



# TEMPORARY USE AUTHORIZATION

## APPLICATION PACKET

Pursuant to Planning Code Section 205, certain uses may be permitted on a temporary basis in cases where they may not otherwise be permitted.

For questions, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文：如果您希望獲得使用中文填寫這份申請表的幫助，請致電628.652.7550。請注意，規劃部門需要至少一個工作日來回應。

**Filipino:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

## WHAT IS A TEMPORARY USE AUTHORIZATION?

A Temporary Use Authorization permits a specific land use for a limited period of time on a particular parcel. Temporary Use Authorizations are typically not associated with significant construction activity; they authorize such short-term uses as mobile food facilities, seasonal Christmas tree and pumpkin sales, construction trailers, and festivals or exhibitions. A Temporary Use Authorization from the Planning Department is frequently one of a number of City permits required to operate a temporary use. The Fire, Police, and Health Departments, among others, may also require separate permits before such use can commence operations.

While a Temporary Use Authorization permits a specific use or activity on a given parcel, it does not authorize any construction-related activities. Construction, demolition, or alteration of a structure - regardless of its association with a temporary use - are subject to the permitting requirements of the Department of Building Inspection (DBI) and the Planning Department.

## WHEN IS A TEMPORARY USE AUTHORIZATION NECESSARY?

If a particular use is not intended to be permanent and complies with applicable restrictions found in Planning Code Section 205 et. seq, a Temporary Use Authorization may be appropriate. A Temporary Use Authorization may permit a particular use for a period of time ranging from 1 day to 2 years, subject to conditions. Further time may be authorized only by action upon a new application. Temporary Use Authorizations may only be granted for individual parcels; they may not be authorized within any public right-of-way (e.g. streets or sidewalks). If a proposed temporary activity would be conducted within a public right-of-way, an alternate permitting process administered by the Department of Public Works is required.

## HOW DOES THE PROCESS WORK?

In general, temporary uses may be authorized by the Zoning Administrator or his designee without a public hearing. Note that a Temporary Use Authorization is valid only for the specific duration and frequency noted on the permit. Subsequent applications are required to continue operation of the use. Upon expiration of the Temporary Use Authorization, the premises must be cleared of any associated structures and rubbish and left in a neat and attractive state.

Wireless facilities cannot be reviewed on an over-the-counter basis. Please contact [CPC.Wireless@sfgov.org](mailto:CPC.Wireless@sfgov.org) or visit <https://sfplanning.org/permit/wireless-providers> to learn more about the submittal requirements.

## WHO MAY APPLY FOR A TEMPORARY USE AUTHORIZATION?

A Temporary Use Authorization is associated with a particular property rather than a particular business or individual. Therefore, only the property owner or a party designated as the owner's agent may submit a Temporary Use Authorization Application. An applicant's signature on the attached application establishes under penalty of perjury that the applicant is acting as a designated agent of the owner.

## SUBMITTAL INSTRUCTIONS

Applicants must fill out the temporary use authorization application and email the completed application to [cpc.intake@sfgov.org](mailto:cpc.intake@sfgov.org). Once the Department reviews the completed application, applicants will receive an email requesting an electronic payment.

Please refer to the [Planning Department's Fee Schedule](#), available at [www.sfplanning.org](http://www.sfplanning.org), for the particular fee amount. Note that should the cost of staff time to process the application exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the permit review process. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder's office and for monitoring compliance with any conditions of approval.

Depending on the nature of your particular proposal, additional information may be required before your application is considered complete. This information may include (1) photographs of the subject property and (2) an accurate site plan depicting existing and proposed conditions on both the subject property and on immediately adjoining properties. Open spaces, driveways, parking areas, trees, and land contours where relevant may also be required. Department staff will assist in determining what, if any, additional materials are required. All photographs, plans and other materials will be retained as part of the permanent public record of this Application.

## TEMPORARY USE AUTHORIZATIONS AND THE AUTHORITY OF OTHER CITY DEPARTMENTS

This Temporary Use Authorization is a land-use and zoning approval only. It does not establish any right to conduct activities that require authorization from other City Departments (e.g. the Entertainment Commission, Fire Department, Health Department, Police Department, etc.).

