

City of Beaumont Comprehensive Zoning Ordinance

PUBLIC REVIEW DRAFT

FEBRUARY 2025



Prepared for:

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LWC

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City of Beaumont

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Public Review Draft

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Chapter 17.A.02 Title and Purpose

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17.A.02.010 Title

Title 17 of the Beaumont Municipal Code shall be known and cited as the or this “Zoning Code” or this “Title.”

17.A.02.020 Authority

This Title is adopted in accordance with the authority vested in the City of Beaumont, including by the California Constitution and the City’s zoning and police powers, and consistent with the authority established in the Planning and Zoning Law (California Government Code section 65000 et seq.), California Environmental Quality Act (California Public Resources Code section 2100 et seq.), and California Health and Safety Code.

17.A.02.030 Purpose

This Title is enacted in order to promote the public health, safety, and general welfare. More specifically, this Title is adopted to achieve the following objectives:

- A. Provide standards for the orderly growth and development of the City, and guide and control the use of land to provide a safe, harmonious, attractive, and sustainable community;
- B. Achieve the arrangement of land uses depicted in the Beaumont General Plan, consistent with the goals and policies of the General Plan;
- C. Enhance the appearance of the City and promote high-quality design;
- D. Preserve and enhance the quality of life and character of residential neighborhoods;
- E. Create a vibrant downtown with residential and retail uses;
- F. Promote economic growth and expand and enhance employment opportunities; and
- G. Allow for public participation in government decision-making regarding land use and development in a manner consistent with state law.

17.A.02.040 Applicability

- A. **Applicability to Property.** This Title shall apply, to the extent permitted by law, to all property within City limits, including all uses, structures, and land owned by any private person, firm, corporation or organization, or other federal, state, or local agency, unless exempted consistent with Subsection 17.A.02.040.I (Exemptions).
- B. **Minimum Requirements.** The provisions of this Title shall be minimum requirements for the promotion of public health, safety, and general welfare. Where this Title provides for more discretion on the part of a City official or body (i.e., a Review Authority), that discretion may be exercised to impose more stringent requirements than set forth in this Title as may be necessary to promote orderly land use development and the purposes of this Title.
- C. **Compliance with Regulations.** Land shall not be used, and structures shall not be constructed, occupied, enlarged, altered, demolished, or moved in any zone, except in compliance with all the provisions, including development and performance standards, of this Title, and any permits issued. The temporary or transitory nature of a use does not exempt it from this requirement.
- D. **Conflicting Regulations.** The regulations of this Title and requirements or conditions imposed in accordance with this Title shall not supersede any other regulations or requirements adopted or imposed by the City Council (Council), the State of California, or any federal agency that has jurisdiction by law over uses and development authorized by this Title. All uses and development authorized by this Title shall comply with all other such regulations and requirements.
- E. **Private Agreements.** This Title shall not interfere with or annul any recorded easement, covenant, or other agreement now in effect, provided that where this Title imposes greater restriction than imposed by an easement, covenant, or agreement, this Title shall control. The City shall not be responsible for monitoring or enforcing private agreements.
- F. **Prior Zoning Code.** The provisions of this Title supersede all prior zoning codes codified in Title 17 and any amendments. No provisions of this Title shall validate any land use or structure established, constructed, or maintained in violation of the prior Zoning Code, unless such validation is specifically authorized by this Title and is in compliance with all other regulations.
- G. **Effect on Previously Approved Projects and Projects in Progress.**
 - 1. ***Previously Approved Land Use Authorization.*** This Title shall not interfere with, repeal, or annul any previously granted land use authorization. All allowances, requirements, and conditions of approval of previous land use authorizations shall apply unless the applicable Review Authority specifically repeals the allowance, requirement, or condition consistent with this Title.
 - 2. ***Land Use Authorization in Process.*** An application for a discretionary land use authorization that has been accepted by the Planning Department (Department) as complete for processing prior to the adoption of this Title may be processed according to either this Title or the prior Zoning Code upon written request from the project applicant. The written request shall be made no later than 30 days after the effective date of the adoption of this Title. If the request is to apply the prior Zoning Code, the Review Authority must make at least one decision (e.g., formal action or continuance of the application at a public hearing, staff approval or denial of an application, etc.) within 210 days of the effective date of the adoption of this Title. The same process shall be followed for amendments to this Title.

