

### *Chapter 19.740 TEMPORARY USE PERMIT*

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#### **19.740.020 Applicability.**

- A. Temporary uses shall be permitted on private property with the issuance of a Temporary Use Permit (TUP) as specified in Tables 19.150.020.C (Temporary Use Table) and 19.740.020 (Temporary Uses) in zones where the temporary use is permitted.
- B. Temporary uses shall be limited to the maximum number of contiguous days each use is allowed per event, the maximum number of occurrences each use is allowed and the maximum number of days per calendar year on each property or commercial complex as listed below.
- C. Non-City Sponsored events or uses located within the Public Right-of-Way, Public Park or other City owned land shall be subject to Chapter 2.28 of the Riverside Municipal Code and the granting of a Special Events Permit issued by the Arts and Cultural Affairs Division of the City of Riverside. Events which occur on both Public and Private Property (i.e. a Marathon using a public street but starting or ending at a privately owned shopping center) would be governed by the Special Event Permit provisions of Chapter 2.28 of the Riverside Municipal Code and not subject to a Temporary Use Permit.
- D. Temporary uses listed in Table 19.740.020A below shall obtain a TUP for each event.
- E. A filing fee established by City Council Resolution shall be required prior to the issuance of a Temporary Use Permit.
- F. Temporary Uses shall comply with all applicable development, operational and location standards listed in Chapter 19.740.050, obtain all applicable Department approvals, and the applicant shall be responsible for payment of the associated filing fee.
- G. Minor Temporary Uses, as identified in Table 19.740.020, that do not comply with all applicable standards may be processed under the Major Temporary Use Permit process provided the Community & Economic Development Director or his/her designee and all applicable Departments approve the request; the applicant shall be responsible for payment of the associated Major Temporary Use filing fee.
- H. Events sponsored and sanctioned by an IRS recognized 501(c)(3) organization and contained entirely on-site shall obtain, at no fee, a Temporary Use Permit provided:
  - 1. Any proposed tents or structures shall be reviewed and approved by the Building and Safety Division and/or Fire Department which may require additional permits.
  - 2. Events which utilize adjacent sidewalks, streets, or other public property shall be subject to a Special Events Permit.
- I. Other uses not listed. The Community & Economic Development Director or their designee may determine that a use is similar to, and no more detrimental than, a listed Temporary Use. The maximum number of days and occurrences shall be at the discretion of the Community & Economic Development Director or their designee.

- J. Determination of City departments and other agencies whose approval is required prior to each occurrence will be determined by the Planning Division as part of the TUP review process with respect to each proposed temporary use.

Table 19.740.020  
Temporary Use Permit

Temporary Use	Maximum Number of Consecutive Days per Event <sup>1</sup>	Maximum Number of Occurrences per Calendar Year <sup>1</sup>	Maximum Number of Days Per Calendar Year <sup>1</sup>	Type of Temporary Use Permit
Car Show	3	16	48	Minor
Caretaker Living Quarters - Temporary During Construction	Initial period of no more than six months, except that individual extensions of up to three months each with a maximum of one year from the date of the initial siting may be granted.			Minor
Christmas Tree and Pumpkin Sales (Seasonal)	30	2	60	Minor
Circus or Carnival (With or without Tent)	7	1	7	Major
Dwelling Unit (Motor Home, RV, Camper, etc.)	30	4	60	Minor
Fair, Concert, Exhibit or Similar Uses	7	2	14	Minor
Fruit Stands	4	8	32	Minor
Garage Sales	Garage Sales are Regulated by Chapter 5.49 of the Riverside Municipal Code			N/A
Mobile Medical Units for Humans	7	2	14	Minor
Non-Commercial Car Wash	Contact Public Works Department for requirements for temporary Car Washes			N/A
Non-Commercial Tent Meetings	10	1	10	Minor
Outdoor Preparation of Food (Temporary), Food and Drink Festivals, or Similar Uses	3	6	18	Minor
Outdoor Sales in Conjunction with	5	8	40	Minor

