ORDINANCE NO. 348.XXX

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Article XIXa of Ordinance No. 348 is amended in its entirety to read as follows:

“ARTICLE XIXa TEMPORARY EVENTS

SECTION 19.51. PURPOSE AND INTENT.
The Board of Supervisors has enacted the following provisions to regulate and control, in a content neutral manner, temporary events that are conducted on developed or undeveloped property in the unincorporated area of the County of Riverside that do not constitute a land use of sufficient magnitude or longevity to require permanent land use entitlements.

SECTION 19.52. DEFINITIONS.
The following terms shall have the following meanings for the purposes of this article:

A. Annual Temporary Event. A temporary event that occurs once a year in succeeding years that takes place solely on private property or a combination of private property and public right-of-way.

B. Class I Major Event. A temporary event on a lot 10,000 square feet or greater but less than one gross acre attended by 150 to 400 people per day.

C. Class II Major Event. A temporary event on a lot one gross acre or greater but less than 5 gross acres attended by 401 to 1000 people per day.
D. Class III Major Event. A temporary event on a lot at least 5 gross acres attended by 1001 to 2000 people per day.

E. Class IV Major Event. A temporary event on a lot greater than 20 gross acres attended by more than 2000 people per day.

F. Class I Minor Event. A temporary event on a lot less than 1 gross acre attended by 75 to 150 people per day.

G. Class II Minor Event. A temporary event on a lot greater than 1 gross acre but less than 10 gross acres attended by 151 to 399 people per day.

H. Class III Minor Event. A temporary event on a lot no less than 5 gross acres attended by 400 to 1000 people per day.

I. Established Facility. An existing legally permitted facility that is designed and constructed to accommodate events where the public is invited with or without charge.

J. Seasonal Temporary Event. A temporary event occurring on a private lot during a specific season for a specific duration on consecutive or non-consecutive days such as, but not limited to, Christmas tree sales, pumpkin sales, and Halloween events.

K. Temporary Event. An indoor or outdoor event held on privately owned property that is not an established facility, to which the public is invited with or without charge. Temporary events include, but are not limited to, festivals, concerts, dances, rallies, stage or theatrical shows, sports events, equine events, fairs, carnivals, rodeos, automobile sales, wedding ceremonies and wedding receptions, off-road vehicle sales, animal sales or events, art shows, shows or races, heavy equipment auctions, charity events and tent revival meetings.

SECTION 19.53. PROHIBITED TEMPORARY EVENTS

The following temporary events are prohibited:
A. Any temporary event with more than 150 attendees on lots less than 10,000 square feet.

B. Any temporary event with more than 400 attendees on lots less than 1 gross acres.

C. Any temporary event with more than 1,000 attendees on lots less than 1 gross acre.

D. Any temporary event with more than 2,000 attendees on lots less than 20 gross acres.

SECTION 19.54. APPLICATION AND LIMITATIONS

A. This Article does not apply to the following:

1. Temporary events held at a legally existing established facility and operating consistent with any approved land use entitlement for the established facility.

2. Temporary events attended by less than 75 people.

3. Temporary events on a lot 1 gross acre or greater attended by less than 150 people.

4. Temporary events on a lot greater than 10 gross acres attended by less than 400 people.

5. Temporary events taking place entirely on public property or property owned by or leased by a public school district for use as a public school site.

B. Temporary Events shall comply with the following:

1. Except for seasonal temporary events, temporary events shall occur for no more than four consecutive days with a separation of at least four days between a temporary event and other events held on the same lot.
2. Only a total of four temporary events, including seasonal temporary events, shall occur on the same lot per calendar year.

3. Seasonal temporary events shall not exceed a total of 45 calendar days for each seasonal temporary event.

C. Temporary events that are not required to obtain a temporary event permit pursuant to this ordinance are still required to comply with all other applicable laws and health and safety regulations including, but not limited to, Environmental Health, Fire and Building Code regulations.

SECTION 19.55. APPLICATION PROCESSING REQUIREMENTS

A. Applications for seasonal temporary events, class I major events and all classes of minor events shall be made in accordance with Section 18.30 of this ordinance at least 60 days before the temporary event.

B. Applications for annual temporary events and class II, class III or class IV major events shall be made in accordance with Section 18.30 of this ordinance at least 90 days before the event.