Should such authorization be required, you must first obtain it before commencing the proposed use. Failure to do so may result in the immediate revocation of this Temporary Use Authorization as well as monetary penalties pursuant to Planning Code Section 1.7.

We strongly advise that applicants err on the side of caution and contact any other potentially involved agencies at the earliest possible point in the permitting process.



# TEMPORARY USE AUTHORIZATION (TUA)

## APPLICATION

### Property Information

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Project Address: \_\_\_\_\_

Block/Lot(s): \_\_\_\_\_

### Property Owner's Information

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Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

### Applicant Information

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Same as above

Name: \_\_\_\_\_

Company/Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Please Select Billing Contact:**

Owner

Applicant

Other (see below for details)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**Please Select Primary Project Contact:**

Owner

Applicant

Billing

## USE DESCRIPTION

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Name of Temporary Business or Event:

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Description of Temporary Use:

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Name of primary contact/responsible party during business hours:

Mobile telephone number:

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Duration of Temporary Use/Window of Authorization:

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Start date:

End date:

Total # of days:

\* Dates are inclusive (e.g. they are valid days of operation within the use's time limit); total number of days may not exceed maximum time limits identified in in Section 4 below.

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Frequency of Temporary Use within window of authorization (e.g. every day, weekly, monthly, etc):

## TEMPORARY USE CATEGORY

**Check the box** for the temporary use category into which the proposed use would fall. Please note that this summary table in no way supersedes Planning Code Section 205 et. seq. or Section 211.1(g) which provide greater detail on allowable uses and conditions of operation. If the proposed use does not conform to one of the following categories it cannot be approved as a Temporary Use.

	USE TYPE	MAXIMUM TIME LIMIT	ZONING DISTRICT	CODE SECTION
<b>A</b>	Neighborhood festival sponsored by residents in the vicinity	60 days	all	205.1(a)
<b>B</b>	Neighborhood festival sponsored by property owners or businesses in the vicinity	60 days	NC, Mixed Use, PDR, C, M	205.1(a)
<b>C</b>	Booth for charitable, patriotic or welfare purpose	60 days	all	205.1(b)
<b>D</b>	Open air sale of seasonal decorations such as Christmas trees or Halloween pumpkins.	60 days	all	205.1(c)
<b>E</b>	Outdoor “intermittent activities” such as mobile food facilities (a.k.a. street food) or farmers markets	3 days/week or 6 twelve-hour days/week for 1 year	all except RH, RM, RED, RTO	205.4
<b>F</b>	Mobile food facilities located in P Districts larger than one acre	1 year, no hourly/daily limit	P	205.4(b)(3)
<b>G</b>	Rental or sales office incidental to a new residential development	1 year	all	205.2(b)
<b>H</b>	Automobile wrecking	2 years	M-1, M-2	205.2(c)
<b>I</b>	Structures and uses incidental to construction activities	2 years	all	205.2(a)
<b>J</b>	Celebration or exhibition sponsored by a residential or commercial occupant(s)	single 24-hour event per month for 1 year	PDR, C, M, NC, Mixed Use Districts	205.3(a) & (b)
<b>K</b>	Wireless facility	1 year	all where WTS permitted	205.2(d)
<b>L</b>	Temporary uses on Public Property	3 years	P	211.1(g)
<b>M</b>	“Pop Up” retail or Host Facility	60 days	all; limited in R-districts; must be within either a vacant commercial space or a space occupied by a legally established Commercial Use.	205.1(d)
<b>N</b>	Long Term parking of and overnight camping in vehicles and ancillary uses	2 years	NCT-2, Assessor’s Parcel Block No. 6973, Lot No. 039	205.2(f)
<b>O</b>	Interim Uses within Bars and Entertainment Uses	Not to exceed 4 years from effective date of any such authorization, provided that the period terminates within 6 years of December 18, 2020	all	205.6
<b>P</b>	Arts Activities, Social Service or Philanthropic Facilities, and COVID-19 Relief and Recovery uses in vacant storefronts	2 years, may be extended for an additional 2 years	all except R districts	205.7
<b>Q</b>	Entertainment, Arts, and Recreational Uses in outdoor areas/temporary structures and ancillary uses of indoor areas	1 year, may be extended for 1 additional year. Maximum daily hours 9 a.m. - 10 p.m.	all	205.8