- H. **Application During Local Emergency.** The Council may authorize a deviation from any provision of this Title during a local emergency declared and ratified consistent with California Government Code §8630 et seq. The Council may authorize a deviation by resolution without notice or public hearing.
- I. **Exemptions.**
1. This Title shall not apply to the City, including any buildings, improvements, lots, or premises owned, leased, operated, or controlled by the City, any development project by the City, or any business or service performed or offered by the City. This exemption does not apply other than to the City, including those leasing premises from the City.
 2. Any governmental agency other than the City shall be exempt from the provisions of this Title only to the extent that such property may not be lawfully regulated by the City according to applicable law.

17.A.02.050 Relationship to the General Plan

This Title implements the goals and policies of the Beaumont General Plan by regulating the use of land and structures within the city. This Title and the General Plan shall be consistent with one another. Any permit, license, or approval issued in accordance with this Title must be consistent with the General Plan and all applicable specific plans. In any case where there is a conflict between this Title and the General Plan, the General Plan shall control.

17.A.02.060 Zoning Map

- A. **Zoning Map and this Title.** The designations, locations, and boundaries of the base zones and overlays established in this Title shall be shown on the Zoning Map of the City. The Zoning Map as amended or changed from time to time, together with all notations, references, data, and other information, is adopted and made a part of this Title. Any amendment or rezoning of a property or properties from one zone to another zone shall constitute an amendment to this Title and shall be so referenced in the Zoning Map amendment.
- B. **Time Limit.** If in accordance with the provisions of this Title, changes are made to zone boundaries, zone classifications, or other matters set forth on the Zoning Map, such changes shall be entered on the Zoning Map within 30 days following the effective date of the change.
- C. **Uncertainty of Boundaries.** Refer to Subsection 17.A.04.020.C (Interpretation of Zone Boundaries) if the boundaries of any zone(s) shown on the Zoning Map are uncertain.
- D. **Maintenance of Zoning Map.** The Zoning Map shall be kept on file in the office of the Community Development Director (Director) and shall be maintained in electronic format by the City, as authorized by the Director.

17.A.02.070 Severability

If any section, sentence, clause, phrase, word, portion, or provision of this Title is held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this Title which can be given effect without the invalid provision. The invalidation of the application of any section, sentence, clause,

phrase, word, portion, or provision of this Title to a particular property or structure, or any particular properties or structures, by any court of competent jurisdiction shall not affect the application of such section, sentence, clause, phrase, word, portion, or provision to any other property or structure not specifically included in said invalidation.

Chapter 17.A.04 Rules of Interpretation

Sections:

17.A.04.010	Purpose.....	17.A-5
17.A.04.020	General Interpretation	17.A-5
17.A.04.030	Interpreting Language and Numbers	17.A-7

17.A.04.010 Purpose

This Chapter provides the specific rules that explain how to interpret this Title.

17.A.04.020 General Interpretation

- A. **Interpretation of this Title.**
1. No matter how carefully constructed, this Title will require interpretation in its day-to-day administration. In adopting this Title, it is the intent of the City to interpret and administer this Title in a reasonable fashion consistent with the public interest of the residents of the city.
 2. Where there is uncertainty regarding the interpretation of any provision of this Title or its application to a specific site, the Director shall determine the interpretation of the provision. The determination of the Director may be appealed in accordance with the provisions of Subsection 17.D.02.040.O (Appeals). Nothing shall limit the authority of the Director to revise, reconsider, or otherwise modify or rescind any interpretation previously made.
 3. In their interpretation and application, the provisions of this Title shall be held to be the minimum requirements guided by the following:
 - a. Where this Title imposes a greater restriction than is imposed or required by other rules, regulations or ordinances, the provisions of this Title shall control. In accordance with Section 17.A.02.050 (Relationship to the General Plan), in any case where there is a conflict between this Title and the General Plan, the General Plan shall control.
 - b. Where other rules, regulations, or ordinances impose greater restrictions or more specific standards than those of this Title, the greater restriction or more specific standard shall control.
 - c. Where provisions of this Title are in conflict, the more specific regulations shall apply over the more general; where provisions of this Title remain in conflict, the more restrictive provisions shall apply.
- B. **Conflict between Text and Figure.** In the event of a difference or conflict between the text and a figure, illustration, heading, caption, diagram, or graphic, the text shall control.

