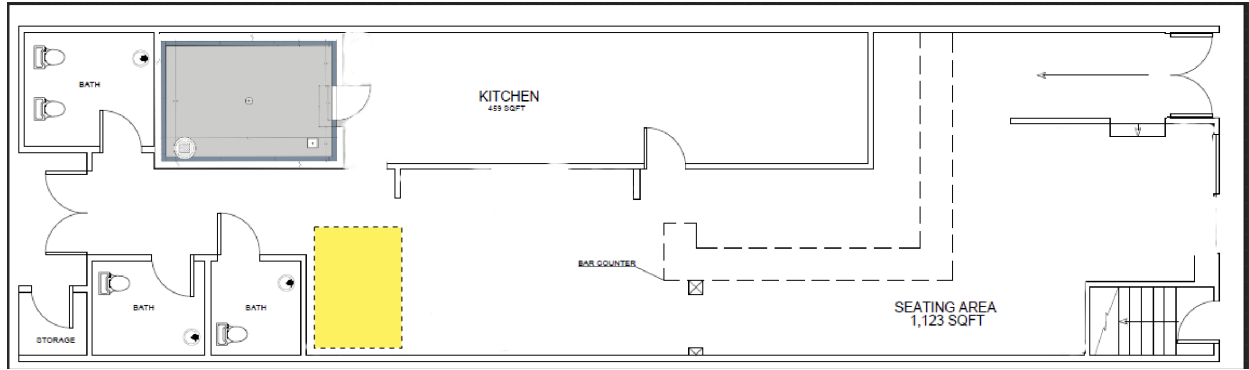




From: [Kathryn Conroy](#)  
To: [Kathryn Conroy](#)  
Subject: [SECRET PLAN](#)  
Date: Wednesday, April 15, 2020, 4:45:20 PM  
Attachments: [SECRET PLAN 04152020.dwg](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Kathryn,  
Here is the "FRONT" of the restaurant, the yellow is where we set up any music.  
Let me know if you need anything else



Sent from my iPad



May 15th 2026

PROOF OF MAILING/EVIDENCE OF MAIL SERVICE

1875 Union Street, San Francisco

To Whom It May Concern,

Express Mapping prepared a mailing for all residents/occupants within 150ft of 1875 Union Street, San Francisco. There were a total of 58 notices mailed.

The mailing was postmarked on 05/15/2026 from Irvine, CA. A copy of the letter mailed and a list of addresses is included in this PDF

If you have any questions please feel free to call or email us at (949) 771-0051 and reference Order #5424

Sincerely,

A handwritten signature in black ink that reads "Laura Emerson".

Laura Emerson  
Senior Data Manager  
Express Mapping  
[laura@expressmapping.com](mailto:laura@expressmapping.com)  
(949) 771-0051



## NOTIFICATION PACKAGE

1875 Union Street, San Francisco CA 94123  
37.797736186468846, -122.42999705125075

### INCLUDES:

150' RESIDENT/OCCUPANT LIST  
150' RADIUS MAP  
CERTIFICATION  
COUNT: 58 (duplicates consolidated)

POSTMARKED 05/15/2026

FILE #5424

orders@expressmapping.com  
www.expressmapping.com  
4000 Barranca Pkwy #250, Irvine CA 92604

Local (949) 771-0051  
Toll Free (888) 990-MAPS



5/12/2026

Dear Neighbor

My name is Kristian Cosentino and I am the Operating Partner of Sacred Taco Restaurant & Bar. This letter is to notify you that we are applying for a Limited Live Performance (LLP) permit with the San Francisco Entertainment Commission.

We are applying for the LLP permit so we can host DJ's and Small Acoustic Bands for birthday parties, baby showers, wedding parties and receptions . The LLP permit requires that entertainment must end by 11pm. Additionally, we are required to follow the Entertainment Commission's Good Neighbor Policy (GNP), which is included with this letter for your reference.

We're doing everything we can to be a great neighbor and a real resource for you and our amazing community. All our neighbors are welcome to use our private space for free whenever it's available. Thanks so much for your time.

Our permit application will be heard by the Entertainment Commission on June 2nd at 5:30pm in City Hall room 416. If you have any questions, please feel free to contact me, or you may contact the Entertainment Commission directly: [entertainment.commission@sfgov.org](mailto:entertainment.commission@sfgov.org)

We love and appreciate all of you. Thanks for supporting us over the years. It means everything to us.