C. All of the procedural provisions of Section 18.30 of this ordinance shall apply to the application, except subsection c. thereof related to requirements for approval, subsection e. thereof relating to appeals and subsection f. thereof relating to use of the permit after the application is approved.

D. At the time of filing the application for a temporary event permit on a form provided by the Planning Department, the applicant shall also provide the applicable fee for processing the permit.

E. Action taken on temporary event permit applications shall be ministerial and not subject to the California Environmental Quality Act.

SECTION 19.56 DENIAL OF PERMIT APPLICATION

An application for a temporary event permit shall not be processed and shall be summarily denied in the following circumstances:
1. A total of four temporary events, including seasonal temporary events, have already occurred at the subject location in the same calendar year.

2. The County has received five separate verified complaints for the subject location within the last twelve months from application submittal date related to noise, odors, outdoor illumination, traffic, parking or rubbish.

3. Within the last twelve months from application submittal date, the applicant violated the terms of an approved temporary event permit resulting in revocation of the approved temporary event permit.

4. The application does not comply with the approval requirements set forth in this Article.

SECTION 19.57. APPROVAL REQUIREMENTS.

The Planning Director shall approve an application for a temporary event permit if:

1. The number of temporary events occurring at the subject location set forth in Section 19.56 of this Article has not been exceeded.

2. There is no pending code enforcement action on the lot underlying the proposed temporary event location and the County has not received five separate verified complaints for the subject location within the last twelve months from application submittal date related to noise, odors, outdoor illumination, traffic, parking or rubbish.

3. An access and parking plan has been approved by the County Transportation Director and the County Fire Chief or their respective designees. Off-site parking on unpaved sites is only allowed if the following has been approved with the parking plan:

   a. A dust mitigation plan;
   b. A site restoration plan.
4. The temporary event complies with all applicable requirements of Ordinance No. 787 and a fire protection plan has been approved by the County Fire Chief or his designee.

5. If the temporary event includes a display of fireworks, all required permits for the fireworks display has been obtained in accordance with Ordinance No. 858.

6. A security operations plan has been approved by the County Sheriff or his designee.

7. An emergency medical services plan has been approved by the County Fire Department.

8. A sewage disposal, potable water and food service operation plan and all required environmental health permits have been approved by the County Director of Environmental Health or his designee.

9. A noise, dust and lighting mitigation plan has been approved by the County Planning Department.

10. Temporary permits for structures, canopies, and electrical use have been approved by the County Building and Safety Department.

11. For annual temporary events, all required permits to operate within the public right of way has been obtained by the applicant.

SECTION 19.58. HOURS OF OPERATION
Temporary events shall not operate between the hours of 2:00 a.m. and 6:00 a.m.

SECTION 19.59. OVERNIGHT STAYS
As part of an approved temporary event permit, the Planning Director shall allow tents, recreational vehicles or motorhomes to be used during the duration of the temporary event, including overnight stays, if all of the following is met:
1. The approved parking plan demonstrates on-site overnight areas located on paved, turfed or graded lots, emergency access and emergency water supplies.

2. The approved sewer disposal plan includes provisions requiring the use of individually contained sewer waste removal systems.

3. Except for contained propane to be used with barbeque grills and contained gasoline for generators, the approved fire protection plan includes prohibiting hazardous materials from being kept or maintained in the overnight areas.

4. The approved fire protection plan includes allowing only contained propane gas campfires and prohibiting open wood campfires, unless otherwise approved by the County Fire Chief or his designee.

5. Quiet hours for the overnight areas are observed from 10:00 p.m. to 7:00 a.m.

6. The approved noise, dust and lighting plans prohibits amplified sound and requires the overnight areas to be restored to their original condition at the conclusion of the minor event.

SECTION 19.60. ADVERTISING AND TICKET SALES.

No person shall advertise, sell or furnish tickets for a temporary event until a permit has been obtained in accordance with this Article.

SECTION 19.61. BOND AND INSURANCE.

The Planning Director may require an applicant for a temporary event permit to post a bond or to otherwise financially secure that the event location is restored to its original condition and that the County is fully reimbursed for any unanticipated law enforcement or emergency services expenses. The Planning Director shall determine the amount of the bond or other security and the applicant shall post it with the County Building and Safety Director or deposit it with the Transportation and Land...
Management Agency. The Planning Director may also require an applicant for a temporary event permit to obtain indemnity or liability insurance naming the County as the insured.