a Permanent Land Use (Parking Lot Sale)				
Outdoor Sales Event not in Conjunction with a Permanent Land Use (Swap Meet)	4	4	16	Major  <a href="#">Minor parking lot sales exempt from TUP, see 19.740.040.E</a>
Special Events (Events on Public Properties including streets, schools, or parks)	Special Events are administered by the Arts and Cultural Affairs Division pursuant to Chapter 2.28 of the Riverside Municipal Code			N/A
Subdivision Sales Trailer or Office During Construction	Initial period of no more than one year from the date of the initial siting may be granted.			Minor
Temporary Emergency Shelter	-	-	180	Major
Temporary Holiday Storage Containers	45	1	45	Minor
Vapor Recovery Operations	-	-	-	Major

;sz=8q; <sup>1</sup> An applicant or property owner may request an increase in the maximum number of days per event, number of occurrences, or days per calendar year by requesting consideration of a Temporary Use Permit to the City Manager and paying all applicable filing fees.

### 19.740.040 Exemption.

- A. Any temporary uses allowed by this chapter proposed to be located within the boundaries of the Riverside Convention Center shall be exempt from the TUP process. Any proposed tents or structures shall be reviewed and approved by the Building and Safety Division and/or Fire Department which may require additional permits. Events which utilize adjacent sidewalks or other public property shall be subject to the granting of a Special Events Permit.
- B. Activities clearly incidental to a Public K-12 School, College or University (UCR and RCC) regulated and funded by a public governmental agency, such as graduation and sporting events, contained entirely on-site (including all parking) shall be exempt from the TUP process.
- C. Activities clearly incidental to a private K-12 school, college or university (CBU and LSU), such as graduation and sporting events, contained entirely on-site (including all parking) shall be exempt from the TUP process provided there is an active Conditional Use Permit (CUP) or Campus-Wide Specific Plan for the institution. Fairs, concerts, etc. which rely on on-street parking or path of travel shall not be included in this exception. Vocational and training schools are not included in this exemption.

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- D. Events sponsored and sanctioned by the Master Property Association or Property Manager for Regional Shopping Centers which are 20 acres or larger located within the CR - Commercial Retail, CG - Commercial General or CRC - Commercial Retail Center Zone shall be exempt from the TUP process provided the entire event occurs on managed or owned properties.
- E. Minor parking lot sales not in conjunction with a permanent land use, on properties zoned CR-Commercial Retail, CG-Commercial General, and CRC-Commercial Retail Center are permitted and exempt from the TUP process provided that sales occur with written permission from the property owners. Sales shall occur up to four times a year for up to four days at a time. Minor parking lot sales shall be defined as those that do not require parking or drive aisle circulation space; are limited to a single vendor; and sell floral, holiday, and graduation gifts only.

#### **19.740.050 Development, operational and location standards.**

- A. Any use which is prohibited by state or federal law is also strictly prohibited.
- B. All events must comply with Title 7 of the Riverside Municipal Code (Noise).
- C. Temporary uses listed in Table 19.740.020 above shall comply with the following development standards:
1. Car show
    - a. The parking of vehicles shall occur on improved surfaces only (i.e. asphalt or concrete).
    - b. The event shall not occupy more than 30 percent of a required parking area and shall not substantially alter the existing circulation pattern of the site.
    - c. The event shall provide and maintain all state and federal disabled access requirements including, but not limited to parking, path of travel, sanitation facilities, etc.
    - d. The event shall not block or modify any fire lane or fire hydrant.
    - e. No stage shall be permitted.
    - f. No tents, canopies or other temporary structures with an individual area of 120 square feet shall be permitted.
  2. *Caretaker living quarters—Temporary during construction.* For development standards for caretaker living quarters used during construction review Article XII Chapter 19.465.
  3. *Christmas tree and pumpkin sales (seasonal).* Christmas tree and pumpkin sales lots are subject to compliance with the following criteria as set forth below:
    - a. Christmas tree or pumpkin sales within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site. The temporary sales area shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
    - b. Christmas tree and pumpkin sales lots located on vacant property shall provide adequate on-site parking spaces and access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
    - c. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval

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issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;

- d. Incidental sales of Christmas tree lights, tree decorations and stands may be permitted in conjunction with a Christmas tree sales lot, but sales of gift items are excluded; and
  - e. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.
4. *Circus or carnival (with or without tent).*
- a. A circus or carnival within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
  - b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
  - c. A circus or carnival located on vacant property shall provide adequate vehicular access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
  - d. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or his/her designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
  - e. The circus or carnival shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
  - f. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.
5. *Dwelling Unit (Motor Home, RV, camper, etc.).*
- a. A dwelling unit may only be permitted on a residentially used parcel.
  - b. The vehicle may not be parked within the public right-of-way, overhang into the public right-of-way, block any sidewalk or path of travel and may be no closer than five feet from any interior property line.
  - c. The vehicle must be parked on a concrete pad or driveway.
  - d. Generators may only be permitted between the hours of 7:00 a.m. and 10:00 p.m. as permitted by Title 7 of the Riverside Municipal Code.
6. *Fair, concert, exhibit or similar uses.*
- a. A fair, concert, exhibit or similar use within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.

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- b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
  - c. A fair, concert, exhibit or similar use located on vacant property shall provide adequate vehicular access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
  - d. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
  - e. The fair, concert, exhibit or similar use shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
  - f. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.
7. *Mobile medical units for humans.*
- a. Mobile medical units shall not be located within any required front or street side yard. An interior side or rear yard where off-street parking is allowed may be occupied by a mobile medical unit.
  - b. Mobile medical units shall not be placed within, disrupt or displace any required accessible path of travel or fire lane.
8. *Non-commercial tent meeting.*
- a. A non-commercial tent meeting within an existing retail or industrial center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
  - b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
  - c. A non-commercial tent meeting located on vacant property shall provide adequate vehicular access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
  - d. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
  - e. The non-commercial tent meeting shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
  - f. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.

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9. *Outdoor preparation of food (temporary).*

- a. The requirements for the outdoor preparation of food apply only when in conjunction with a permanent indoor restaurant and does not pertain to the outdoor preparation of food in association with legally established school or assemblies of people—non-entertainment, street fairs, carnivals or push carts that are regulated separately.
- b. For development standards for the temporary outdoor preparation of food the standards for outdoor dining and food preparation (permanent) shall apply, Chapter 19.495.
- c. No tents, canopies or other temporary structures with an individual area of 120 square feet shall be permitted.
- d. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.

10. *Outdoor sales event in conjunction with a permanent land use.*

- a. An outdoor sales event in conjunction with a permanent land use within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
- b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
- c. An outdoor sales event must be in conjunction with, and clearly incidental to, an existing permanent use on site. Outdoor sales on vacant lots is not permitted (see outdoor sales event not in conjunction with a permanent land use below).
- d. The applicant shall provide and maintain all state and federal disabled access requirements including, but not limited to parking, path of travel, sanitation facilities, etc.
- e. The event shall not block or modify any fire lane or fire hydrant.
- f. No stage shall be permitted.

11. *Outdoor sales event not in conjunction with a permanent land use-*

- a. An outdoor sales event not in conjunction with a permanent land use within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
- b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
- c. An outdoor sales event not in conjunction with a permanent land use located on vacant property shall provide adequate on-site parking spaces and access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
- d. The applicant shall provide and maintain all state and federal disabled access requirements including, but not limited to parking, path of travel, sanitation facilities, etc.
- e. The event shall not block or modify any fire lane or fire hydrant.
- f. No stage shall be permitted.

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- g. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
  - h. the Outdoor sales area and Parking Lot shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
  - i. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.