- C. **Interpretation of Zone Boundaries.** Where there is uncertainty regarding the location of a zone boundary or other feature shown on the Zoning Map, the following rules shall be used to resolve the uncertainty:
1. Unless otherwise clearly indicated on the Zoning Map, zone boundaries shall coincide with property lines and right-of-way or easement boundaries of alleys, streets, freeways, and/or railroads.
 2. Dedicated streets, alleys, freeways, or railroad rights-of-way shall be deemed to be unclassified. If any public street, alley, or other right-of-way is vacated or abandoned, the land formerly in such street, alley, or right-of-way shall be included within the zoning of the adjoining property on each side.
 3. For parcels containing two or more zones, the location of the zone boundary shall be determined by the Director, and the applicable regulations for each zone shall apply based on the zone boundary.
 4. Where the location of the zone boundaries cannot be determined by the above rules, the boundaries shall be located by using the scale on the Zoning Map.
- D. **References to State Law.** Where this Title references applicable provisions of state law (e.g., the California Government Code, Subdivision Map Act, Public Resources Code, etc.), the reference shall be construed to be to the applicable state law provisions as they may be amended from time to time.
- E. **Calendar Days.** All references to days are to calendar days, unless otherwise indicated. If a deadline falls on a weekend or holiday, or a day when the City offices are closed, the deadline shall be extended to the close of business on the next working day.
- F. **Calendar Year.** All references to years are to calendar years, unless otherwise indicated.
- G. **Determination of Similar Use.**
1. Each zone establishes a list of uses which are permitted, permitted with a Minor Conditional Use Permit, or permitted with a Conditional Use Permit, or not allowed. Occasionally, uses may be proposed which are not specifically listed in the use tables in Division 17.B (Zone Regulations).
 2. The Director may administratively determine when an unlisted use is proposed in a zone that the proposed use is similar to an appropriate use category where the uses are clearly similar in character to those uses listed and consistent with the purpose of the zone and General Plan. A use determined to be similar shall apply to the zone uniformly regardless of location.
 3. When a proposed, but unlisted, use is determined to be similar to a listed use, the proposed use will be treated in the same manner as the listed use in determining what approvals are required and what standards and requirements of this Title apply.
 4. The Director's determination of similar use may be appealed to the Planning Commission pursuant to the provisions of Section 17.D.02.040.O (Appeals).

17.A.04.030 Interpreting Language and Numbers

- A. **Interpretation of Words and Conjunctions.** Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
1. “And” indicates that all connected words or provisions shall apply.
 2. “And/or” indicates that the connected words or provisions may apply singularly or in any combination.
 3. “Or” indicates that compliance with any of the series of connected words or provisions is sufficient.
 4. “Either...or” indicates that the connected words or provisions shall apply singularly, but not in combination.
 5. The words “shall”, “will”, “must”, “is to”, and “are to” are always mandatory and not discretionary.
 6. “Should” is not mandatory but is strongly recommended.
 7. “May” is permissive and discretionary.
 8. Unless the context clearly indicates otherwise, words in the present and future tense are interchangeable.
 9. Unless the context clearly indicates otherwise, words in the singular and plural are interchangeable.
- B. **Undefined Terms.** The Director shall make an interpretation for any definition not expressly identified in this Title.
- C. **Fractions.** Whenever this Title requires consideration of distances, parking spaces, dwelling units, or other aspects of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction of a whole number, the results will be rounded as follows:
1. **General Rounding.** Fractions of one-half or greater shall be rounded up to the nearest whole number, and fractions of less than one-half shall be rounded down to the nearest whole number, except as otherwise provided.
 2. **Exception for State Affordable Housing Density Bonus.** For projects eligible for bonus density in accordance with California Government Code §65915 or any successor statute, any fractional number of permitted bonus density units shall be rounded up to the next whole number.

