July 15, 2020

Subject: COVID-19 Temporary Use Permit Application Process for Businesses

Dear Redondo Beach Business Owners:

We realize the COVID-19 crisis has created a severe hardship for our local business community and that businesses are eager to re-open for indoor use as quickly as possible. We also understand that these are confusing times with information being released by various public agencies and the State of California. Please note that the City of Redondo Beach is following the lead of, and is under the jurisdiction of, the Los Angeles (LA) County Department of Public Health.

Although most businesses had previously been allowed to re-open for modified indoor use during the COVID-19 crisis, on July 13, 2020 the State of California required that counties on the County Monitoring List (including LA County) shut down certain businesses unless they can be modified to operate outside or by pick-up, including:

- Fitness centers
- Worship services
- Offices for non-essential sectors
- Personal care services, like nail salons, massage, and tattoo parlors
- Hair salons and barbershops
- Malls

In response to the State requirements, the LA County Department of Public Health modified their order on July 14, 2020 to limit uses for the above listed businesses to outdoor operations only, noting that the indoor portions of these businesses must be closed to the public until further notice. The current LA County Department of Public Health order is available on their website at [http://publichealth.lacounty.gov/media/Coronavirus/](http://publichealth.lacounty.gov/media/Coronavirus/) under the “What You Should Know” section. Click the “Health Officer Order” tab and scroll down to find the revised order posted.

The City recognizes that these businesses are faced with accommodating social distancing and limited services. During this public health emergency, indoor capacity is effectively eliminated within the current physical indoor footprint of the business. To address this capacity issue, the City may issue Temporary Use Permits (TUPs) to utilize the privately-owned parking areas and outdoor spaces of a business’ site to appropriately provide services while accommodating emergency orders related to social distancing and restricted indoor activities.

TUPs will be made available for businesses under modified emergency orders in compliance with the City’s TUP process established in the City’s Zoning Ordinance. Per the City’s
regulations, and to address the COVID-19 specificity of these requests, the following are applicable related to COVID-19 TUPs:

- **LOCATION:** TUPs may be issued to authorize temporary uses on private property and are not intended to regulate temporary uses in public parks or on public rights-of-way.

- **CRITERIA:** The criteria in determining the suitability and compatibility of a temporary use are as follows:
  - The operation of the requested temporary use shall have no adverse effect on abutting property or jeopardize public health, safety, and general welfare.
  - The site is adequate to accommodate the proposed use and shall include provision of off-street parking where feasible.
  - The time period and hours of operation for the temporary use shall be clearly specified. To address the concern of noise effects, the timeframe of the TUP area would be limited to no greater than the hours of 8 a.m. to 10 p.m., and may be further limited if site specific or business specific conditions demand it.
  - Provision shall be made for the removal, clean-up, and restoration of the site. This temporary use of the parking lot for business use will only be for the duration noted on the TUP. After the TUP has expired, the site is expected to be returned to the operating conditions for the site prior to the COVID-19 public health emergency.
  - The temporary use will be located, operated and maintained in a manner consistent with the General Plan and with the use classification for the zone.

- **CHECKLIST:** The application process is through the Planning Division and shall include the following:
  - A TUP application form (see attached form).
  - An affidavit from the owner of record of the lot or parcel of the property authorizing the application (see attached affidavit form).
  - A site plan to include the following information:
    - All buildings and structures on the site.
    - Off-street parking spaces, driving aisles, and driveways.
    - The location and dimensions of the temporary use.
    - Such other data as may be required to demonstrate that the project meets the criteria. Examples include but are not limited to:
      - Furniture plan – demonstrating that the TUP would not be to increase the total number of tables/patrons, but rather to provide an outdoor footprint to accommodate existing capacity
      - Lighting plan
      - Portable heaters
      - ABC approval (if alcohol is served outdoors)

- **FEE:** The City Council has suspended the TUP fee during this public health emergency.

- **COVID-19 RE-OPENING PROTOCOL FORM:** The TUP regulations do have criteria regarding not jeopardizing public health, safety, and general welfare. To address this, the Community Development Department requires the business to submit the LA County Department of Public Health required and approved Protocol for Opening (County Order Appendix) related to the type of business, or as revised by LA County through the duration of the emergency, as part of their TUP application to demonstrate the commitment to protecting the public health, safety, and general welfare during the public
health emergency due to COVID-19. The Appendix related to your business may be found on the LA County Department of Public Health website at http://publichealth.lacounty.gov/media/Coronavirus/ under the “What You Should Know” section. Click the “Health Officer Order” tab and scroll down to find the Appendix related to the type of business.