## CHRISTMAS TREE SALES

Complete this Section **only** if you have checked box “D” in Section 4, above, and the proposed Temporary Use involves the sale of Christmas trees. Any approval of such a Temporary Use Authorization is contingent on the applicant stipulating to the following statement:

I do / do not (*check only one*) intend to sell to “regulated occupancies.” A regulated occupancy is defined in Section 15.01 of the San Francisco Fire Code as any occupancy set forth in Subchapter 1, Chapter 1, Title 19 of the California Administrative Code, and shall include any building, structure, or tent, or portion thereof, used, designed, or intended for use as a retail store and any area accessible to the public in any hotel, apartment, or office building. For a more complete explanation, please consult the Bureau of Fire Prevention of the San Francisco Fire Department.

In accepting this Temporary Use Authorization, I certify that I am familiar with the laws, ordinances, and regulations of the City and County of San Francisco related to open air sales of Christmas trees and that the sale of Christmas trees on the premises identified on this application will be done in compliance with such laws, ordinances, and regulations. I further certify that I agree to comply with special procedures called for in Fire Department regulations.

I agree to indemnify the City and County of San Francisco, and its officers and employees, against and to hold the City and County of San Francisco, and its officers and employees, harmless from any and all loss of or damage to any property, and injury to or death of any person whomsoever, proximately caused in whole or in part by my failure to carry out the responsibilities provided under Article 15 of Part II, Chapter IV (Fire Code) of the San Francisco Municipal Code for the operation or maintenance of open air sale of Christmas trees or live Christmas trees, or by violation of any provision of said Article 15 related to the sale or distribution of such trees, or by negligence of myself or any of my agents or employees, or by any acts or omissions for which I or my agents or employees are liable without fault, in the exercise of rights pursuant to or operations under said permit, and I further agree to defend the City and County of San Francisco and its officers and employees against all claims, demands, and actions therefor.

## Arts Activities, Social Service or Philanthropic Facilities, and COVID-19 Relief and Recovery Uses in Vacant Storefronts

Complete this Section **only** if you have checked box “P” in Section 4, above. Any approval of such a Temporary Use Authorization is contingent on the applicant stipulating to the following statement:

I do / do not (*check only one*) certify that the proposed use of the space is temporary and subject to the time limits set forth in Section 205.7 of the San Francisco Planning Code.

I do / do not (*check only one*) certify that I will pay any outstanding fees, invoices, or penalties owed to City Agencies prior to commencement of the use..

I do / do not (*check only one*) certify that I am in compliance with all requirements of the Municipal Code, including any requirements to abate any Code violations, including Building Code Violations.

## INTERMITTENT ACTIVITIES

Complete this Section only if you have checked box “E” or box “F” in Section 4 and the proposed Temporary Use would be considered an Intermittent Activity such as a mobile food facility. If you have checked box “E” in Section 4, all parts of this Section must be answered. If you have checked box “F” in Section 4, you need only complete parts “A” and “G.”

Check only one box for each question. For the purposes of this Section, the activity’s “vending space” is the entire area within a single rectangular perimeter that encompasses all carts, vehicles, tables, chairs, and other equipment associated with the activity which is the subject of this application. Because of the technical nature of portions of this Section, Planning Department Staff will be available to assist you in completing it at the time of submittal.

