

File No. 250540

Committee Item No. 6

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date: June 30, 2025

Board of Supervisors Meeting:

Date: _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
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| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
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| <input type="checkbox"/> | <input type="checkbox"/> | Contract / DRAFT Mills Act Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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OTHER

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Planning Commission Transmittal – June 27, 2025</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>SBC Response – June 24, 2025</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>CEQA Determinations – June 26 and 4, 2025</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referrals CEQA, PC, FYI – June 20 and May 28, 2025</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Mayor's Introduction Memos – June 10 and May 20, 2025</u> |
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Prepared by: John Carroll

Date: June 27, 2025

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

[Planning Code - Temporary Use Authorizations]

Ordinance amending the Planning Code to streamline and simplify the process for obtaining and extending temporary use authorizations, implement standard requirements for any temporary use authorization, and permit as temporary uses seasonal political campaign offices for up to one year, and extend the maximum time period for a Pop-Up Retail temporary use to three years; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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

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

Section 1. Environmental and Land Use Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 250540 and is incorporated herein by reference. The Board affirms this determination.

1 (b) On June 26, 2025, the Planning Commission, in Resolution No. 21759, adopted
2 findings that the actions contemplated in this ordinance are consistent, on balance, with the
3 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
4 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
5 Board of Supervisors in File No. 250540, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, the Board finds that these Planning Code
7 amendments will serve the public necessity, convenience, and welfare for the reasons set
8 forth in Planning Commission Resolution No. 21759, and the Board incorporates such
9 reasons herein by reference. A copy of said resolution is on file with the Clerk of the Board of
10 Supervisors in File No. 250540.

11
12 Section 2. General Background and Findings.

13 (a) San Francisco's fragmented and protracted permitting processes hinder small
14 businesses and impede housing development. A fast, predictable, and transparent permitting
15 process will create new jobs, businesses, and homes, as well as facilitate the City's economic
16 recovery from the COVID-19 pandemic. Commonly referred to as "PermitSF," the City's effort
17 to reform permitting consists of improving the customer experience by streamlining approval
18 processes; promoting government accountability to provide certainty about the delivery of
19 government services; and centralizing technology to create a single point of permitting
20 access.

21 (b) This ordinance enhances customer experience by removing barriers to ground floor
22 uses in downtown, where economic recovery continues to lag behind other neighborhoods.
23 Removing the conditional use requirement will streamline the approval of certain non-retail
24 sales and service uses—including office uses—in the C-3 (Downtown Commercial) Districts
25 through December 31, 2030.

1 (c) This ordinance also streamlines the approval of sales and service uses on the
2 upper floors in RC districts (Residential-Commercial Districts) by removing the conditional use
3 requirement for retail sales and service uses and removing the prohibition on non-retail sales
4 and service uses on the upper floors.

5 (d) Empty storefronts are currently pervasive throughout San Francisco, which is
6 having a harmful effect on the health and well-being of the City's commercial corridors. In
7 addition, previously approved development projects are not moving forward, resulting in
8 empty land or buildings, which may become underutilized, vacant, and economically
9 unproductive for prolonged time periods.

10 (e) Occupying and activating such land or buildings with temporary activities, would
11 create an active and vital street frontage, generate economic activity, create jobs, deter crime
12 and nuisance activities, and enhance the vitality of the public realm near or within such land or
13 buildings.

14 (f) Low-barrier planning permits such as temporary use authorizations enable
15 appropriate uses, such as retail, arts, and community service organizations, to operate out of
16 unused or underused vacant storefront properties. Such activation serves the dual purposes
17 of allowing these vital services to remain and thrive in San Francisco, and activating the
18 vacant spaces.

19 (g) Activating such land or buildings with temporary uses will also help ensure the
20 proper upkeep and maintenance of such land and buildings, while encouraging property
21 owners to provide invaluable and scarce space for arts activities, light industrial uses, retail or
22 institutional uses, and other land uses.

1 Section 3. Article 2 of the Planning Code is hereby amended by revising Sections 205,
2 205.1, 205.2, 205.3, 205.4, 205.5, deleting 205.6, renumbering existing Sections 205.7, and
3 205.8 as Section 205.6 and 205.7 respectively and revising such sections, to read as follows:

4
5 **SEC. 205. TEMPORARY USES, GENERAL.**

6 (a) **Purpose.** *Sections 205 et seq. of this Code provide for streamlined consideration of time-*
7 *limited, non-permanent establishment of certain temporary uses, in specific locations, and for specified*
8 *durations, as provided below.*

9 (b) **Temporary Uses Authorized.** The authorized temporary uses listed in Sections 205 *et*
10 *seq. 1 through 205.7, where not otherwise permitted in the district,* may be authorized as provided
11 *therein and in this Section 205,* up to the time limits indicated. *Further time for such uses may be*
12 *authorized only by action upon a new application, subject to all the requirements for the original*
13 *application, unless otherwise indicated in Sections 205.1 through 205.7. In the event of a conflict*
14 *between the controls in Sections 205 et seq. and the controls of the applicable District, including any*
15 *voter initiative, Sections 205 et seq. shall apply; provided that, pursuant to Section 703.4, Formula*
16 *Retail uses are not permitted as Temporary Uses in Neighborhood Commercial Districts.*

17 ~~(b) Action upon such uses may be authorized by the Planning Director without a public~~
18 ~~hearing.~~

19 (c) **Existing Temporary Uses.** Wherever a use exists ~~on~~^{at} the effective date of this
20 Code or of an amendment thereto under which such use is classified as a temporary use, or
21 wherever a use is being conducted under a temporary use authorization given prior to such a
22 date, such use may be continued for the maximum term specified therefor, calculated from
23 said effective date or date of authorization. No such use shall continue thereafter unless a
24 temporary use authorization ~~is has been sought and~~ obtained under a new application.
25 Continuance of a temporary use beyond the date of expiration of the period authorized

therefor, or failure to remove a structure for such temporary use within 10 days thereafter, shall constitute a violation of this Code.

(d) **Calculation of Time.** ~~Unless otherwise specified, t~~The time periods referenced in this Sections 205 et seq. 1 through 205.3 and Sections 205.5 through 205.7 are consecutive hours or consecutive calendar days; they are not the total number of hours or days that the use is in operation. Therefore, a 24-hour authorization that begins at 6:00 a.m. expires at 6:00 a.m. the following day, even if the use was in operation only eight hours of that 24-hour period. Similarly, a 60-day authorization expires after 60 calendar days even though the use may only have been open for business three days per week during that 60-day period. Hours or days of unused authorization cannot be stored or credited.