Kristian Cosentino

Operating Partner

415 645 3999

kristian@sacredtacosf.com



# Good Neighbor Policy

1. While hosting entertainment, permit holder shall always have a staff member on site who is able to provide proof of permit, is trained in every aspect of venue operation, and is aware of all permit conditions.
2. Permit holder is responsible for the safety and security of venue patrons and the surrounding neighborhood. The Commission approved security plan shall be followed, and permit holder shall secure the sidewalk for a 100-foot radius in all directions around the premises of the business to prevent injury to persons and/or damage to property.<sup>1</sup> Security staff shall be placed at all entrances and exits during the period from 10:00pm to such time past closing that all patrons have left the vicinity.
3. Permit holder shall post easily visible signs outside each entrance and exit instructing patrons to:
  - a) Respect the neighborhood by keeping voices low,
  - b) Follow City & County of SF smoking regulations<sup>2</sup>, and
  - c) Obey City & County of SF anti-loitering regulations.<sup>3</sup>All signs and walkways shall be well lit. Sidewalks shall be kept clear for pedestrians. Cars shall not be double parked.
4. Permit holder shall provide a phone number to all interested neighbors for immediate contact with a staff member on site who has direct authority over the premises, knowledge of all permit conditions, and shall respond in a timely manner to address concerns.
5. Permit holder shall maintain, and be prepared to verify, records at the premises of current L.E.A.D certification<sup>4</sup> for all persons working at the premises.
6. Permit holder shall maintain all entrances and exits to the building and all sidewalks within 100 feet of the premises in a clean and sanitary condition. At some point between 30 minutes after closing and 8:00am, permit holder shall walk the area within 100 feet of the property and dispose of any litter that may have been left by patrons.
7. Permit holder shall take measures to reduce the amount of sound that escapes the venue. All doors and windows must be kept closed while hosting entertainment, unless otherwise conditioned on the permit. Permit holder shall be familiar with, and abide by, sound ordinances enforced by the Entertainment Commission, including but not limited to, the following:
  - a) Regulation of Noise - Noise Limits
    - 1) Commercial & Industrial Property<sup>5</sup>
    - 2) Public Property<sup>6</sup>
  - b) Outdoor Amplified Sound Regulations<sup>7</sup>
  - c) Unnecessary Noise<sup>8</sup>
8. Within 24 hours of any violent incident, or any time SFPD responds to a call for service at the premises, permit holder shall complete and send an incident report<sup>9</sup> to (1) their SFPD District Station Permit Officer and (2) the Entertainment Commission.

<sup>1</sup> SF Municipal Police Code Article 15.1 “security plan” definition

<sup>2</sup> SF Health Code Article 19F SEC. 1009.22(i)(1)

<sup>3</sup> SF Municipal Police Code Article 2 Section 121(b)

<sup>4</sup> [https://www.abc.ca.gov/programs/LEAD/Online\\_LEAD\\_Training.html](https://www.abc.ca.gov/programs/LEAD/Online_LEAD_Training.html)

<sup>5</sup> SF Municipal Police Code Article 29 Section 2909(b)

<sup>6</sup> SF Municipal Police Code Article 29 Section 2909(c)

<sup>7</sup> SF Municipal Police Code Article 15.1 Section 1060.16(b)(3)

<sup>8</sup> SF Municipal Police Code Article 1 Section 49(b)

<sup>9</sup> [https://sfgov.org/entertainment/sites/default/files/Incident\\_Report.pdf](https://sfgov.org/entertainment/sites/default/files/Incident_Report.pdf)



071

Union St

Union St

1875\_Union\_St

Laguna St

150' Radius Map  
1875 Union Street  
San Francisco CA 94123  
Prepared 5/8/2026  
by Susan Case Inc  
1 inch = 50 feet



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

***EXPRESS MAPPING***  
***4000 BARRANCA PKWY #250, IRVINE CA 92604***  
***PHONE OR TEXT (949) 771-0051***

---

## Certificate of Preparation

The attached list includes the names and addresses of all RESIDENTS and OCCUPANTS within 150' from the lat/long coordinates of:

ADDRESS: 1875 Union Street, San Francisco CA 94123

LAT/LONG: 37.797736186468846, -122.42999705125075

This information was obtained through First American Core Logic, a data source utilizing the county assessor rolls and other available resources. This information is generally deemed reliable, but is not guaranteed. Return of property addresses that are deemed undeliverable by the United States Postal Service, is therefore, a possibility.

Express Mapping is not responsible for providing further investigation of said labels. Acceptance of this package acknowledges this fact.