SECTION 19.62. NOTICE OF DECISION AND POSTING OF PERMIT.

A. The Planning Director shall mail the notice of decision for the temporary event permit to the applicant, the Riverside County Sheriff’s, County Fire Department, and Code Enforcement Departments and any person who has made a written request for a copy of the determination.

B. No less than 10 days before the temporary event, the applicant shall mail a notice of the approved temporary event permit to all properties located within 600 feet of the exterior boundaries of the subject location and any associated gathering locations included in the temporary event permit. Such notice shall include the date and time of the temporary event, and contact information for the permittee, the Riverside County Sheriff’s Department, the Riverside County Code Enforcement Department and the County Planning Department.

C. Every temporary event permit required by this Article shall be conspicuously posted upon the lot or premises of the temporary event no less than 10 days before the temporary event in a manner specified by the Planning Department.

SECTION 19.63. FINAL DECISION.

The Planning Director’s decision is final.

SECTION 19.64. PERMITS NONTRANSFERABLE.

Any temporary event permit issued pursuant to this Article shall not be transferable to any other date, organization, person, place, or time.

SECTION 19.65. PERMIT LIFE.

A. The temporary event permit shall remain in effect for the duration of the temporary event that is the subject of the temporary event permit. The
temporary event permit shall become null and void at the conclusion of the temporary event.

B. Except for annual temporary events, a new temporary event permit shall be required for any subsequent temporary event held at the location.

C. Approved annual temporary event permits shall be effective for three years so long as the annual temporary event remains as originally approved and complies with the provisions of the temporary event permit, the provisions of this Article and all applicable laws, regulations and ordinances.

SECTION 19.66. SUSPENSION AND REVOCATION

A. A temporary event permit may be immediately suspended upon the following conditions:

1. If the Riverside County Sheriff’s Department, Fire Department, Code Enforcement Department, Building Official, Planning Director or other County official, or their designated representatives, find that any of the provisions of this ordinance, another County ordinance, the approved temporary event permit or other applicable law is being violated.

2. When, in the judgment of any of the above named County officials, the use is detrimental to the public health, safety or general welfare, or is a public nuisance.

3. The Applicant made or allowed to be made a false or misleading statement or omission of material fact on a temporary event application that was not discovered until after the temporary event permit was approved.

4. The permit holder or property owner refuses to allow representatives from the Riverside County Department of Code Enforcement, Planning Department, Fire Department, Sheriff’s Department, Environmental Health Department, Public Health and Agricultural Commissioner’s Office to enter
the Property to ensure compliance with the approved temporary event permit and all applicable Federal, State and local laws and regulations.

B. Upon suspension of a temporary event permit, the Planning Director or designee shall do the following:

1. Within 24 hours of being notified of the suspension, mail a notice of revocation and findings by certified mail to the property owner and temporary event permittee.

2. The revocation by the Planning Director shall be final unless the property owner or temporary event permittee submits a written appeal of the revocation to the Transportation and Land Management Director within 24 hours of receiving the notice of revocation. Such appeal shall include findings as to why the temporary event permit shall not be revoked.

3. The Transportation and Land Management Director shall promptly make a determination on the appeal and provide written notice to the Planning Director and appellant. The Transportation and Land Management Director’s determination is final.”

Section 2. Subsection C. of Section 19.1002 of Ordinance No. 348 is amended to read as follows:

“C. RENEWAL. An approved permit for a Mobile Food Truck shall be renewed on an annual basis based on the anniversary date of the original approved permit. An application for renewal shall be submitted to the Planning Director or designee no later than thirty (30) days prior to the expiration of the approved permit on the form provided by the Riverside County Planning Department and accompanied by the applicable filing fee set forth in Ordinance No. 671.”
Section 3. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

By: ________________________________
Chairman

ATTEST: Kecia Harper
CLERK OF THE BOARD

By: ________________________________
Deputy

(SEAL)

APPROVED AS TO FORM
____________________, 2020

By: ________________________________
   Michelle Clack
   Chief Deputy County Counsel