(e) ~~Any temporary uses authorized pursuant to this Section 205 and Sections 205.1 through 205.7 shall not be required to comply with any Planning Code requirements that are not expressly applicable to such temporary uses under this Section 205 and Sections 205.1 through 205.7, provided, however, any temporary uses authorized pursuant to this Section 205 and Sections 205.1 through 205.7 shall be subject to all applicable initiative ordinances approved by the voters of the City and County of San Francisco.~~

(f) **Application, Appeals, and Renewal.** The Planning Director or the Planning Director's designee shall have authority to approve or deny an application for temporary use authorization, and may act upon an application without a public hearing. The decision ~~of the Planning Director to~~ authorize or deny ~~authorization of~~ any temporary use pursuant to ~~this Sections 205 et seq. and Sections 205.1 through 205.7~~ may be appealed to the Board of Appeals within 15 days after the date of the decision by filing a written notice of appeal with that body. The Planning Director or Director's designee may authorize additional time for a temporary use by action upon a new application, subject to all the requirements for the original application, unless otherwise indicated in Sections 205 et seq.

1 (f) No Conversion, Change, Discontinuance, or Abandonment of Use. The approval or
2 commencement of a temporary use authorized under Sections 205 et seq. shall not be considered a
3 conversion, discontinuance, abandonment, or change of the authorized land use(s) preceding the
4 temporary use authorized under Sections 205 et seq. Any property for which the temporary use is
5 authorized shall retain its preceding authorized land use(s).

6 (g) Multiple Temporary Uses. Authorization of an Interim Activity under Sections 205 et seq.
7 at a given property or for a given use shall not preclude the concurrent authorization of any other
8 temporary uses recognized in this Section.

9 (h) Additional Permits. Authorization of a temporary use under Sections 205 et seq. does not
10 waive the requirement to obtain any additional authorization that may be required by the San
11 Francisco municipal Code, including but not limited to permits required by the Health Code or
12 Building Code.

13
14 **SEC. 205.1. TEMPORARY USES: SIXTY-DAY LIMIT.**

15 A temporary use may be authorized for a period not to exceed 60 days for any of the
16 following uses:

17 (a) Neighborhood carnival, exhibition, celebration or festival sponsored by an
18 organized group of residents in the vicinity or, in Neighborhood Commercial, Mixed Use, PDR,
19 C, or M Districts, sponsored by property owners or businesses in the vicinity;

20 (b) Booth for charitable, patriotic or welfare purposes;

21 (c) Open air sale of agriculturally produced seasonal decorations, including, but not
22 necessarily limited to, Christmas trees and Halloween pumpkins;

23 (d) ~~Pop-Up Retail, which is a temporary Retail Use permitted within either a vacant~~
24 ~~commercial space or a space occupied by a legally established Commercial Use. If the Pop-Up Retail~~
25 ~~use is in a Residential District then the temporary Pop-Up Retail use may not serve alcohol or have~~

~~hours of operation past 10:00 pm, and such use shall not be permitted within six months of the date a prior Pop-Up Retail use began its occupancy of the same commercial space.~~

(e) Within the C-3 District, installation of a temporary Sign, other than a General Advertising Sign, or a temporary decorative or artistic display or installation. Such Sign or installation shall have a maximum height of 16 feet above the roofline of the building to which it is affixed.

SEC. 205.2. TEMPORARY USES: ONE- TO THREE SEVEN-YEAR LIMIT.

(a) Temporary authorization for a period not to exceed one year.

* * * *

(2) Pop-Up Retail Activations. Pop-Up Retail is a time-limited Retail, Nighttime Entertainment, General Entertainment, or Arts Activities use permitted within either a vacant commercial space or a space occupied by a legally established Commercial Use. Pop-Up Retail may be authorized and renewed as a temporary use for up to three years. Activations are temporary Non-Residential uses, including but not limited to Pop-Up Retail, Entertainment, or Arts Activity uses, permitted within either a vacant space last occupied by a Non-Residential use or a space occupied by a legally established Non-Residential use, and that is located within a C-3 zoning district or a C-2 zoning district that is east of or fronting Franklin/13th Street and north of Townsend Street or within an NC, NCT, or Mixed Use District that is south of Market Street, north of Townsend/Division/13th Streets, and east of South Van Ness Avenue. Such uses may include Formula Retail uses so long as Formula Retail uses are principally permitted in the underlying zoning. Any Pop-Up Retail use shall satisfy all of these requirements:

(A) Operate within the principally permitted hours of operation of the applicable Zoning District; provided that any Pop-Up Retail use located within a Limited Commercial use may not have hours of operation past 10:00 p.m.

1 (B) Not be located within a Residential District, unless the temporary use is
2 located within a Limited Commercial use.

3 (C) Comply with the fenestration, transparency, and any other visibility
4 requirements of Section 145.1 of this Code; provided that the these requirements shall not apply to the
5 Pop-Up Retail for the first 60-days of the use.

6 (3) Temporary General Office uses for seasonal political campaigns in zoning districts
7 other than PDR Districts, and Residential Districts, unless the temporary use is located within a
8 Limited Commercial use.

9 **(b) Temporary authorization for a period not to exceed two years.**

10 (1) Temporary structures and uses incidental to the construction of a building or
11 group of buildings on the same or adjacent premises, or on a Lot within one-half mile of the
12 premises when required due to land availability and circulation patterns. Where the temporary
13 structures and uses are incidental to a project constructing at least 500,000 new gross square feet, said
14 temporary structures and uses may be located on a Lot within two miles of the premises when required
15 due to land availability and circulation patterns.

16 (2) Rental or sales office incidental to a new residential development, not
17 including the conduct of a general real estate business, provided that it be located within the
18 development, ~~and in a temporary structure or part of a dwelling. A temporary use may be authorized~~
19 ~~for a period not to exceed one year (including any extensions) for the following year.~~

20 (3) Temporary uses under subsections (b)(1) and (b)(2) may not be renewed following
21 the issuance of the First Certificate of Occupancy, as defined in Section 401, for the last building of a
22 project.

23 (4) In any M-1 or M-2 District, an Automobile Wrecking use as defined in
24 Section 102 of this Code, provided if the operation would be a conditional use in the district in
25

question, that the Planning Director determines the operation will meet within 90 days of commencing operation all conditions applicable to such use in that district.

~~(c) Temporary authorization for a period not to exceed five years, with exceptions as specified herein.~~

~~—————(1) Vehicle Triage Centers or Safe Parking Program sites.~~

~~—————(A) On parcels designated and authorized, as applicable, for use as Vehicle Triage Centers or Safe Parking Program sites, temporary long-term parking of and overnight camping in vehicles, and ancillary uses in portable, temporary structures including administrative offices, restrooms, showering or bathing facilities, kitchen or other food preparation facilities, and eating areas, may be permitted, subject to compliance with all other Municipal Code requirements, including but not limited to the Overnight Safe Parking Pilot Program, Administrative Code Chapter 119, Article I.~~

~~—————(B) The Director may authorize up to two extensions of this temporary use for a maximum of six months each, based on public health and safety considerations or delay in approval or operation of the site as a Vehicle Triage Center or Safe Parking Program site.~~

~~(d) Temporary authorization for a period not to exceed seven years. Temporary Cannabis Retail Use, as provided by Section 191, to be authorized no earlier than January 1, 2018 and to expire on December 31, 2024. This is the only type of Temporary Use allowed for the sale of cannabis or cannabis products.~~

~~(e) Temporary Cannabis Retail Use, as provided by Section 191, to be authorized no earlier than January 1, 2018 and to expire on January 1, 2024. This is the only type of Temporary Use allowed for the sale of cannabis or cannabis products.~~

SEC. 205.3. TEMPORARY USES: TWENTY-FOUR-HOUR LIMIT.