---

Laura Emerson  
Express Mapping  
orders@expressmapping.com

Date: 05/08/2026

0530 -012  
RESIDENT  
1856 UNION ST  
SAN FRANCISCO CA 94123

0530 -012  
RESIDENT  
1858 UNION ST  
SAN FRANCISCO CA 94123

0530 -013  
RESIDENT  
1862 UNION ST  
SAN FRANCISCO CA 94123

0530 -013  
RESIDENT  
1864 UNION ST  
SAN FRANCISCO CA 94123

0530 -015  
OCCUPANT  
1872 UNION ST  
SAN FRANCISCO CA 94123

0530 -015  
RESIDENT  
1874 UNION ST  
SAN FRANCISCO CA 94123

0530 -015  
RESIDENT  
1876 UNION ST  
SAN FRANCISCO CA 94123

0530 -016  
OCCUPANT  
1878 UNION ST  
SAN FRANCISCO CA 94123

0530 -016  
RESIDENT  
1882 UNION ST  
SAN FRANCISCO CA 94123

0530 -017  
RESIDENT  
1884 UNION ST  
SAN FRANCISCO CA 94123

0530 -017  
RESIDENT  
1886 UNION ST  
SAN FRANCISCO CA 94123

0530 -017  
OCCUPANT  
1888 UNION ST  
SAN FRANCISCO CA 94123

0530 -017  
OCCUPANT  
1888A UNION ST  
SAN FRANCISCO CA 94123

0530 -018  
OCCUPANT  
1892 UNION ST  
SAN FRANCISCO CA 94123

0530 -018  
OCCUPANT  
1894 UNION ST  
SAN FRANCISCO CA 94123

0530 -018  
OCCUPANT  
1896 UNION ST  
SAN FRANCISCO CA 94123

0530 -018  
OCCUPANT  
1898 UNION ST  
SAN FRANCISCO CA 94123

0530 -031  
OCCUPANT  
1836 UNION ST  
SAN FRANCISCO CA 94123

0530 -031  
OCCUPANT  
1842 UNION ST STE 1  
SAN FRANCISCO CA 94123

0530 -031  
OCCUPANT  
1844 UNION ST  
SAN FRANCISCO CA 94123

0530 -032  
OCCUPANT  
1850 UNION ST  
SAN FRANCISCO CA 94123

0530 -050  
RESIDENT  
1866 UNION ST  
SAN FRANCISCO CA 94123

0530 -051  
RESIDENT  
1868 UNION ST  
SAN FRANCISCO CA 94123

0530 -052  
OCCUPANT  
1870 UNION ST  
SAN FRANCISCO CA 94123

0530 -053  
RESIDENT  
1870A UNION ST  
SAN FRANCISCO CA 94123

0543 -021  
RESIDENT  
2808 LAGUNA ST  
SAN FRANCISCO CA 94123

0543 -022  
RESIDENT  
2810 LAGUNA ST  
SAN FRANCISCO CA 94123

0543 -022A  
RESIDENT  
2812 LAGUNA ST  
SAN FRANCISCO CA 94123

0543 -022B  
RESIDENT  
2814 LAGUNA ST  
SAN FRANCISCO CA 94123

0543 -022C  
RESIDENT  
2816 LAGUNA ST  
SAN FRANCISCO CA 94123

0543 -023  
OCCUPANT  
1889 UNION ST  
SAN FRANCISCO CA 94123

0543 -023  
OCCUPANT  
1895 UNION ST  
SAN FRANCISCO CA 94123

0543 -023  
OCCUPANT  
1899 UNION ST  
SAN FRANCISCO CA 94123

0543 -024  
RESIDENT  
1883 UNION ST  
SAN FRANCISCO CA 94123

0543 -024  
RESIDENT  
1885 UNION ST  
SAN FRANCISCO CA 94123

0543 -024  
OCCUPANT  
1887 UNION ST  
SAN FRANCISCO CA 94123

0543 -025  
OCCUPANT  
1877 UNION ST  
SAN FRANCISCO CA 94123

0543 -026  
OCCUPANT  
1875 UNION ST  
SAN FRANCISCO CA 94123

0543 -026A  
OCCUPANT  
1865 UNION ST  
SAN FRANCISCO CA 94123

0543 -026A  
RESIDENT  
1867 UNION ST APT A  
SAN FRANCISCO CA 94123

0543 -026A  
RESIDENT  
1867 UNION ST APT B  
SAN FRANCISCO CA 94123

0543 -026A  
RESIDENT  
1867 UNION ST APT C  
SAN FRANCISCO CA 94123

0543 -026A  
OCCUPANT  
1869 UNION ST  
SAN FRANCISCO CA 94123

0543 -027  
OCCUPANT  
1861 UNION ST  
SAN FRANCISCO CA 94123

0543 -027  
OCCUPANT  
1863 UNION ST  
SAN FRANCISCO CA 94123

0543 -027  
OCCUPANT  
2840 LAGUNA ST  
SAN FRANCISCO CA 94123

0543 -027  
OCCUPANT  
2860 LAGUNA ST  
SAN FRANCISCO CA 94123

0543 -027  
OCCUPANT  
2904 LAGUNA ST  
SAN FRANCISCO CA 94123

0543 -028  
OCCUPANT  
1851 UNION ST  
SAN FRANCISCO CA 94123

0543 -028  
OCCUPANT  
1853 UNION ST  
SAN FRANCISCO CA 94123

0543 -029  
RESIDENT  
1847 UNION ST  
SAN FRANCISCO CA 94123

0543 -029  
OCCUPANT  
1849 UNION ST STE 1  
SAN FRANCISCO CA 94123

0543 -029  
OCCUPANT  
1849 UNION ST STE 2  
SAN FRANCISCO CA 94123

0543 -030  
RESIDENT  
1837 UNION ST  
SAN FRANCISCO CA 94123

0543 -030  
OCCUPANT  
1845 UNION ST  
SAN FRANCISCO CA 94123

0543 -030  
RESIDENT  
1839 UNION ST  
SAN FRANCISCO CA 94123