12. *Subdivision sales trailer or office during construction.*

- a. The temporary unit shall be located on-site and in the rear half of the lot, unless otherwise approved by the Community & Economic Development Director or their designee. In no instance shall the temporary unit be located within public right-of-way.
- b. The temporary unit shall be located at least five feet from all property lines. For side and rear property lines adjoining an existing residential use, the setback of the underlying zone shall apply.
- c. The temporary unit shall be connected to water and electric utilities. Where required by the Public Works Department, the unit shall be connected to the sewer system.
- d. The unit shall be allowed to remain on the site for an initial period of no more than six months, except that individual extensions of up to three months each with a maximum of one year from the date of the initial siting may be granted by the Community & Economic Development Director or their designee. There shall be no fee for these time extensions. In considering whether to grant a time extension, the Community & Economic Development Director or their designee may consider evidence of any land use compatibility related complaints from surrounding residents and property owners.
- e. No later than seven days following the issuance of a certificate of occupancy for the permanent building, the temporary unit shall be removed from the site.
- f. An active building permit shall be in effect prior to locating the temporary unit on-site and at all times that the unit remains on-site. The unit is to be removed within seven days of expiration of the building permit.

13. *Temporary emergency shelter with assemblies of people-non-entertainment.*

- a. A temporary emergency shelter may be permitted in conjunction with an assemblies of people-non-entertainment use.
- b. A written management and security plan shall be provided for review and approval by the Community & Economic Development Director or their designee.
- c. A site maintenance and operations plan for ongoing property cleaning, noise control, and odor, dust, and litter control shall be submitted for review and approval of the Community & Economic Development Director or their designee prior to commencement of operations.
- d. The placement of beds are temporary and limited to the maximum number of days identified in Table 19.740.020.
- e. Temporary emergency shelters shall be consistent with applicable airport land use compatibility plans. See Chapter 19.149 - Airport Land Use Compatibility.



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14. *Temporary holiday storage containers.*

- a. A maximum of four temporary holiday storage containers may be permitted for retail outlets with 15,000 square feet or more of gross floor area for overstock of products and goods.
- b. A maximum of two temporary holiday storage containers may be permitted for retail outlets with 10,000 to 15,000 square feet of gross floor area for overstock of products and goods.
- c. A maximum of one temporary holiday storage containers may be permitted for retail outlets with 5,000 to 10,000 square feet or more of gross floor area for overstock of products and goods.
- d. The containers shall be located behind the building to minimize the visual impact from public view.
- e. The containers shall not be located within any building setback area.
- f. The containers shall maintain the minimum building setback from all property lines as determined by the California Building Code or 10 feet whichever is greater.
- g. The containers shall not be located within a fire lane nor block any fire hydrant.

15. *Vapor recovery operation.* Vapor recovery operations for fuel-contaminated soil are subject to the site location criteria, operation and development standards below:

- a. Site location criteria.
  - (1) All equipment shall be located as far as possible, but not closer than ten feet, to any property with a residential use or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.
  - (2) The location on the site shall not disrupt the flow of traffic onto and off of the site.
  - (3) Whenever possible, the facility shall not displace required parking. If this is not possible, the Community & Economic Development Director or his/her designee may grant a temporary displacement of required parking for the time the vapor recovery operation is in operation.
- b. Operation and development standards.
  - (1) All equipment shall be screened with landscaping, block walls or opaque fencing consistent with landscaping and/or physical improvements in the area.
  - (2). Sound emanating from machinery shall be muffled so as not to exceed 60 dBA at the nearest property line of any nonresidential use and 45 dBA at the nearest property line of a residential use or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.
  - (3) The Community & Economic Development Director or their designee may limit the hours of operation to between 9:00 a.m. and 10:00 p.m. where vapor recovery operations are located near residential uses or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.
  - (4) Approval from all applicable governmental agencies shall be obtained.
  - (5) At the conclusion of the vapor recovery operation, all machinery and improvements shall be completely removed from the site and the previously existing improvements shall be replaced in accordance with all local standards. The Community & Economic Development Director or their designee may require suitable documentation guaranteeing such removal and repairs.

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