Outside of Residential Districts ~~Within the PDR, C, M, Neighborhood Commercial, or Mixed Use Districts~~, a temporary use may be authorized for a period not to exceed 24 hours per event once a month for up to 12 events per year per premises for any of the following uses:

* * * *

SEC. 205.4. TEMPORARY USES: INTERMITTENT ACTIVITIES.

An intermittent activity is an outdoor use which, while occasional, occurs with some routine or regularity. Intermittent activities include, but are not limited to, the following uses: mobile food facilities, farmers markets, and open-air craft markets. Such uses typically require additional authorization(s) from other City Departments. An intermittent activity may be authorized as a temporary use for a period not to exceed one year.

(a) In all Districts other than RH, RM, RED, and RTO Districts an intermittent activity is permissible if it satisfies all of the following conditions:

* * * *

(3) It shall be open for business only during the hours of operation permitted as a principal use for the District in which it is located, if any such hourly limits exist.

~~(4) If located in a District that is subject to any of the neighborhood notification requirements as set forth in Section 311 of this Code, notification pursuant to Section 311 shall be required as follows:~~

~~—————(A) Notification shall be required if the vending space, as defined below, would exceed 300 square feet.~~

~~—————(B) Notification shall be required if any portion of the vending space would be located within 50 feet of an RH, RM, RED, or RTO District. Distances to RH, RM, RED, and RTO Districts shall be measured from the extreme perimeter of any vending space to the nearest property line of any parcel which is partially or wholly so zoned.~~

1 ~~_____ (C) For purposes of this Section, "Vending Space" shall be defined as the entire~~
2 ~~area within a single rectangular perimeter formed by extending lines around the extreme limits of all~~
3 ~~carts, vehicles, tables, chairs, or other equipment associated with all intermittent activities located on~~
4 ~~the parcel.~~

5 ~~_____ (D) Notwithstanding Subsections (4)(A) and (B) above, and in order to~~
6 ~~eliminate redundant notification, notification shall not be required for the resumption of an intermittent~~
7 ~~activity or the extension of time for an intermittent activity when all of the following criteria are met: (i)~~
8 ~~an intermittent activity is currently authorized on the property or has been authorized on the property~~
9 ~~within the 12 months immediately preceding the filing of an application for resumption or extension;~~
10 ~~(ii) the existing or recent intermittent activity lawfully exceeds or exceeded the thresholds of~~
11 ~~Subsections (4)(A) and/or (B), above, and was the subject of neighborhood notice under Section 311 at~~
12 ~~the time of its establishment; and (iii) the intermittent activity would not further exceed the thresholds~~
13 ~~of Subsections (4)(A) and/or (B), above.~~

14 * * * *

15
16 **SEC. 205.5. TEMPORARY USES: INTERIM ACTIVITIES ON DEVELOPMENT**
17 **SITES.**

18 (a) Upon the satisfaction of the requirements in this Section 205.5, an Interim Activity,
19 as defined below, ~~on an Eligible Development Site located in an Eligible Area~~ may be authorized as
20 a temporary use on a legal lot that is subject to a Development Project, in any district other than a
21 Residential District, for an initial period not to exceed 36 months ("Initial Period").

22 (b) **Definitions.** For purposes of this Section 205.5, the following definitions shall
23 apply:

24 **"Development Project"** ~~has the meaning set forth in the definition of Eligible~~
25 Development Site: means a project for which a development application and any associated fees have

1 been submitted and accepted to obtain all required land use entitlements and permits, including any
2 environmental review, for a project that proposes to demolish an existing structure or work that is
3 tantamount to demolition, as defined in Section 317, or a project that proposes sufficient changes to the
4 site such that the Director determines Interim Activities are appropriate.

5 ~~“Eligible Area” means the Commercial (C), Residential Commercial (RC), Downtown~~
6 ~~Residential (DTR), and Neighborhood Commercial Transit (NCT) Districts, and Mixed Use and~~
7 ~~Neighborhood Commercial (NC) Districts within the area bounded by Market Street, 13th~~
8 ~~Street/Duboce Avenue, Division Street, and King Street.~~

9 ~~“Eligible Development Site” means a legal lot on which all of the following requirements have~~
10 ~~been satisfied: (1) an application has been submitted and accepted either to permit demolition of an~~
11 ~~existing structure, or to permit alterations sufficiently extensive to be considered, in the judgment of the~~
12 ~~Planning Director, tantamount to demolition for the purposes of this Section 205.5; (2) applications~~
13 ~~and the associated fees have been submitted and accepted to obtain all required land use and permit~~
14 ~~entitlements for an associated development project (“Development Project”); (3) provided that a~~
15 ~~Development Project proposes to include residential uses, it would result in greater residential density~~
16 ~~than the residential density existing as of the time both the land use and permit entitlement applications~~
17 ~~were submitted to the City; and (4) applications and the associated fees have been submitted and~~
18 ~~accepted to evaluate compliance of the Development Project with the California Environmental Quality~~
19 ~~Act (California Public Resources Code Sections 21000 et seq.) pursuant to Administrative Code~~
20 ~~Section 31.22.~~

21 “Interim Activity” means any Arts Activities Use; any Entertainment, General Use;
22 ~~any Use within a PDR I-D District;~~ and/or any Use Principally Permitted in the subject zoning
23 district. For sites where the Development Project will construct Affordable Housing Project(s) as
24 defined in Section 315, Interim Activity shall include any Private Parking Garage, Public Parking
25 Garage, Private Parking Lot, Public Parking Lot, Vehicle Storage Garage, and Vehicle Storage Lot.

1 (c) **Application.** The property owner or the property owner's authorized agent
2 ("Applicant") shall submit an application for temporary use to the Planning Department, on a
3 form prepared by the Planning Department. The application shall be accompanied by the
4 applicable fees pursuant to Planning Code Section 350 and shall include an affidavit signed
5 by the Applicant and, as applicable, each tenant occupying any portion of the eEligible
6 ~~Development~~ SSite for the Interim Activity, or each tenant's authorized agent, acknowledging
7 that the use of the eEligible ~~Development~~ SSite for the Interim Activity is temporary and subject
8 to the time limits set forth in this Section 205.5 and acknowledging that the Applicant has to
9 pay any outstanding fees, invoices, or penalties owed to City agencies, and is in compliance
10 with all requirements of the Municipal Code, including any requirements to file Updates to
11 Institutional Master Plans and abate any Code or Building Code violations. The Applicant shall
12 not be required to pay additional fees set forth in Article 4 of the Planning Code as a
13 prerequisite to obtaining temporary use authorization pursuant to this Section 205.5.