0543 -030  
RESIDENT  
1841 UNION ST  
SAN FRANCISCO CA 94123

0543 -030  
RESIDENT  
1843 UNION ST  
SAN FRANCISCO CA 94123

## EVIDENCE SUMMARY TABLE: 1875 UNION STREET PROTEST (SACRED TACO)

Exhibit #	Evidence Type & Source Links	Key Finding / Legal Violation
A-1	<p><b>Video:</b> Tagged Instagram post (sobremesa.nights) uploaded March 21, 2026. Online Event Flyer confirming venue.</p> <ul style="list-style-type: none"> <li>• Drive Link: <a href="https://drive.google.com/file/d/1JkXbAavPHmtXfY1-dUL4WgxITRqmlada/view?usp=share_link">https://drive.google.com/file/d/1JkXbAavPHmtXfY1-dUL4WgxITRqmlada/view?usp=share_link</a></li> <li>• IG Link: <a href="https://www.instagram.com/reels/DWI2Li2jRyx/">https://www.instagram.com/reels/DWI2Li2jRyx/</a></li> <li>• Eventbrite Flyer: <a href="https://www.eventbrite.com/e/sobremesa-one-more-hour-tickets-1982585539719">https://www.eventbrite.com/e/sobremesa-one-more-hour-tickets-1982585539719</a></li> </ul>	<p><b>Illegal Dancing:</b> Patrons dancing on tables with a loud DJ setup. Violates "Incidental Use" rule for LLP permits. Event took place on March 7, 2026, in indoor patio as confirmed by video and online event flyer.</p>
A-2	<p><b>Video:</b> IG post uploaded July 23, 2024 by sacredtacof.</p> <ul style="list-style-type: none"> <li>• Drive Link: <a href="https://drive.google.com/file/d/1NVkAlpAyEkvBz7E0MJnfJoFuSUE-jr/view?usp=share_link">https://drive.google.com/file/d/1NVkAlpAyEkvBz7E0MJnfJoFuSUE-jr/view?usp=share_link</a></li> <li>• IG Link: <a href="https://www.instagram.com/reel/C9yJTNwyEyU/">https://www.instagram.com/reel/C9yJTNwyEyU/</a></li> </ul>	<p><b>Self-Admission:</b> Manager admits to hosting unpermitted live entertainment on the patio.</p>
A-3	<p><b>Video:</b> IG post July 1, 2023 (sacredtacof &amp; andreweatsinsf). Includes closed captioning screenshot.</p> <ul style="list-style-type: none"> <li>• Drive Link: <a href="https://drive.google.com/file/d/1jejihSLiTHAvHAUJybmwt1IMB_1fsQ-N/view?usp=share_link">https://drive.google.com/file/d/1jejihSLiTHAvHAUJybmwt1IMB_1fsQ-N/view?usp=share_link</a></li> <li>• IG Link: <a href="https://www.instagram.com/reel/CuLjvNXLit2/">https://www.instagram.com/reel/CuLjvNXLit2/</a></li> <li>• Caption Screenshot: <a href="https://drive.google.com/file/d/19i6ZlyBxXbjAIDO2GpW1YfCe-u4Aaxf4/view?usp=share_link">https://drive.google.com/file/d/19i6ZlyBxXbjAIDO2GpW1YfCe-u4Aaxf4/view?usp=share_link</a></li> </ul>	<p><b>Misrepresentation:</b> Explicitly advertises "Venue doubles as a dance floor" (Not allowed under LLP).</p>
A-4	<p><b>Video/Image:</b> IG post Feb 26, 2025 (trysway.co &amp; sacredtacof).</p> <ul style="list-style-type: none"> <li>• Drive Link: <a href="https://drive.google.com/file/d/14pZLpg2aFxpXmKSY3VDvAjB-j3qxyac/view?usp=share_link">https://drive.google.com/file/d/14pZLpg2aFxpXmKSY3VDvAjB-j3qxyac/view?usp=share_link</a></li> <li>• IG Link: <a href="https://www.instagram.com/p/DGi_2pUoD8N/">https://www.instagram.com/p/DGi_2pUoD8N/</a></li> </ul>	<p><b>Loud DJ / Live Music:</b> Violates "Incidental Use" rule. Event took place in February 2025 in indoor patio area as confirmed by video.</p>
B-1	<p><b>Image:</b> Google Maps View of 2800 block Laguna St and event space.</p> <ul style="list-style-type: none"> <li>• Drive Link: <a href="https://drive.google.com/file/d/1sonxxNuIMMpBmST9zy5wZiyfvk79aQdu/view?usp=share_link">https://drive.google.com/file/d/1sonxxNuIMMpBmST9zy5wZiyfvk79aQdu/view?usp=share_link</a></li> </ul>	<p><b>Structural Failure (Proximity):</b> Aerial View shows glass ceiling/skylights clearly visible; cannot meet the "Closed Windows" mandate. Highlights proximity to residences within 300 feet.</p>

