

Date of Hearing: May 13, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS  
 Buffy Wicks, Chair  
 AB 1679 (Mark González) – As Amended April 23, 2026

Policy Committee:	Local Government	Vote: 10 - 0
	Health	16 - 0

Urgency: No                      State Mandated Local Program: Yes                      Reimbursable: Yes

**SUMMARY:**

This bill requires a local agency to allow a temporary commercial activation authorization for a pop-up small business to operate in an eligible commercial space for up to 120 days.

Specifically, this bill:

- 1) Defines “pop-up small business” to mean a temporary commercial operation conducted in an existing commercial or mixed-use building pursuant to a temporary commercial activation authorization pursuant to this bill.
- 2) Defines “temporary commercial activation authorization” to mean an authorization issued by a local jurisdiction to a pop-up small business to operate in an eligible commercial space under temporary occupancy standards established pursuant to this bill.
- 3) Requires each city, including a charter city, county, or city and county to allow temporary commercial activation authorization for pop-up small businesses to operate in an eligible commercial space for a period not exceeding 120 days, and authorizes a local jurisdiction to allow renewal or extension of this authorization.
- 4) Authorizes a local jurisdiction to require an application for permanent occupancy for continued operation if the cumulative duration of an eligible temporary use in a single eligible commercial space exceeds 12 months within any 24-month period.
- 5) Authorizes a local jurisdiction to meet the requirements of this bill through existing permitting frameworks or by creating a new authorization process, if the temporary commercial activation authorization satisfies the requirements of this bill.
- 6) Authorizes a local jurisdiction to temporarily suspend, defer, or modify development standards and discretionary requirements that are triggered by permanent occupancy.
- 7) Prohibits a temporary commercial activation authorization from allowing structural alteration, modification of fire-resistant elements, or change to a higher risk occupancy classification under the California Building Code.
- 8) Requires a temporary commercial activation authorization to comply with applicable health and safety standards governing temporary uses or temporary structures under the California

Building Code and temporary events provisions under the California Fire Code, including, but not limited to, standards for temporary structures and fire department access.

- 9) Requires a food facility operating pursuant to temporary commercial activation authorization to comply with all applicable provisions regulating limited food preparation and temporary food facilities (TFFs) under the California Retail Food Code (CRFC).
- 10) Authorizes a local enforcement agency responsible for environmental health to impose additional temporary food safety requirements consistent with the CRFC.
- 11) Prohibits a temporary commercial activation authorization from being deemed to confer a vested right and authorizes a local jurisdiction to revoke a temporary commercial activation authorization for a violation of provisions of this bill or a local pop-up business program.

#### **FISCAL EFFECT:**

No state costs. Local costs to cities and counties, including local environmental health departments, of an unknown amount, but potentially significant, in excess of \$150,000 statewide, for new administrative, regulatory, enforcement, and public safety responsibilities resulting from the bill's new requirements. Directors of local environmental health regulatory agencies note the regulation of TFFs is already a significant workload task for local environmental health departments. Local costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

#### **COMMENTS:**

- 1) **Purpose.** According to the author:

Despite growing recognition that pop-up businesses are an effective way to activate vacant spaces, there is no consistent permitting framework across California's local jurisdictions. These small businesses must navigate a confusing, fragmented, and costly system that was never designed with pop-ups in mind. [This bill] would remove these barriers by establishing a single, statewide "Temporary Commercial Activation Permit" for pop-up businesses. In my own district, empty storefronts sit side-by-side with businesses seeking an opportunity. This bill creates a clear, accessible way to bring those spaces back to life.

- 2) **Background.** Existing law establishes various programs to promote small businesses operating in nonstandard locations, including cottage food operations and sidewalk vendors, and imposes requirements on, and provides authorizations to, local governments relating to these programs. Existing law authorizes a local agency to license any kind of business not prohibited by law, within the limits of the jurisdiction of the city or county.

The state does not provide a regulatory framework for short-term commercial occupancy in existing storefronts. Typically, businesses must either operate as a short-term “special event” lasting days or weeks or pursue permanent occupancy.

This bill requires local jurisdictions statewide to allow a temporary commercial activation authorization for a pop-up business, as those terms are defined, to operate in an eligible commercial space for a period not to exceed 120 days without requiring full compliance with standards applicable to permanent occupancy. The bill allows local jurisdictions to establish eligible uses and operational limits consistent with this bill; fire, accessibility, and health and safety standards appropriate for temporary use; fees not exceeding the reasonable costs of program administration; and enforcement mechanisms and penalties for noncompliance.

This bill allows food facilities to utilize temporary commercial activations and currently specifies that eligible temporary uses are limited to activities consistent with limited food preparation or TFF standards under the CRFC. The CRFC is primarily enforced by 62 local environmental health regulatory agencies.

The California Association of Environmental Health Administrators (CAEHA), which represents the directors of local environmental health regulatory agencies, has an opposed unless amended position indicating the bill authorizes pop-up food operations in a manner that conflicts with California’s existing retail food safety structure under the CRFC and creates significant implementation challenges for local health jurisdictions. The author’s office indicates they are continuing to work with CAEHA.

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