The purpose of the TUPs would be to accommodate up to the existing capacity of the business while maintaining social distancing protocols and indoor restrictions. Therefore, the TUP would limit the expanded space to allow for up to the same capacity of tables/patrons as currently exists within the interior space of the business, while still maintaining the LA County Protocol for Opening requirements. The intent of the TUP would not be to increase the total number of tables/patrons, but rather to provide an outdoor footprint to accommodate capacity.

It is expected that many businesses requesting a TUP will intend to use a portion of their parking lot for the temporary use. Any parking not utilized should remain available for parking use for the site, where safe and feasible, with some temporary physical and visual barriers separating patrons from vehicles as determined necessary, as approved by the Fire Department.

This temporary use of the parking lot for business use will only be for the duration noted on the TUP. All components of the area shall be removable and no permanent structures, or structures which would otherwise require a building permit, shall be allowed. After the TUP has expired, the site is expected to be returned to the operating conditions for the site prior to the COVID-19 public health emergency.

The TUP regulations require that the operation of the requested temporary use shall have no adverse effect on abutting properties. Since this type of TUP use would be for outdoor use that is not typically there, this temporary use would create added noise to the abutting properties. To address the concern of noise effects, the timeframe for of the TUP area would have limited hours.

These TUPs would be issued for the duration of the local emergency declaration that is based on a public health emergency due to COVID-19. A condition on the TUP would be compliance with Federal, State, and LA County rules.

There may be evolving issues that need to be addressed as the State, LA County, and Redondo Beach move through the various recovery phases. As those issues arise, procedures may be modified to address unforeseen circumstances.

For any questions or to submit your TUP application, send via email to Planning Analyst Lina Portolese at Lina.Portolese@redondo.org.

Sincerely,

Brandy Forbes, AICP
Community Development Director
**APPLICATION FOR TEMPORARY USE PERMIT**

**Application must be filed a minimum of two (2) weeks prior to the event.**

10-2.2520 Temporary Use Permits.

**Purpose.** Temporary Use Permits may be issued to authorize the establishment of temporary uses on private property and are not intended to regulate temporary uses in public parks or on public right-of-ways. Temporary uses shall not include live entertainment subject to approval by the City Council pursuant to Chapter 17 of Title 4 of the Municipal Code. Typical temporary uses include pumpkin and Christmas tree lots; carnivals and circuses; special outdoor retail sales promotions; and similar unique and infrequent or irregularly occurring events.

### A. A TEMPORARY USE PERMIT CANNOT BE ISSUED WITHOUT THE FOLLOWING ATTACHMENTS:

1) SITE PLAN OF THE EVENT LOCATION  
2) COMPLETED OWNER'S AFFIDAVIT CONSENT FORM

### B. NAME OF THE EVENT: ____________________________  
ADDRESS OF THE EVENT: ____________________________________________  
DATE(S): ____________________________ HOURS: ____________________________  

**PLEASE DESCRIBE IN DETAIL THE PURPOSE AND ACTIVITIES OF THE EVENT:**

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

### C. BUSINESS/ORGANIZATION OBTAINING THE TEMPORARY USE PERMIT: (PLEASE PRINT)

NAME: ____________________________________________  
ADDRESS: ____________________________ CITY: __________ STATE: ______ ZIP: __________
AGENT/APPLICANT NAME: ____________________________________________  
TELEPHONE NUMBER: ( ______ ) ____________________________

### D. DECLARATION: I, as applicant for a Temporary Use Permit, hereby agree to all terms and conditions of the Redondo Beach Municipal Code regarding Temporary Use Permits.

APPLICANT SIGNATURE: ____________________________ DATE: __________
OWNER’S AFFIDAVIT

Project address: ______________________________________________________

Project description: __________________________________________________

I (We) ____________________________, being duly sworn, depose and say I am (we are) the owner(s) of all or part of the property involved and that this application has been prepared in compliance with the requirements printed herein. I (we) further certify, under penalty of perjury that the foregoing statements and information presented herein are in all respects true and correct to the best of my (our) knowledge and belief.

Signature(s): ______________________________________________________

Address: ______________________________________________________

Phone No. (Res.) __________________________________________________

(Bus.) ______________________________________________________

Subscribed and sworn to (or affirmed) before me this _____ day of ________, 20____ by ________________________, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

______________________________________________________________

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