B-2	<p><b>Images:</b> Contact Sheet of Structural Images of Patio.</p> <ul style="list-style-type: none"> <li>• Drive Link: <a href="https://drive.google.com/file/d/1VdAbihy5vG-ut4kutOGCfUVtH0IRAKj/view?usp=share_link">https://drive.google.com/file/d/1VdAbihy5vG-ut4kutOGCfUVtH0IRAKj/view?usp=share_link</a></li> </ul>	<p><b>Structural Failure:</b> Glass ceiling/skylights clearly visible; cannot meet the "Closed Windows" mandate.</p>
B-3	<p><b>Document:</b> Original realty listing brochure showing floor plan detailing patio layout.</p> <ul style="list-style-type: none"> <li>• Drive Link: <a href="https://drive.google.com/file/d/1ZxNjJ5MAHtBEDtiJ2CTcOhtN6YXTPLWW/view?usp=share_link">https://drive.google.com/file/d/1ZxNjJ5MAHtBEDtiJ2CTcOhtN6YXTPLWW/view?usp=share_link</a></li> </ul>	<p><b>Structural Failure (Prior Knowledge):</b> Shows Restaurant was aware of space issues that don't comply with permit needs prior to renting and chose not to correct.</p>
C-1	<p><b>Listing:</b> Peerspace Listing advertising live music/DJ space.</p> <ul style="list-style-type: none"> <li>• Listing Link: <a href="https://www.peerspace.com/pages/listings/679a87a9a0f3d91ebfcf0d98">https://www.peerspace.com/pages/listings/679a87a9a0f3d91ebfcf0d98</a></li> <li>• Screenshot Link: <a href="https://drive.google.com/file/d/1iDpBQUPNb1P7uEfonkC_nfiO0k8vAkq_/view?usp=share_link">https://drive.google.com/file/d/1iDpBQUPNb1P7uEfonkC_nfiO0k8vAkq_/view?usp=share_link</a></li> <li>• Screen Recording: <a href="https://drive.google.com/file/d/1U4WKjp-M2nSh4L8xNlz_Cc6X2-Yfcl_z/view?usp=share_link">https://drive.google.com/file/d/1U4WKjp-M2nSh4L8xNlz_Cc6X2-Yfcl_z/view?usp=share_link</a></li> </ul>	<p><b>Bad Faith &amp; Illegal Use:</b> Advertising DJ party and live event space for rent before filing and while permit is pending.</p>
C-2	<p><b>Images:</b> Social Media Posts Highlighting Live Music Events.</p> <ul style="list-style-type: none"> <li>• PDF Compilation: <a href="https://drive.google.com/file/d/15S5gZu0Qk1ayCyYSTCo3_1779SVSNKW3/view?usp=share_link">https://drive.google.com/file/d/15S5gZu0Qk1ayCyYSTCo3_1779SVSNKW3/view?usp=share_link</a></li> <li>• IG Link (Jan 31, 2026): <a href="https://www.instagram.com/p/DUMtYJ7Dqen/">https://www.instagram.com/p/DUMtYJ7Dqen/</a></li> <li>• IG Link (May 17, 2024): <a href="https://www.instagram.com/p/C7FUqVHyrt/">https://www.instagram.com/p/C7FUqVHyrt/</a></li> </ul>	<p><b>Illegal Use of Space:</b> Shows prior events have not only been had with live DJ/Music but also were promoted as available while booking venue for parties.</p>
D-1	<p><b>Document:</b> SF Entertainment Commission Enforcement Memo (March 3, 2026). First Citation.</p> <ul style="list-style-type: none"> <li>• Memo Link: <a href="https://drive.google.com/file/d/1DV5rfU1GeNGO2kVp-C6DJ7zUjPAnmnIB/view?usp=share_link">https://drive.google.com/file/d/1DV5rfU1GeNGO2kVp-C6DJ7zUjPAnmnIB/view?usp=share_link</a></li> </ul>	<p><b>Citation History:</b> Legally confirms the "indoor patio" is being used as a "dance floor" with open doors (Incident Date: Feb 21, 2026), violating noise ordinance and LLP restrictions.</p>
D-2	<p><b>Document:</b> SF Entertainment Commission Enforcement Memo (April 7, 2026). Second &amp; Third Citations.</p> <ul style="list-style-type: none"> <li>• Memo Link: <a href="https://drive.google.com/file/d/16RnkAkrIBOTZ8Q0IluE6h_QIBG11ML9L/view?usp=share_link">https://drive.google.com/file/d/16RnkAkrIBOTZ8Q0IluE6h_QIBG11ML9L/view?usp=share_link</a></li> </ul>	<p><b>Repeat Offense &amp; Manager Refusal:</b> March 8, 2026: DJ performing with doors closed in front, but open in back. March 21, 2026: Manager explicitly refused a direct order from an EC Inspector to turn down unpermitted music. Demonstrates hostile disregard for City enforcement.</p>
E-1	<p><b>Images:</b> 311 Complaints filed by 2816 Laguna St via APP.</p> <ul style="list-style-type: none"> <li>• Screenshot PDF: <a href="https://drive.google.com/file/d/1DdklvQSTUubUvfiN01KNKVduLFip6E8/view?usp=share_link">https://drive.google.com/file/d/1DdklvQSTUubUvfiN01KNKVduLFip6E8/view?usp=share_link</a></li> </ul>	<p><b>History of Issues:</b> Directly relates to building structure inadequacy and Sacred Taco's blatant disregard of the Good Neighbor policy.</p>
E-2	<p><b>Images:</b> Call Logs of Residents contacting restaurant.</p> <ul style="list-style-type: none"> <li>• Log Screenshot:</li> </ul>	<p><b>Avoidance of Resolutions:</b></p>

