



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code Summary: Limited Live Performance Permit for Indoor Locales

Code Changes: Sections 102.17, 703.2, 790.38, 803.2, 803.3, 890.37
Case Number: Board File No. 11-0506
Initiated by: Supervisor Mirkarimi
Effective Date: October 12, 2011

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The Way It Was:

The Police Code defined "Entertainment" broadly, and required all Places of Entertainment to obtain a Place of Entertainment (POE) Permit. The Planning Code generally treated any use that required a POE Permit as an entertainment land use, which could not be considered an accessory use and therefore could only be established as a principal land use.

Because an entertainment use could not be considered an accessory use in any circumstance and could only be considered a principal use, a restaurant with a live guitarist playing acoustic music while diners eat was treated in the same manner as a warehouse rave in which a DJ was playing amplified music for a large crowd.

The Way It Is Now:

The Ordinance creates Limited Live Performance permits, which are police permits issued by the Entertainment Commission, and allow for certain live performances to be considered an "accessory use," with the following restrictions:

- The area devoted to performances is indoors and would not exceed 200 sq. feet;
- The live performance must be subordinate to the primary use;
- Limited live performance is permitted until 10pm for the first year; an extension to 11pm may be granted in certain districts in subsequent years;
- Limited Live Performance Permits are not available in the following districts: SLI Districts that are included in the Western SOMA Planning Area SUD, RED, RSD, SLR, MUR, and MUG districts.

Link to signed legislation:

110506	0172-11	Police, Planning, and Business and Tax Regulations Codes - Limited Live Performance Permits http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances11/o0172-11.pdf
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