Chapter 17.A.06 Rules of Measurement

Sections:

17.A.06.010	Purpose.....	17.A-8
17.A.06.020	General Provisions.....	17.A-8
17.A.06.030	Measuring Lot Width and Depth	17.A-8
17.A.06.040	Measuring Distances	17.A-9
17.A.06.050	Measuring Setbacks	17.A-10
17.A.06.060	Measuring Floor Area	17.A-10
17.A.06.070	Measuring Floor Area Ratio.....	17.A-11
17.A.06.080	Measuring Height and Number of Stories.....	17.A-11
17.A.06.090	Determining Lot Coverage.....	17.A-12
17.A.06.100	Measuring Signs	17.A-13

17.A.06.010 Purpose

The purpose of this Chapter is to explain how various measurements referred to in this Title are determined.

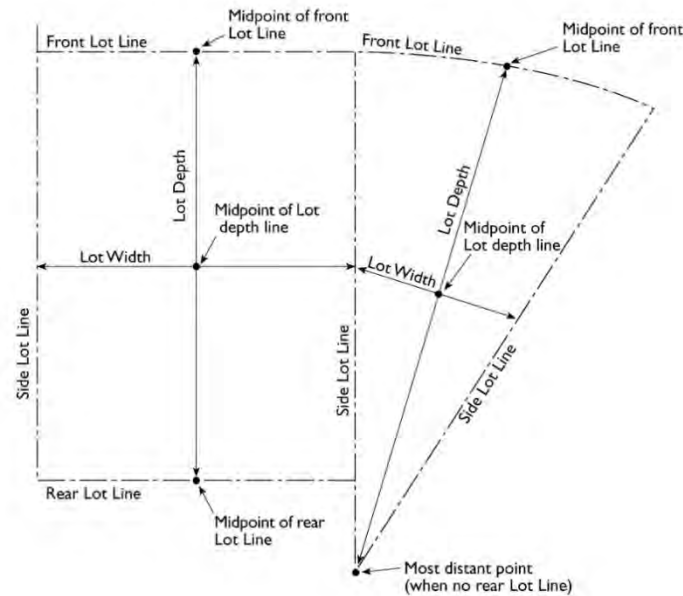
17.A.06.020 General Provisions

For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements that apply to a project. These drawings shall be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Director.

17.A.06.030 Measuring Lot Width and Depth

- A. **Lot Width.** Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. The Director shall determine lot width for parcels of irregular shape.
- B. **Lot Depth.** Lot depth is measured along a straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line.

FIGURE 17.A.06.030-1: MEASURING LOT WIDTH AND DEPTH



17.A.06.040 Measuring Distances

- A. **Measurements are Shortest Distance.** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.
- B. **Distances are Measured Horizontally/Linear.** When determining the dimensions for setbacks and structures, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These dimensions are not measured by following the topography or slope of the land.
- C. **Measurements Involving a Structure.** Measurements involving a structure are made to the closest structural support element (e.g., a building support pillar, a building support column, etc.) of the structure. Structures or portions of structures that are entirely underground are excluded from the measured dimension.
- D. **Measurements of Minimum Distance.** When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject property, in all directions, unless otherwise specified.
- E. **Measurement of Vehicle Queuing or Travel Areas.** Measurement of the minimum dimensions for stacking lanes or the setback to a garage entrance are measured on the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or travel lane.

17.A.06.050 Measuring Setbacks

- A. **General Setback Measurement.** A line defining a required setback is parallel to and at the specified distance from the corresponding front, side, or rear property line.
- B. **Setbacks Abutting Planned Street Expansions.** If a property abuts an existing or proposed street for which the existing right-of-way is narrower than the right-of-way ultimately required for the street, the required setback shall be established from the future right-of-way rather than the property line.