	<a href="https://drive.google.com/file/d/16j2oz3Qlh2G1Hbl48kcLQtZmgZuDUyAJ/view?usp=share_link">https://drive.google.com/file/d/16j2oz3Qlh2G1Hbl48kcLQtZmgZuDUyAJ/view?usp=share_link</a>	Shows history of previous attempts to resolve issues amiably. Phone never answered; recently switched to an AI system making it harder to contact.
E-3	<p><b>Video/Images:</b> Compilation of additional footage showing projecting lights and sound violations.</p> <ul style="list-style-type: none"> <li>• April 26, 2026 @ 12:01 AM</li> <li>• April 25, 2026 @ 10:30 PM</li> <li>• March 29, 2026 (open breezeway)</li> <li>• Oct 25, 2025 @ 1:26 AM</li> <li>• Nov 13, 2023</li> </ul> <p style="text-align: right;"><i>*Additional images of skylights open at night*</i></p>	<p><b>Repeated Pattern:</b></p> <p>Demonstrates that skylight windows are repeatedly left open with amplified music well past regulated hours, and projecting lights are used through windows reaching other buildings.</p>

May 7, 2026

**TO:** San Francisco Entertainment Commission  
49 South Van Ness Avenue, Suite 1482, San Francisco, CA 94103  
**Email:** entertainment.commission@sfgov.org

**FORMAL PROTEST AND PETITION FOR DENIAL: LIMITED LIVE PERFORMANCE PERMIT**

**APPLICANT: TWOSIDESOFACOYNE LLC (DBA SACRED TACO) | 1875 UNION STREET**

---

**JOINT OBJECTION OF THE LAGUNA STREET RESIDENTIAL CORRIDOR**

Dear Commissioners,

We, the residents of the [REDACTED], situated within the 300-foot notification radius, formally submit this joint protest. We urge the Commission to deny this permit application in its entirety. The applicant's venue suffers from fundamental structural incompatibilities, the applicant is actively demonstrating bad faith by operating unpermitted entertainment, and the premises has a documented history of failure as an entertainment venue.

**1. STRUCTURAL INCOMPATIBILITY WITH SAN FRANCISCO LAW (EXHIBITS B & E)**

---

The Compliance Checklist dictates a mandatory condition: "*All doors and windows must be kept closed while hosting indoor entertainment.*" Sacred Taco's "indoor patio" is a glass-roofed structure mere feet from our residential windows. Aerial maps, realty brochures, and structural photos (**Exhibits B-1, B-2, B-3**) confirm the ceiling comprises openable skylights. It is functionally impossible for the applicant to comply with the closed-window mandate while meeting Health/Fire Code ventilation requirements. Photographic evidence (**Exhibit E-3**) proves they routinely leave these skylights open while playing amplified music. Even when closed, standard glass vibrates like a drum, broadcasting bass directly into the residential "donut hole."

**2. BAD FAITH AND ACTIVE ILLEGAL OPERATIONS (EXHIBITS A & C)**

---

Under SF Police Code Article 15.1, Section 1060.1, it is unlawful to operate or advertise a place of entertainment without a permit. The applicant is in flagrant violation:

- **Illegal Advertising:** Sacred Taco advertises the space on Peerspace for DJs and live events (**Exhibit C-1**) and heavily promotes "dance floor" capabilities (**Exhibit A-3**).
- **Manager Admissions & Table Dancing:** Promotional videos show DJs performing for crowds dancing on tables (**Exhibit A-1**). Furthermore, the onsite manager explicitly admitted on video to hosting unpermitted live entertainment on the patio (**Exhibit A-2**).

**3. DOCUMENTED REFUSAL TO COMPLY WITH CITY ENFORCEMENT (EXHIBIT D)**

---

Recent EC Enforcement Memos confirm Sacred Taco was cited multiple times in Feb/March 2026 for unpermitted DJ events. Most alarmingly, on March 21, 2026, **the onsite manager declined to reduce the volume or stop the DJ despite explicit direction from an EC Inspector (Exhibit D-2).**

Rewarding an applicant with a permit while they exhibit hostile disregard for City enforcement sets a dangerous precedent.