14 * * * *

15 (e) **New Tenants.** Additional or different tenants (each a "New Tenant") may
16 commence occupancy within and use of the eEligible ~~Development~~ SSite in question without
17 additional applications or fees, provided that each New Tenant submits a completed affidavit
18 to the Department attesting to the truthfulness and correctness of the previously submitted
19 application and declaring that the New Tenant will not discontinue, add to, or modify the
20 approved Interim Activity

21 (f) ~~No Conversion, Change, Discontinuance, or Abandonment of Use. The approval or~~
22 ~~commencement of an Interim Activity as a temporary use as authorized under this Section 205.5 shall~~
23 ~~not be considered a conversion, discontinuance, abandonment, or change of use for purposes of this~~
24 ~~Code, notwithstanding Sections 182 and 183 of this Code. Any property for which the Interim Activity~~
25 ~~is authorized shall retain its authorized land use(s). Such authorized land uses, including any~~

1 ~~nonconforming uses, shall become operative upon the expiration, termination, or abandonment of such~~
2 ~~temporary use authorization.~~

3 ~~(g)~~ **Fenestration, Transparency, and Visibility Requirements.** Construction
4 proposed in connection with the Interim Activity shall not cause noncompliance or exacerbate
5 existing noncompliance with respect to fenestration, transparency, or any other visibility
6 requirement of Section 145.1 of this Code. Further, no film, adhesive, blinds, or other
7 treatment may be applied to any existing fenestration.

8 ~~(h) Information To Be Available To Public. The Department shall make available to the public~~
9 ~~in the Planning Department's main office and on its website a list of all applications approved under~~
10 ~~this Section 205.5, along with applicable time frames and any additional information the Planning~~
11 ~~Department deems useful for or relevant to the continued and successful activation of those spaces in~~
12 ~~the Eligible Area.~~

13 ~~(g)~~ **Extension of Initial Period.** Upon the Planning Director's or the Director's
14 designee's determination that permits for the Development Project are being and have been
15 diligently pursued, and that the Interim Activity has been consistent with public convenience,
16 necessity, or the general welfare of the City, the Planning Director is authorized to permit the
17 Interim Activity to exceed the Initial Period unless or until the applicant either withdraws the
18 application for the Development Project, the entitlement for the Development Project expires, or
19 construction of the Development Project commences. ~~for an additional period not to exceed 12 months.~~
20 ~~The Planning Director is authorized to extend the Initial Period up to two times (the first time being the~~
21 ~~extension referenced in the previous sentence) such that each extension of the Initial Period may be up~~
22 ~~to 12 months, each extension shall require a separate determination of the Planning Director~~
23 ~~according to this Section 205.5(i), and the authorization of the Interim Activity may not exceed a total~~
24 ~~duration of 60 months.~~

1 ~~(j) Other Temporary Uses. Authorization of an Interim Activity pursuant to this Section 205.5~~
2 ~~shall not preclude the authorization of any other temporary uses recognized in Sections 205.1 through~~
3 ~~205.4.~~

4 **~~SEC. 205.6. TEMPORARY USES: INTERIM USES WITHIN BARS AND~~**
5 **~~ENTERTAINMENT USES.~~**

6 ~~Any Retail Use may be authorized as a temporary use within any space authorized as a Bar,~~
7 ~~General Entertainment or Nighttime Entertainment Use for a period not to exceed four years from the~~
8 ~~date of any such authorization, provided that the period terminates within 6 years from the effective~~
9 ~~date of this Section 205.6. Such temporary uses shall be subject to applicable operating conditions,~~
10 ~~including but not limited to those conditions set forth in Section 202.2(a)(1) of this Code.~~

12 **SEC. 205.67. TEMPORARY USES: FIVE-YEAR LIMIT.** **~~TEMPORARY USES: INTERIM~~**
13 **~~ACTIVITIES IN VACANT GROUND-FLOOR COMMERCIAL SPACES.~~**

14 Vehicle Triage Centers and Safe Parking Program Sites. On Lots designated and authorized,
15 as applicable, for use as Vehicle Triage Centers or Safe Parking Program sites, temporary long-term
16 parking of and overnight camping in vehicles, and ancillary uses in portable, temporary structures
17 including administrative offices, restrooms, showering or bathing facilities, kitchen or other food
18 preparation facilities, and eating areas, may be permitted, subject to compliance with all other
19 Municipal Code requirements, including but not limited to the Overnight Safe Parking Pilot Program,
20 Administrative Code Chapter 119, Article I.

21 Beyond the five-year limit on the temporary uses in this Section 205.6, the Director may
22 authorize up to two extensions of this temporary use for a maximum of six months each, based on
23 public health and safety considerations or delay in approval or operation of the site as a Vehicle Triage
24 Center or Safe Parking Program site.

1 ~~(a) Arts Activities, Social Service or Philanthropic Facilities, and COVID-19 Relief and~~
2 ~~Recovery uses; Authorization as Temporary Uses. Within all districts listed in Section 201 of this Code~~
3 ~~except for Residential Districts, the Planning Director may authorize an Arts Activity or Social Service~~
4 ~~or Philanthropic Facility use, as those uses are defined in Section 102, or any COVID-19 Relief and~~
5 ~~Recovery use as defined in subsection (b) as a temporary use in a vacant ground-floor commercial~~
6 ~~space for a maximum of four years. The temporary uses may be provided, in whole or in part, either on~~
7 ~~site or off site. Such uses may also conduct their administrative activities on site as a sole Principal~~
8 ~~Use.~~

9 ~~The Planning Director's initial authorization ("Initial Period") shall not exceed two years and~~
10 ~~may be extended by the Director up to the four year maximum pursuant to the provisions of subsection~~
11 ~~(i) below. I~~

12 ~~(b) Definitions. For purposes of this Section 205.6, the following definitions shall apply:~~

13 ~~———"COVID-19 Relief and Recovery use" means any use providing direct services in~~
14 ~~housing, employment, health, education and training, legal assistance, public benefits, enrollment and~~
15 ~~financial assistance preparing and distributing food, water and other essential items, establishing~~
16 ~~testing facilities, or providing access to restroom or handwashing facilities, or performing any other~~
17 ~~service that the Department determines will aid COVID-19 relief and recovery efforts.~~

18 ~~———"Vacant ground-floor commercial space" means a space with street frontage on the~~
19 ~~ground floor that is zoned for a Non-Residential Use, as defined in Section 102 of this Code, and is~~
20 ~~vacant.~~

21 ~~(c) Application. The property owner or the property owner's authorized agent ("Applicant," in~~
22 ~~either case) shall submit an application for temporary use to the Planning Department, on a form~~
23 ~~prepared by the Planning Department. The application shall be accompanied by the applicable fees~~
24 ~~pursuant to Planning Code Section 350 and shall include an affidavit signed by the Applicant and, if~~
25 ~~applicable, each tenant occupying any portion of the vacant ground-floor commercial space for the~~