17.A.06.060 Measuring Floor Area

The floor area of a building is measured as the sum of the gross horizontal/linear areas of all floors of a building or other enclosed structure, measured from the exterior face of exterior walls or from the centerline of a shared wall separating two buildings.

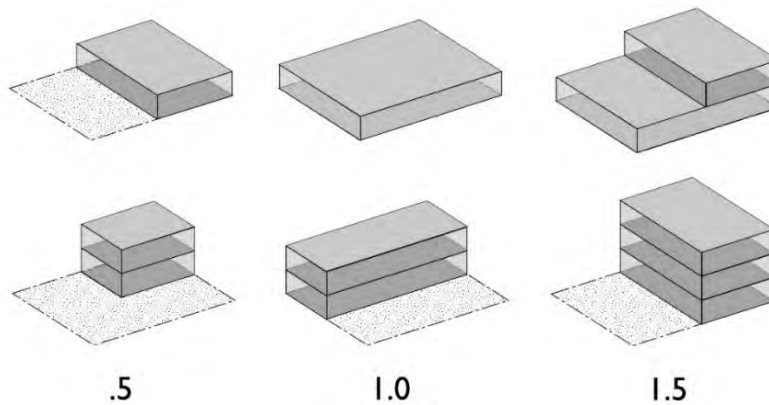
- A. **Included in Floor Area.**
 - 1. All habitable space (as defined in the Building Code) including, but not limited to, all living space (bedrooms, bathrooms, kitchens, hallways, interior walkways, corridors, common space, etc.) that is below the roof and within the outer surface of the main walls of principal or accessory buildings or the centerlines of party walls separating such buildings or portions of buildings.
 - 2. If no walls exist, the area covered by the roof excluding two feet on each side of the structure (i.e., the outermost horizontal two feet of the roof) to allow for a standard roof projection.
 - 3. In the case of a multi-story building that has covered or enclosed stairways, stairwells, or elevator shafts, the horizontal area of such features shall be counted only once at the floor level of their greatest area of horizontal extent.
- B. **Excluded From Floor Area.** Floor area does not include the following:
 - 1. Mechanical, electrical, and communication equipment rooms that do not exceed two percent of the building's gross floor area;
 - 2. Bay windows or other architectural projections where the vertical distance between the lowest surface of the projection and the finished floor is 30 inches or greater;
 - 3. Porches where at least one of the longest dimensions is unenclosed;
 - 4. Accessory structures (e.g., shed) with a gross floor area of up to 120 square feet;
 - 5. Areas that qualify as usable open space;
 - 6. Areas used for off-street parking spaces or loading spaces, driveways, ramps between floors of a multi-level parking garage, and maneuvering aisles that are located below the finished grade of the property;
 - 7. Parking areas located beneath the finished floor of habitable space where the vertical distance between the finished floor of habitable space and finished grade is less than six feet; and

8. Nonresidential gross floor area excludes arcades, porticoes, and similar open areas that are located at or near street level and are accessible to the general public, but are not designed or used as sales, display, storage, service, or production areas.

17.A.06.070 Measuring Floor Area Ratio

To calculate the Floor Area Ratio (FAR), gross building floor area is divided by the total site area, and FAR is typically expressed as a decimal. For example, if the gross floor area of all buildings on a site is 10,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 1.0.

FIGURE 17.A.06.070-1: DETERMINING FLOOR AREA RATIO



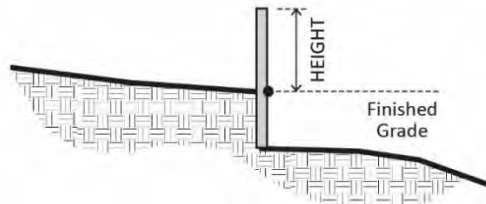
17.A.06.080 Measuring Height and Number of Stories

- A. **Measuring Building Height.** Building height is the vertical distance measured continuously along a line at existing grade bisecting the width of the lot to the highest point of a building or structure, except as provided elsewhere in this Title.
- B. **Measuring the Number of Stories.** In measuring the height of a building in stories the following measurement rules shall apply:
 1. A basement shall be counted as a full story where more than 50 percent of its height is above the average elevation of the adjoining ground (i.e., the average elevation of the finished grade adjoining all corners of the basement). This average elevation is calculated by adding the finished grade elevations adjoining all corners of the basement and dividing by the number of corners (e.g., four corners of the basement).
 2. An interior balcony or mezzanine shall be counted as a full story if its floor area exceeds one-third of the total area of the nearest full floor directly below it or if it is enclosed on more than two sides.
 3. An attic is not considered a story provided it is unconditioned, unfinished, and less than seven feet at its highest point with an average height not exceeding four feet.