**4. HISTORICAL FAILURE OF THE PREMISES AND RESIDENTIAL NUISANCE**

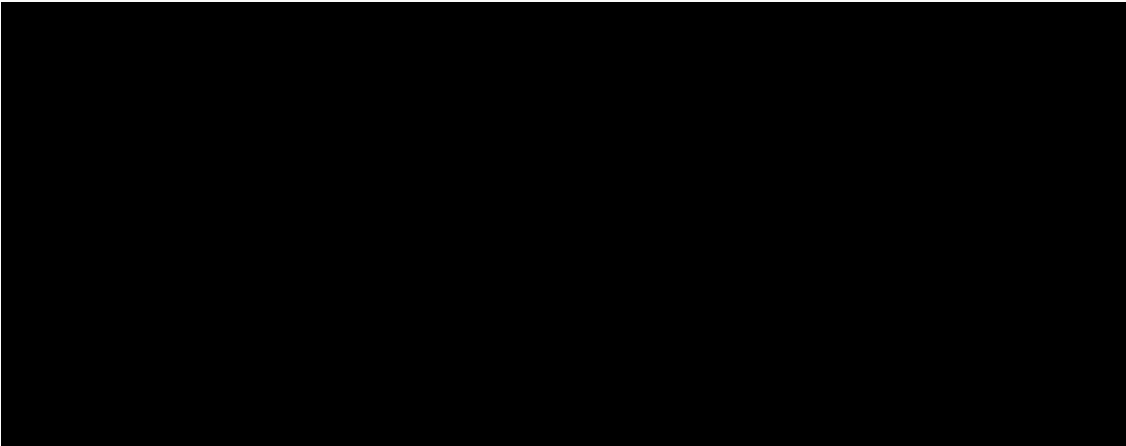
---

Previous tenants (Hollow Cow, Lightning Tavern) failed due to insurmountable noise complaints in this exact space. Residents have logged dozens of 311 complaints and call logs (**Exhibits E-1, E-2**), proving Sacred Taco avoids neighborly resolutions. The architectural limitations cannot be willed away.

**REQUEST FOR ORGANIZED OPPOSITION STATUS**

---

We formally request Organized Opposition Status for the May 19th hearing. We request the 10-minute presentation block to address these incurable structural and operational issues.

Printed Name	Laguna St. Address	Signature / Date
		5/3/2026
		5/3/2026
		5/4/2026
		5/4/2026
		5/4/2026



City and County of San Francisco  
Entertainment Commission

# Permit referral request

To SFPD EC Sound

Date 4/16/2026

We have received the attached application for a permit from the business listed below:

Permit(s) requested LLP

Entertainment Commission notes:

We have received the attached application for a Limited Live Performance permit

Name Sean Coyne of TWOSIDESOFACOYNE LLC

DBA SACRED TACO

Street address 1875 UNION ST

Hearing date 5/19/2026


**Except for Planning, SFPD, and SF Port, we do not need a response before the hearing date.**

Please enter your recommendation below.

Your department SFPD

Your recommendation:

Require the permit holder to send a monthly calendar of events to SFPD Northern Station and the Entertainment Commission.

Signature **Ofc. Ryan Walsh #1967**  Date 05/28/26

# EXHIBIT

# C

SAN FRANCISCO

FIRE DEPARTMENT



Bureau of Fire Prevention

**FIRE PERMIT**

A permit is hereby granted for the following activity regulated by the fire code:

**P142-PLACE OF ASSEMBLY, OPERATION**

**PERMIT INFORMATION**

Permit Address: 1875 UNION ST  
Permit Holder: TWOSIDESOFACOYNE LLC  
Permit DBA: SACRED TACO  
Permit Number: 108258  
Issue Date: 07/15/2022  
Expiration Date:

**PERMIT CONDITIONS**

PLACE OF ASSEMBLY FOR A MAXIMUM OCCUPANT LOAD OF 105 PERSONS.  
SHALL HAVE OCCUPANT LOAD SIGN(S) POSTED NEAR MAIN ENTRANCE.  
LOCATION: GROUND FLOOR  
PATIO DINING AREA 49 OR LESS PERSONS

Authorized by:

Handwritten signature of Ken Cofflin in black ink.

Ken Cofflin, Fire Marshal

Approved by:

Handwritten signature of Victor C. Gonzales in black ink.

Victor C Gonzales, Inspector

1. A permit issued without an expiration date requires an annual Tax Collector License issued by the Office of the Tax Collector of the City and County of San Francisco.
2. This permit and annual Tax Collector License (when required), or copies thereof, shall be posted and available on the premises at all times.
3. This permit is invalid upon expiration date, change of permit holder or permit location, or failure to possess a current Tax Collector License (when required).

Telephone: (415) 558-3300  
Fax Nos: (415) 558-3323/3324

698 Second Street, Room 109  
San Francisco, CA 94107-2015

# **EXHIBIT**

# **D**

# Entertainment Commission Permit<sup>084</sup>

City and County of San Francisco; State of California

## Limited Live Performance

**Permit Number:** EC-1932 LLP

**Conditional Grant Date:** June 2, 2026

**Grant Date:** June 3, 2026

**Permit is hereby granted to:** Sean Coyne of TWOSIDESOFACOYNE LLC

**Business Name:** Sacred Taco

**Location:** 1875 Union Street, San Francisco, CA 94123

**EC Approved Activity:** Indoor entertainment

**Date and Time:** Friday – Monday 11am – 11pm

Unless revoked or suspended by the Entertainment Commission (“EC”) during a current year, or unless the permit is valid for only a specified time, it shall be deemed that application for a tax license renewal has been made at the end of each year and the original application granted under the conditions, limitations and obligations set forth herein is unchanged.

This permit must be displayed at the above address in a conspicuous place. You are required to allow any EC Permit Administrator, EC Inspector, or San Francisco Police Officer to inspect your premises (Police Code Sec. 1060.11). You shall not transfer this permit to another person or conduct a separate business at a different location other than that described on this permit (Police Code Sec. 1060.24).