1 ~~temporary use or each tenant's authorized agent, acknowledging that (1) the use of the space is~~
2 ~~temporary and subject to the time limits set forth in this Section 205.6,1 (2) the Applicant will pay any~~
3 ~~outstanding fees, invoices, or penalties owed to City agencies, and (3) the Applicant is in compliance~~
4 ~~with all requirements of the Municipal Code, including any requirements to abate any Code violations,~~
5 ~~including Building Code violations. The Applicant shall not be required to pay additional fees set forth~~
6 ~~in Article 4 of the Planning Code as a prerequisite to obtaining temporary use authorization pursuant~~
7 ~~to this Section 205.7.~~

8 ~~(d) New, Additional, or Modified Temporary Uses. New, additional, or modified temporary~~
9 ~~uses that were not previously approved by the Planning Director shall be reviewed through the filing of~~
10 ~~a new application and submittal of a new application fee.~~

11 ~~(e) New Tenants. Additional or different tenants may commence occupancy within and use the~~
12 ~~subject site without additional applications or fees, provided that each new tenant submits a completed~~
13 ~~affidavit to the Department attesting to the truthfulness and correctness of the information in the~~
14 ~~previously submitted application and declaring that the new tenant will not discontinue, add to, or~~
15 ~~modify the approved Interim Activity.~~

16 ~~(f) No Conversion, Change, Discontinuance, or Abandonment of Use. The approval or~~
17 ~~commencement of a temporary use as authorized under this Section 205.7 shall not be considered a~~
18 ~~conversion, discontinuance, abandonment, or change of use for purposes of this Code, notwithstanding~~
19 ~~Sections 182 and 183 of this Code. Any property for which the temporary use is authorized shall retain~~
20 ~~its authorized land use(s). Such authorized land uses, including any nonconforming uses, shall become~~
21 ~~operative upon the expiration, termination, or abandonment of such temporary use authorization.~~

22 ~~(g) Fenestration, Transparency, and Visibility Requirements. Construction proposed in~~
23 ~~connection with the temporary use shall not cause noncompliance or exacerbate existing~~
24 ~~noncompliance with respect to fenestration, transparency, or any other visibility requirement of Section~~
25

1 ~~145.1 of this Code. Further, no film, adhesive, blinds, or other treatment may be applied to any existing~~
2 ~~fenestration.~~

3 ~~(h) Information To Be Available To Public. The Department shall make available to the public~~
4 ~~in the Planning Department's main office and on its website a list of all applications approved under~~
5 ~~this Section 205.6.1 along with applicable time frames and any additional information the Planning~~
6 ~~Department deems useful for or relevant to the continued and successful activation of the subject sites~~
7 ~~in the surrounding neighborhood.~~

8 ~~(i) Extension of Initial Period. Upon the Planning Director's written determination that~~
9 ~~permits for the vacant ground floor commercial space are being and have been diligently pursued, and~~
10 ~~that the temporary use has been consistent with public convenience, necessity, or the general welfare of~~
11 ~~the City, the Planning Director is authorized to permit the temporary use to exceed the Initial Period~~
12 ~~for an additional period of time not to exceed a total time of 24 months. This extension shall require a~~
13 ~~separate determination of the Planning Director according to this Section 205.7(i), and the~~
14 ~~authorization of the temporary use may not exceed a total duration of 48 months.~~

15 ~~(j) Other Temporary Uses. Authorization of a temporary use pursuant to this Section 205.7~~
16 ~~shall not preclude the authorization of any other temporary uses recognized in Sections 205.1 through~~
17 ~~205.6.1~~

18 ~~(k) Additional Permits. Authorization of a temporary use under this Section 205.7 does not~~
19 ~~waive the requirement to obtain any additional permit(s) that may be required by other City Codes,~~
20 ~~including but not limited to permits required by the Health Code or Building Code.~~

21 ~~(l) Fee Waiver for Uses that Propose a COVID-19 Recovery and Relief Activity. If an~~
22 ~~applicant for approval of a temporary use under this Section 205.6.1 proposes a COVID-19 Recovery~~
23 ~~and Relief use, as defined in subsection (b) above, the Planning Department fee for reviewing the~~
24 ~~application shall be waived.~~

1 **SEC. 205.78. TEMPORARY USES: OUTDOOR ENTERTAINMENT, ARTS AND**
2 **RECREATION ACTIVITIES.**

3 (a) **Entertainment, Retail Sales and Service, Arts and Recreation Activities.**
4 Entertainment, Retail Sales and Service, Arts and Recreation Uses, as defined in Section 102,
5 may be authorized as a temporary use in outdoor areas, including temporary structures, and
6 any ancillary uses of indoor areas, for a maximum of two years. Such uses may also include
7 the administrative activities of such use.

8 (b) **Duration.** The initial authorization ("Initial Period") shall not exceed one year and
9 may be extended for an additional year by the Planning Director, for a maximum authorized
10 period of up to two years, pursuant to this Section 205.78.

11 (c) **Hours of Operation.** Uses permitted by this Section 205.78 may not exceed the
12 hours of 9:00 a.m. to 10:00 p.m.

13 ~~(d) **New, Additional, or Modified Temporary Uses.** New, additional, or modified temporary~~
14 ~~uses that were not previously approved by the Planning Director shall be reviewed through the filing of~~
15 ~~a new application and submittal of a new application fee.~~

16 ~~(e) **No Conversion, Change, Discontinuance, or Abandonment of Use.** The approval or~~
17 ~~commencement of a temporary use as authorized under this Section 205.8 shall not be considered a~~
18 ~~conversion, discontinuance, abandonment, or change of use for purposes of this Code, notwithstanding~~
19 ~~Sections 178, 182, and 183 of this Code. Any property for which the temporary use is authorized shall~~
20 ~~retain its authorized land use(s). Such authorized land uses, including any nonconforming uses, shall~~
21 ~~again become operative upon the expiration, termination, or abandonment of such temporary use~~
22 ~~authorization.~~

23 ~~(f) **Information To Be Available To Public.** The Department shall make available to the public~~
24 ~~in the Planning Department's main office and on its website a list of all applications approved under~~
25 ~~this Section 205.8 along with applicable time frames and any additional information the Planning~~

~~Department deems useful for or relevant to the continued and successful activation of the subject sites in the surrounding neighborhood.~~

Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within 10 days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/
AUSTIN M. YANG
Deputy City Attorney

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LEGISLATIVE DIGEST

(Substituted - 6/10/25)

[Planning Code - Temporary Use Authorizations]

Ordinance amending the Planning Code to streamline and simplify the process for obtaining and extending temporary use authorizations, implement standard requirements for any temporary use authorization, and permit as temporary uses seasonal political campaign offices for up to one year, and extend the maximum time period for a Pop-Up Retail temporary use to three years; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Existing Law

The Planning Code allows temporary uses subject to certain requirements. Temporary uses range from carnivals, Christmas tree and Halloween pumpkin markets, to Retail uses, to uses associated with larger development projects. Some temporary uses are authorized for short periods (up to 60 days) and some are authorized for longer periods (up to seven years). Each type of authorization is subject to specific conditions, limitations on extensions, and limitations on permissible uses.