C. **Measuring Other Structures.**

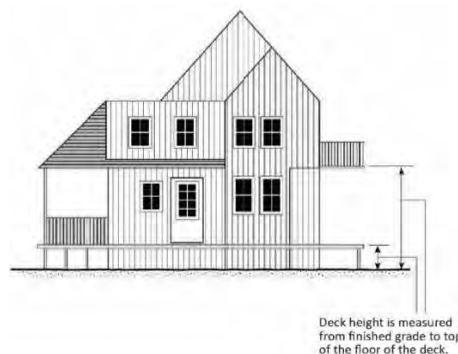
1. **Measuring Height of Fences and Walls.** The height of a fence or wall is measured from the finished grade immediately abutting the fence or wall to the top of fence or wall at any point. Where the finished grade is a different elevation on either side of the fence or wall, the height may be measured from the side having the highest elevation.

FIGURE 17.A.06.080-1: MEASURING HEIGHT OF FENCES AND WALLS



2. **Measuring Height of Decks.** Deck height is measured from finished grade to the top of the floor of the deck directly above finished grade below.

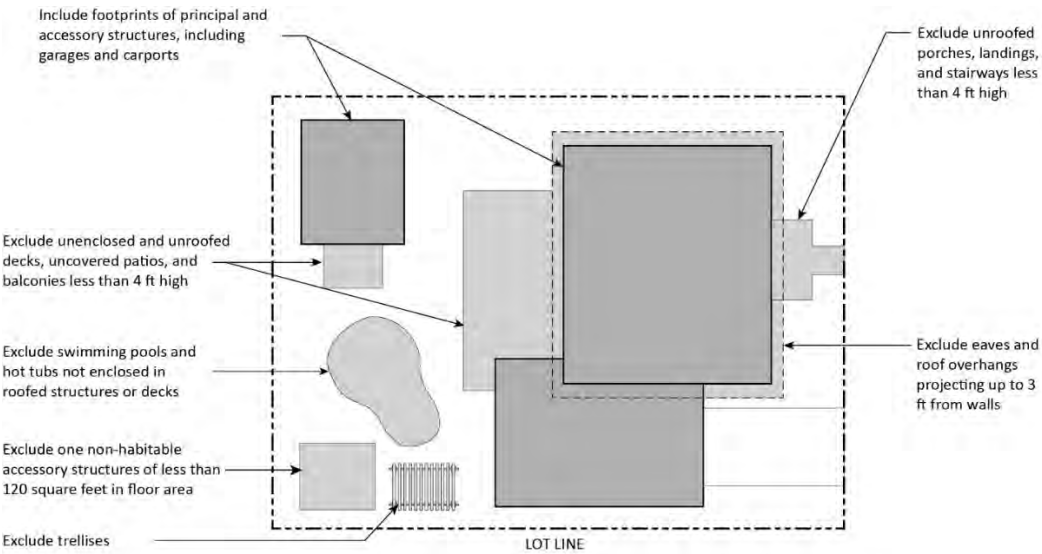
FIGURE 17.A.06.080-2: MEASURING HEIGHT OF DECKS



17.A.06.090 **Determining Lot Coverage**

- A. **Expression.** Lot coverage is the ratio of the total footprint area of all structures on a lot to the gross lot area, typically expressed as a percentage.
- B. **Included in Calculation.** The footprints of all principal and accessory structures, including garages, carports, covered patios, and roofed porches, shall be summed to determine lot coverage.
- C. **Excluded from Calculation.** The following structures shall be excluded from the calculation:
 1. Unenclosed and unroofed decks, uncovered patio slab, uncovered porches, landings, balconies and stairways less than four feet in height;
 2. Eaves and roof overhangs projecting up to three feet from a wall;
 3. Trellises and similar structures that have roofs that are at least 50 percent open to the sky through uniformly distributed openings;
 4. Swimming pools and hot tubs that are not enclosed in roofed structures or decks.
 5. One non-habitable accessory structure less than 120 square feet in area.