**ANY CHANGE IN OWNERSHIP OF THIS PERMITTED BUSINESS REQUIRES A NEW APPLICATION BE FILED WITHIN TEN DAYS OF THE DATE OF THE CHANGE. IF A PERMIT IS CONDITIONALLY GRANTED AND AN APPEAL IS FILED BY ANY PERSON WITHIN 10 DAYS OF THE ISSUANCE, THE PERMIT IS NOT VALID UNTIL THE APPEALS PROCESS IS CONCLUDED AND A FINAL DECISION IS RENDERED BY THE BOARD OF APPEALS.**

Pertinent information regarding this permit:

- Permit holder shall comply with San Francisco Municipal Police Code under the jurisdiction of the Entertainment Commission, including but not limited to, Article 15, Article 15.1, Article 15.2, and Article 29.
- Adhere to Entertainment Commission’s Good Neighbor Policy.
- Permit holder shall send a monthly calendar of events to SFPD Northern Station and the Entertainment Commission.
- Indoor entertainment allowed Friday – Monday 11am – 11pm.
- Sound abatement internal limit for main restaurant/bar approved at 85dBA/92dBC maximum, measured from bottom of ADA ramp at left after entering.
- Sound abatement internal limit for rear event space approved at 85dBA/94dBC maximum, measured from the top of the stairs at the right.

Failure to conduct your business in conformity with these regulations may subject you to a criminal citation or arrest and the revocation of your permit. This permit is accepted and subject to all legal obligations, requirements and the conditions set forth above.

Signature of Permittee:

Issued by:  
Maggie Weiland  
Executive Director, Entertainment Commission

**Permit is not valid without current tax license.**

# EXHIBIT

# E



# Good Neighbor Policy

1. While hosting entertainment, permit holder shall always have a staff member on site who is able to provide proof of permit, is trained in every aspect of venue operation, and is aware of all permit conditions.
2. Permit holder is responsible for the safety and security of venue patrons and the surrounding neighborhood. The Commission approved security plan shall be followed, and permit holder shall secure the sidewalk for a 100-foot radius in all directions around the premises of the business to prevent injury to persons and/or damage to property.<sup>1</sup> Security staff shall be placed at all entrances and exits during the period from 10:00pm to such time past closing that all patrons have left the vicinity.
3. Permit holder shall post easily visible signs outside each entrance and exit instructing patrons to:
  - a) Respect the neighborhood by keeping voices low,
  - b) Follow City & County of SF smoking regulations<sup>2</sup>, and
  - c) Obey City & County of SF anti-loitering regulations.<sup>3</sup>All signs and walkways shall be well lit. Sidewalks shall be kept clear for pedestrians. Cars shall not be double parked.
4. Permit holder shall provide a phone number to all interested neighbors for immediate contact with a staff member on site who has direct authority over the premises, knowledge of all permit conditions, and shall respond in a timely manner to address concerns.
5. Permit holder shall maintain, and be prepared to verify, records at the premises of current L.E.A.D certification<sup>4</sup> for all persons working at the premises.
6. Permit holder shall maintain all entrances and exits to the building and all sidewalks within 100 feet of the premises in a clean and sanitary condition. At some point between 30 minutes after closing and 8:00am, permit holder shall walk the area within 100 feet of the property and dispose of any litter that may have been left by patrons.
7. Permit holder shall take measures to reduce the amount of sound that escapes the venue. All doors and windows must be kept closed while hosting entertainment, unless otherwise conditioned on the permit. Permit holder shall be familiar with, and abide by, sound ordinances enforced by the Entertainment Commission, including but not limited to, the following:
  - a) Regulation of Noise - Noise Limits
    - 1) Commercial & Industrial Property<sup>5</sup>
    - 2) Public Property<sup>6</sup>
  - b) Outdoor Amplified Sound Regulations<sup>7</sup>
  - c) Unnecessary Noise<sup>8</sup>
8. Within 24 hours of any violent incident, or any time SFPD responds to a call for service at the premises, permit holder shall complete and send an incident report<sup>9</sup> to (1) their SFPD District Station Permit Officer and (2) the Entertainment Commission.

<sup>1</sup> SF Municipal Police Code Article 15.1 “security plan” definition

<sup>2</sup> SF Health Code Article 19F SEC. 1009.22(i)(1)

<sup>3</sup> SF Municipal Police Code Article 2 Section 121(b)

<sup>4</sup> <https://www.abc.ca.gov/education/lead-training/>

<sup>5</sup> SF Municipal Police Code Article 29 Section 2909(b)

<sup>6</sup> SF Municipal Police Code Article 29 Section 2909(c)

<sup>7</sup> SF Municipal Police Code Article 15.1 Section 1060.16(b)(3)

<sup>8</sup> SF Municipal Police Code Article 1 Section 49(b)

<sup>9</sup> [https://www.sf.gov/sites/default/files/2022-06/Incident%20Report\\_Fillable.pdf](https://www.sf.gov/sites/default/files/2022-06/Incident%20Report_Fillable.pdf)