Amendments to Current Law

This ordinance would provide a uniform set of conditions that apply to all temporary uses. The ordinance would also clarify that the temporary use authorizations are an exception to the Planning Code, provided that voter initiatives like the prohibition on Formula Retail in Neighborhood Commercial Districts shall continue to apply. The ordinance would also clarify that a temporary use authorization does not convert, change, replace or abandon the existing use on site.

The ordinance would consolidate two temporary use authorizations – Pop-Up Retail and Pop-Up Activations – and provide one set of requirements for Pop-Up Retail temporary uses. The newly defined Pop-Up Retail temporary uses would include Retail, Nighttime Entertainment, General Entertainment, and Arts Activities in commercial spaces, meaning that it would encompass the temporary use authorizations for Bars and Entertainment uses currently codified in Section 205.6, which allows temporary Retail uses in vacant Bars and Entertainment spaces. As a result, the ordinance would delete the existing Section 205.6.

The ordinance would also allow General Office for seasonal political campaigns as a temporary use in certain zoning districts.

The ordinance would expand the criteria for temporary structures and uses incidental to the construction of a building or group of buildings to include parcels that are not adjacent to the construction. The permissible distance between parcels would vary based on certain size criteria.

The ordinance would also remove temporary use authorizations permitted as part of the response to the City's COVID-19 recovery and relief efforts.

Background Information

This ordinance is one of several ordinances being introduced as part of PermitSF, which is a City effort to make permitting customer-centric, fast, predictable, transparent and unified.

A substitute ordinance was introduced on June 10, 2025. The substitute ordinance makes minor technical changes.

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October 24, 2014

Ms. Angela Calvillo, Clerk
Honorable Mayor Lurie
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Department Case Numbers 2025-004733PCA, 2025-004734PCA, 2025-004737PCA and 2025-004740PCA: Permit SF Planning Code Amendments**
Board File Nos. 250542, 250540, 250539 and 250538

Planning Commission Recommendation:	250542: Approval with Modification 250540: Approval 250539: Approval 250538: Approval with Modification
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Dear Ms. Calvillo and Mayor Lurie,

On June 26, 2025, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider four proposed Ordinance, introduced by Mayor Lurie, that would amend the Planning Code, and are associated with the mayor's Permit SF effort. At the hearing, the Planning Commission adopted a recommendation for approval for all four ordinances, with recommended amendments for two of the ordinances, as noted above.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Mayor Lurie, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron D. Starr", with a long horizontal flourish extending to the right.

Aaron D. Starr
Manager of Legislative Affairs

cc: Austin Yang, Deputy City Attorney
Guilia Gualco-Nelson, Deputy City Attorney
Robb Kapla, Deputy City Attorney
Katy Tang, Office of Small Business
John Carroll, Office of the Clerk of the Board

ATTACHMENTS :

Planning Commission Resolution
Planning Department Executive Summary



PLANNING COMMISSION

RESOLUTION NO. 21759

HEARING DATE: June 26, 2025

Project Name: Temporary Use Authorizations
Case Number: 2025-004734PCA [Board File No. 250540]
Initiated by: Mayor Lurie / Introduced May 20, 2026
Staff Contact: aaron starr, Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO STREAMLINE AND SIMPLIFY THE PROCESS FOR OBTAINING AND EXTENDING TEMPORARY USE AUTHORIZATIONS, IMPLEMENT STANDARD REQUIREMENTS FOR ANY TEMPORARY USE AUTHORIZATION, AND PERMIT AS TEMPORARY USES SEASONAL POLITICAL CAMPAIGN OFFICES FOR UP TO ONE YEAR, AND EXTEND THE MAXIMUM TIME PERIOD FOR A POP-UP RETAIL TEMPORARY USE TO THREE YEARS; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on May 20, 2025 Mayor Lurie introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 250540, which would amend the Planning Code to streamline and simplify the process for obtaining and extending temporary use authorizations, implement standard requirements for any temporary use authorization, and permit as temporary uses seasonal political campaign offices for up to one year, and extend the maximum time period for a Pop-Up Retail temporary use to three years;

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 26, 2025; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15378 and 15060(c); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby adopts a **recommendation for approval** of the proposed ordinance.

Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The Commission finds that the proposed ordinance furthers the City's goals to activate vacant spaces, improve regulatory clarity, and support equitable access to physical space for temporary uses. The Ordinance consolidates and updates various temporary use provisions to create a more predictable, flexible, and inclusive framework, aligning with General Plan objectives and supporting racial and social equity.

The Commission also finds that:

The ordinance simplifies and standardizes temporary use authorizations, making them more accessible to small businesses, nonprofits, and community groups.

The ordinance removes unnecessary procedural burdens, such as Section 311 notification for intermittent uses, which have been largely eliminated elsewhere.

The ordinance enables greater use of vacant commercial and development sites, helping to mitigate blight and economic inactivity in underutilized areas.

The ordinance protects underlying land use entitlements and clarifies that temporary uses will not result in abandonment or changes to base zoning.

General Plan Compliance

The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

The proposed Ordinance will facilitate the establishment of a retail use that provides net benefits in the form recreational and community gathering spaces. As these would be temporary uses, any potential undesirable consequences would temporary and could be addressed through existing regulatory controls.

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The proposed Ordinance allows new commercial activity in spaces that are currently vacant or in transition. This added commercial activity will help maintain a favorable social and cultural climate in San Francisco as it adds to the number of commercial and recreational activities available to employees. This enhances San Francisco as a location for firms.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve

the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION FOR APPROVAL the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 26, 2025



Jonas P. Ionin
Commission Secretary

Jonas P Ionin

Digitally signed by Jonas P Ionin
Date: 2025.06.27 09:27:40 -07'00'

AYES: Campbell, Moore, So, Williams, Moore, and Imperial
NOES: None
ABSENT: McGarry
ADOPTED: June 26, 2025



EXECUTIVE SUMMARY

PLANNING CODE TEXT AMENDMENT

HEARING DATE: June 26, 2025

90-Day Deadline: August 18, 2025

Project Name: Temporary Use Authorizations
Case Number: 2025-004734PCA [Board File No. 250540]
Initiated by: Mayor Lurie / Introduced May 20, 2026
Staff Contact: aaron starr, Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533
Environmental
Review: Not a Project Under CEQA

RECOMMENDATION: Adopt of Recommendation Approval

Planning Code Amendment

The proposed Ordinance would amend the Planning Code to streamline and simplify the process for obtaining and extending temporary use authorizations, implement standard requirements for any temporary use authorization, and permit as temporary uses seasonal political campaign offices for up to one year, and extend the maximum time period for a Pop-Up Retail temporary use to three years.