<b>A. The activity will be located:</b>	
<input type="checkbox"/>	within a building, in whole or part
<input type="checkbox"/>	entirely outside of a building
<b>B. Nothing associated with the activity will be physically located on the property for longer than:</b>	
<input type="checkbox"/>	3 calendar days each week
<input type="checkbox"/>	6 calendar days each week for a maximum of 12 hours per day
<b>C. Business hours will be limited to the hours of operation applicable to the property's Zoning District, which are:</b>	
<input type="checkbox"/>	6 a.m. to 11 p.m.
<input type="checkbox"/>	6 a.m. to midnight
<input type="checkbox"/>	6 a.m. to 2 a.m.
<input type="checkbox"/>	not limited
<b>D. The activity's vending space, as defined above, contains:</b>	
<input type="checkbox"/>	300 square feet or less
<input type="checkbox"/>	more than 300 square feet
<b>E. The activity's vending space, as defined above, is separated from the nearest RH, RM, RED, or RTO District by:</b>	
<input type="checkbox"/>	50 feet or less
<input type="checkbox"/>	more than 50 feet
<b>F. To the best of your knowledge, the premises identified on this application:</b>	
<input type="checkbox"/>	does not contain any other intermittent use
<input type="checkbox"/>	contains one or more additional intermittent uses

<p><b>G.</b> In the space below, draw a site plan of the property which is the subject of this application. Please clearly indicate the size and location of the vending space in relation to all property lines, along with adjacent streets and any buildings or other notable features on the property. Include dimensions where appropriate. You may also attach drawings to this application in lieu of drawing them in this space. Please limit the size of your drawings to a maximum of 11" by 17".</p>

## INTERMITTENT ACTIVITIES

While this Section only has relevance for certain types of Temporary Uses, **it must be completed by all applicants.** Any approval of a Temporary Use Authorization involving food-related activities is contingent on the applicant stipulating to the following statement:

I do / do not (check only one) intend to prepare, cook, store or sell food products. If the “I do” box has been checked, I acknowledge that I am required to obtain a permit from the Department of Public Health and potentially other City Agencies prior to commencing any operations. Additionally, I certify that I am familiar with the laws, ordinances, and regulations of the City and County of San Francisco and the California Retail Food Code (CalCode) that relate to the preparation, cooking, storage, safe handling, and sale of food. Any preparation, cooking, storage, handling, or sale of food on the premises identified on this Application will be done in compliance with such laws, ordinances, and regulations and with the CalCode.

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Relationship to Project  
(i.e. Owner, Architect, etc.)

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

**For Department Use Only**

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_



For Department Use Only

Fee amount: \_\_\_\_\_

Amount paid: \_\_\_\_\_

Date paid: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

Check and complete:

- Application received by Planning Department and held for further review.

By: \_\_\_\_\_ Date: \_\_\_\_\_

- Application approved pursuant to Planning Code Section \_\_\_\_\_ for the period beginning on \_\_\_\_\_ and ending on \_\_\_\_\_, inclusive, and further limited within this period as described below:

<input type="checkbox"/>	no additional limit	
<input type="checkbox"/>	single 24-hour event per month	
<input type="checkbox"/>	3 calendar days each week	
	circle a maximum of 3 designated days:	M T W Th F Sa Su
<input type="checkbox"/>	6 calendar days each week for a maximum of 12 hours per day	
	circle a maximum of 6 designated days:	M T W Th F Sa Su
	list maximum daily hours:	
<input type="checkbox"/>	pop-up events may not serve alcohol or operate past 10pm. No more than one (1) pop-up retail TUA shall be issued within a 6-month period.	

This approval is for the specific proposal described in this Application and is further subject to the restrictions contained in the aforementioned Code Section and elsewhere in the Planning Code.

Signature: \_\_\_\_\_ on behalf of the Zoning Administrator

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

**Important Information for Applicants and Proprietors**

- This document, along with the notations and signatures above, is your Temporary Use Authorization. No subsequent document will be issued by the Planning Department.
- It is incumbent on you to familiarize yourself with the conditions of this Authorization and with all applicable Code provisions and to abide by them at all times. Failure to do so shall be grounds for the immediate suspension or revocation of this Authorization.
- If the Authorization relates to a Mobile Food Facility, be reminded that you are authorized to operate only at the specific location identified in Part 6(G) and only for the days and/or hours identified above. The Mobile Food Facility cannot be on the property at any other time.
- This Temporary Use Authorization is a land-use and zoning approval only. It does not establish any right to conduct activities that require authorization from other City Departments such as the Entertainment Commission, Health, Police, etc.
- If you have any questions about this Authorization, contact the Planning counter at pic@sfgov.org.