FIGURE 17.A.06.090-1: DETERMINING LOT COVERAGE



17.A.06.100 Measuring Signs

The methods for measuring signs (e.g., height, area, etc.) are described in Subsection 17.C.08.040.D (Rules of Measurement for Signs).

City of Beaumont

Division B: Zone Regulations

Public Review Draft

Lisa Wise Consulting, Inc.

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Chapter 17.B.02 Zones

Sections:

17.B.02.010	Purpose.....	17.B-1
17.B.02.020	Zones Established	17.B-1

17.B.02.010 Purpose

This Chapter establishes the zones applied to property within Beaumont.

17.B.02.020 Zones Established

The following zones are established and shall be shown on the official Zoning Map.

Table 17.B.02.020-A: Zones Established

Zone Symbol	Zone Name	General Plan Land Use Designation Implemented
Residential Zones		
R-R	Residential, Rural Zone	Rural Residential 40 (RR40)
R-SF	Residential, Single-Family Zone	Single Family Residential (SFR)
R-TN	Residential, Traditional Neighborhood Zone	Traditional Neighborhood (TN)
R-MF	Residential, Multi-Family Zone	High-Density Residential (HDR)
Commercial Zones		
C-N	Commercial, Neighborhood Zone	Neighborhood Commercial (NC)
C-C	Community Commercial Zone	General Commercial (GC)
Mixed-Use Zones		
UV	Urban Village Zone	Urban Village (UV)
Downtown Zones		
DMU	Downtown Mixed Use Zone	Downtown Mixed Use
BMU	Beaumont Mixed Use Zone	Downtown Mixed Use
SSMU	Sixth Street Mixed Use Zone	Downtown Mixed Use
SSMU-R	Sixth Street Mixed Use – Residential Zone	Downtown Mixed Use

Table 17.B.02.020-A: Zones Established		
Zone Symbol	Zone Name	General Plan Land Use Designation Implemented
LC	Local Commercial Zone	Downtown Mixed Use
DMF	Downtown Residential Multi-Family Zone	Downtown Mixed Use
Industrial Zones		
M	Manufacturing Zone	Industrial (I)
Other Zones		
R-C	Recreation/Conservation Zone	Open Space (OS)
PF	Public Facilities Zone	Public Facilities
SP	Specific Plan Zone	Various
Overlay Zones		
TOD	Transit Oriented District Overlay	Transit Oriented District Overlay (TOD Overlay)
HDO	Higher Density Overlay	n/a (Housing Element)
HSO	Housing Sites Overlay	n/a (Housing Element)
D-RSF	Downtown RSF Overlay	Downtown Mixed Residential, Downtown Residential Single Family
D-RTN	Downtown RTN Overlay	Downtown Mixed Residential

Chapter 17.B.04 Residential Zones and Standards

Sections:

17.B.04.010	Purpose.....	17.B-3
17.B.04.020	Residential Zones Use Regulations.....	17.B-3
17.B.04.030	Residential Zones Development Standards.....	17.B-7
17.B.04.040	Residential Zones Supplemental Standards	17.B-8

17.B.04.010 Purpose

- A. **Residential, Rural (R-R) Zone.** The Residential, Rural (R-R) Zone is intended to provide for and encourage the development of agriculturally oriented low density residential development to take advantage of the rural environment.
- B. **Residential, Single-Family (R-SF) Zone.** The Residential, Single-Family (R-SF) Zone is intended to protect established neighborhoods of single-family dwellings and to provide space in suitable locations for additional residential, single-family development. To increase access to shopping, services, and amenities, the R-SF Zone allows for limited, appropriately located neighborhood supporting uses in specific locations.
- C. **Residential, Traditional Neighborhood (R-TN) Zone.** The Residential, Traditional Neighborhood (R-TN) Zone is intended to provide a range of housing choices, including single-family and multi-family development and supporting neighborhood service uses within a walkable and well-connected setting.
- D. **Residential, Multi-Family (R-MF) Zone.** The Residential, Multi-Family (R-MF) Zone is intended to protect established medium-density and high-density residential development, and to facilitate further development of this land use type. This includes higher density housing that includes condominiums, townhomes, duplexes, apartments, senior housing, and supporting ancillary facilities.