The Way It Is Now	The Way It Would Be
1 Pop-Up Retail Uses are allowed for up to 60 days and require a 60-day period of inactivity before a new pop-up retail is permitted.	Pop-Up Retail uses would be allowed for one year with extensions of up to three years with Planning Director approval.
2 Pop-Up Retail includes Retail Uses as defined in Planning Code 102.	Pop-up Retail would include Retail Uses in addition to entertainment uses (not defined) and Arts Activity Uses.
3 Seasonal political campaign offices are not explicitly permitted as temporary uses.	Seasonal political campaign offices are now expressly allowed as temporary General Office uses for up to one year.
4 Temporary use controls do not clarify protection of underlying land uses or continuity post-authorization.	Activating a temporary use will place a hold on any abandonment period for the last permitted use. Further, temporary uses will not be deemed a change in underlying land use, protecting prior entitlements and preventing abandonment.
5 Multiple temporary uses on the same site were not clearly permitted.	The ordinance expressly allows multiple temporary uses on the same site concurrently.
6 Temporary Uses with 24-hour limits were limited to PDR, C, M, NCD, and MUDs.	Temporary Uses with 24-hour limits will be allowed in all districts that are not Residential Districts. This will have the effect of allowing 24-hour temporary uses in RC and DTR zoning districts.
7 Development Sites within a specific geographic area are allowed to have interim activity on the site for up to 36 months. Those uses include any Arts Activities Use; any Entertainment, General Use; any Use within a PDR-1-D District; and/or any Use Principally Permitted in the subject zoning district	All Development Sites , regardless of location, are allowed to have interim activities on the site. Those activities would include all currently existing uses, except that the provision for uses allowed in PDR-1-D would be removed. In addition, affordable housing projects are allowed to have any parking use (undefined) as an interim activity .
8 An eligible Development Site for Interim Activities is one where an application for demolition or tantamount to demolition of an existing building has been submitted; associated fees have been paid; and if it's a proposed residential development the residential density is proposed to be increased.	All the same criteria for Interim Activities on Development Site would apply, except the provision that eligible projects must be proposing to increase residential density.
9 With approval of the Planning Director, Interim Activities are allowed for 36 months and can be extended for 12 months at a time, with a total time of up to 60 months.	With the approval of the Planning Director, Interim Activities could operate “unless or until the applicant either withdraws the entitlement for the Development Project or

		construction of the Development Project commences.”
10	Transparency standards applied uniformly, even for very short-term pop-ups.	Transparency and fenestration rules would be relaxed for the first 60 days of Pop-Up Retail to support short-term activation.
11	Intermittent activities required Planning Code Section 311 notification if the subject zoning district required said notification for the intended use.	Planning Code Section 311 notification will no longer be required for Intermittent activities .

Background

This Ordinance builds upon ongoing efforts by the City to streamline permitting processes and activate underutilized spaces, particularly in response to the economic impacts of the COVID-19 pandemic. It aligns with the goals of the PermitSF initiative, which aims to improve customer experience by reducing permitting delays and increasing predictability. The Ordinance also responds to persistent storefront vacancies and stalled development projects that have left properties vacant and economically inactive for prolonged periods. Temporary use authorizations have historically been used to facilitate short-term activations—such as pop-ups, festivals, or construction-related uses—but prior regulations were fragmented, inconsistently applied, and offered limited duration or flexibility. Past temporary use provisions, such as those introduced for COVID-19 relief and recovery or interim uses on development sites, demonstrated the value of activating spaces quickly and with minimal barriers. This Ordinance consolidates and expands those efforts into a more cohesive framework, allowing a broader range of uses, simplifying extensions, and providing clarity and consistency to both applicants and staff.

Issues and Considerations

Temporary Uses

The Planning Code currently allows several categories of temporary uses. Below is a summary of each category, what is permitted, and how the proposed ordinance would change those provisions.

Section 205.1 – Temporary Uses: 60-Day Limit

This section permits short-term uses such as neighborhood carnivals, exhibitions, festivals sponsored by nearby residents, charitable or patriotic booths, and the open-air sale of seasonal agricultural decorations like Christmas trees and pumpkins. It also currently includes Pop-Up Retail.

Proposed Change: Pop-Up Retail would be removed from this section and moved to Section 205.2, which governs longer-term temporary uses.

Section 205.2 – Temporary Uses: One to Seven-Year Limit

This section allows:

- One-year uses, such as Wireless Telecommunications Services (WTS) facilities and Pop-Up Activations in C-2 and C-3 districts;

- Two-year uses, such as temporary construction-related structures and residential leasing or sales offices;
- Five-year uses, such as Vehicle Triage Centers;
- Seven-year uses, allowing Medical Cannabis Dispensaries (MCDs) to operate as temporary Cannabis Retail while awaiting permits.

Proposed Change: The title would be updated to “Temporary Uses for One to Five Years.”

- Cannabis Retail and Vehicle Triage Centers would be removed; the former is obsolete, and the latter is being relocated to Section 205.7.
- Pop-Up Retail would be expanded, allowed for one year with two one-year extensions (up to three years total).
- Campaign offices would be explicitly permitted for up to one year.

Section 205.3 – Temporary Uses: 24-Hour Limit

Covers very short-term uses such as mobile food vendors, farmers markets, and open-air craft markets.

Proposed Change: This section would be expanded to apply in all non-residential districts, including RC and Downtown Residential (DTR) districts, which are not considered “R” (purely residential) districts despite their names.

Section 205.4 – Temporary Uses: Intermittent Activities

Allows routine or recurring outdoor uses, including mobile food vendors, farmers markets, and craft markets.

Proposed Change: Removes the Section 311 Notification Requirement, which previously applied to uses meeting certain size and location thresholds. Since similar notification requirements have already been eliminated in commercial districts and reduced in residential districts, this deletion is consistent with broader policy changes.

Section 205.5 – Temporary Uses: Interim Activities on Development Sites

Currently allows temporary activation on development sites located in C, RC, DTR, NCT, and NC districts within the area bounded by Market, 13th/Duboce, Division, and King Streets.

Proposed Change: Removes geographic restrictions, allowing such temporary uses citywide.

Section 205.6 – Temporary Uses: Interim Uses Within Bars and Entertainment Uses

Originally created during the COVID-19 pandemic to allow non-entertainment uses in bars and venues without jeopardizing existing entitlements.

Proposed Change: This section would be deleted and its number reassigned to Vehicle Triage Centers, which would be moved from Section 205.2. The ordinance would allow temporary uses in any storefront without affecting the underlying entitlements, rendering this provision unnecessary. The provisions for Vehicle Triage Centers would remain largely unchanged.

Section 205.7 – Temporary Uses: Interim Activities in Vacant Ground Floor Commercial Spaces

Also added during the pandemic, this section allows alternative uses in empty storefronts.

Proposed Change: This section would be deleted.

General Plan Compliance

The proposed Ordinance supports key economic objectives of the General Plan by enabling commercial development that provides net benefits to the community, such as recreational and gathering spaces. By permitting new commercial uses that are currently vacant or in transition., the Ordinance contributes to a more diverse and resilient economic base and strengthens San Francisco’s appeal as a location for businesses by enhancing the city’s social and cultural environment.

Racial and Social Equity Analysis

The proposed Ordinance advances race and social equity by reducing regulatory barriers that disproportionately impact low-income communities, small businesses, artists, and nonprofit service providers—many of whom are led by or serve people of color. Historically, these groups have faced significant obstacles in securing commercial space due to high rents, complex permitting processes, and limited capital. The ordinance streamlines the process for temporary use authorizations and allowing broader, more flexible activation of vacant storefronts and development sites. By doing so it opens new opportunities for these groups to access physical space in neighborhoods where they have traditionally been excluded.

The inclusion of temporary authorizations for arts activities, social services, and philanthropic uses in supports community-based organizations that provide culturally competent services and resources in underserved areas. Additionally, the Ordinance’s support for interim activities on development sites can bring programming and public benefits to areas awaiting long-term investment, particularly in areas experiencing disinvestment or delayed development.

Finally, by increasing the length of time temporary uses can remain and by allowing multiple uses, the Ordinance provides stability and predictability for entrepreneurs and community-based tenants. These changes make it more feasible for historically excluded groups to test ideas, serve communities, and build long-term viability, thereby supporting more equitable access to economic opportunity and neighborhood vitality.

Implementation

The Department has determined that this ordinance will not impact our current implementation procedures.

Recommendation

The Department recommends that the Commission ***adopt a recommendation for approval*** of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

Basis for Recommendation

The Department recommends approval of the proposed Ordinance because it furthers the City's goals to activate vacant spaces, improve regulatory clarity, and support equitable access to physical space for temporary uses. The ordinance consolidates and updates various temporary use provisions to create a more predictable, flexible, and inclusive framework, aligning with General Plan objectives and supporting racial and social equity.

Key reasons for support include:

- It simplifies and standardizes temporary use authorizations, making them more accessible to small businesses, nonprofits, and community groups.
- It removes unnecessary procedural burdens, such as Section 311 notification for intermittent uses, which have been largely eliminated elsewhere.
- It enables greater use of vacant commercial and development sites, helping to mitigate blight and economic inactivity in underutilized areas.
- It protects underlying land use entitlements and clarifies that temporary uses will not result in abandonment or changes to base zoning.

Required Commission Action

The proposed Ordinance is before the Commission so that it may adopt a recommendation of approval, disapproval, or approval with modifications.

Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Public Comment

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

ATTACHMENTS:

Exhibit A: Draft Planning Commission Resolution
Exhibit B: Board of Supervisors File No. 250540



CITY AND COUNTY OF SAN FRANCISCO
DANIEL L. LURIE, MAYOR

OFFICE OF SMALL BUSINESS
DIRECTOR KATY TANG

June 24, 2025

Ms. Angela Calvillo, Clerk of the Board
City Hall Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RE: BOS File No. 250540 – Temporary Use Authorizations - Support

Dear Ms. Calvillo,

On June 23, 2025, the Small Business Commission (the Commission) heard BOS File No. 250540 – Temporary Use Authorizations. The legislation would simplify and clarify the duration of allowable temporary uses, and expand the definition of 'Retail Pop Up' uses, which are most common. The Commission supports efforts to bolster retail pop up uses, which can activate commercial vacancies and corridors.

The Commission supported the legislation with a 6-0 vote, with one Commissioner absent. Thank you for considering the Commission's recommendations. Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink, reading "Katy Tang". The signature is written in a cursive, flowing style.

Katy Tang
Director, Office of Small Business

BOARD of SUPERVISORS



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

MEMORANDUM

Date: June 20, 2025
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 250540-2 SUBSTITUTED
Planning Code - Temporary Use Authorizations

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*) Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.
 - ☒ Ordinance / Resolution
 - ☐ Ballot Measure

6/26/2025 *Joy Navarrete*
- ☒ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - ☒ General Plan
 - ☒ Planning Code, Section 101.1
 - ☒ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☐ General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
 - ☐ Landmark (*Planning Code, Section 1004.3*)
 - ☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - ☐ Mills Act Contract (*Government Code, Section 50280*)
 - ☐ Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

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MEMORANDUM

Date: May 28, 2025
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 250540
Planning Code - Temporary Use Authorizations

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
☒ Ordinance / Resolution
☐ Ballot Measure
- Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.
6/4/2025 *Joy Navarrete*
- ☒ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
☒ General Plan ☒ Planning Code, Section 101.1 ☒ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☐ General Plan Referral for Non-Planning Code Amendments
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- ☐ Historic Preservation Commission
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☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
☐ Mills Act Contract (*Government Code, Section 50280*)
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Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

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MEMORANDUM

TO: Anne Taupier, Office of Economic and Workforce Development

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: May 28, 2025

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced as a substitute by Mayor Lurie on June 10, 2025.

File No. 250540-2

Ordinance amending the Planning Code to streamline and simplify the process for obtaining and extending temporary use authorizations, implement standard requirements for any temporary use authorization, and permit as temporary uses seasonal political campaign offices for up to one year, and extend the maximum time period for a Pop-Up Retail temporary use to three years; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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

cc:

Offices of Chair Melgar and Mayor Lurie

Alesandra Lozano, Office of Economic and Workforce Development

BOARD of SUPERVISORS



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San Francisco, CA 94102-4689
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MEMORANDUM

TO: Sarah Dennis-Phillips, Executive Director, Office of Economic and Workforce Development

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: May 28, 2025

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Mayor Lurie on May 20, 2025.

File No. 250540

Ordinance amending the Planning Code to streamline and simplify the process for obtaining and extending temporary use authorizations, implement standard requirements for any temporary use authorization, and permit as temporary uses seasonal political campaign offices for up to one year, and extend the maximum time period for a Pop-Up Retail temporary use to three years; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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

cc:

Offices of Chair Melgar and Mayor Lurie

Anne Taupier, Office of Economic and Workforce Development

Alesandra Lozano, Office of Economic and Workforce Development

OFFICE OF THE MAYOR
SAN FRANCISCO



DANIEL LURIE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Adam Thongsavat, Liaison to the Board of Supervisors
RE: Planning Code - Temporary Use Authorizations
DATE: June 10, 2025

Please note the substitute legislation for BOS File 250540 - Temporary Use Authorizations.

Ordinance amending the Planning Code to streamline and simplify the process for obtaining and extending temporary use authorizations, implement standard requirements for any temporary use authorization, and permit as temporary uses seasonal political campaign offices for up to one year, and extend the maximum time period for a Pop-Up Retail temporary use to three years; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Should you have any questions, please contact Adam Thongsavat at adam.thongsavat@sfgov.org

OFFICE OF THE MAYOR
SAN FRANCISCO



DANIEL LURIE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Adam Thongsavat, Liaison to the Board of Supervisors
RE: [Planning Code - Temporary Use Authorizations]
DATE: May 20, 2025

Ordinance amending the Planning Code to streamline and simplify the process for obtaining and extending temporary use authorizations, implement standard requirements for any temporary use authorization, and permit as temporary uses seasonal political campaign offices for up to one year, and extend the maximum time period for a Pop-Up Retail temporary use to three years; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Should you have any questions, please contact Adam Thongsavat at adam.thongsavat@sfgov.org