17.B.04.020 Residential Zones Use Regulations

Table 17.B.04.020-A (Residential Zones Use Regulations) sets the land use regulations for residential zones. Land uses are defined in Chapter 17.E.04 (Definition of Uses). In cases where a land use is not listed in the table, the Director shall make a determination regarding similar use consistent with Subsection 17.A.04.020.G (Determination of a Similar Use). Land uses not listed in the table and not substantially like the uses below are prohibited.

Division B: Zone Regulations

Table 17.B.04.020-A: Residential Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required | “-” = Not Allowed

Use	R-R	R-SF	R-TN	R-MF	Additional Regulations
Residential Uses					
Accessory Dwelling Unit	P	P	P	P	See Section 17.C.10.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units)
Boarding or Rooming House	C	C	C	C	n/a
Caretaker's Unit	P	-	P	P	n/a
Day Care Home					
Small	P	P	P	P	n/a
Large	P	P	P	P	n/a
Duplex	-	-	P	P	n/a
Elderly and Long-Term Care	-	-	P	P	n/a
Employee Housing	P	-	-	-	n/a
Home Occupation	P	P	P	P	See Section 17.C.10.130 (Home Occupations)
Mobilehome Park	-	-	C	C	See Section 17.C.10.170 (Mobilehome Parks)
Multi-Family Dwelling	-	-	P	P	See Section 17.C.10.180 (Multi-Family Dwellings)
Parolee/Probationer Home	C	C	C	C	See Section 17.C.10.190 (Parolee/Probationer Home)
Residential Care Facility					
Small	P	P	P	P	n/a
Large	P ¹	P ¹	P ¹	P ¹	See Section 17.C.10.200 (Residential Care Facilities)
Single-Family Dwelling	P	P	P	-	See Section 17.C.10.210 (Single-Family Dwellings)
Supportive Housing	P	P	P	P	n/a
Transitional Housing	P	P	P	P	n/a
Two-Unit Project	P	P	-	-	See Section 17.C.10.250 (Two-Unit Projects)
Commercial Uses					
Animal Care and Services					
Kennel/Cattery	P	C	C	-	See Beaumont Municipal Code Chapter 6.16 (Kennels,

Table 17.B.04.020-A: Residential Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-” = Not Allowed

Use	R-R	R-SF	R-TN	R-MF	Additional Regulations
					Catteries, and Animal Rescue Facilities)
Commercial Day Care Facility	-	C ²	C ²	-	n/a
Lodging Uses					
Bed and Breakfast Establishment	C	C	C	C	n/a
RV Camper Park	-	-	-	C	n/a
Retail					
Convenience Store	-	C ²	C ³	C ^{2, 3}	n/a
Grocery Store, Small	-	C ²	C ³	C ^{2, 3}	n/a
Services					
General Services, Small	-	C ²	C ³	C ^{2, 3}	n/a
Personal Services	-	C ²	C ³	C ^{2, 3}	n/a
Alcohol-Serving and Restaurant Uses					
Restaurants					
Full Service	-	C ²	C ³	C ^{2, 3}	See Section 17.C.10.050 (Alcohol-Serving and Restaurant Uses)
Limited Service	-	C ²	C ³	C ^{2, 3}	
Agricultural Uses					
Apiary	P	C	C	-	See Beaumont Municipal Code Chapter 6.20 (Apiaries)
Aviary	P	-	-	-	n/a
Animal Keeping (Commercial Use)	P	C	C	-	See Section 17.C.10.060 (Animal Keeping)
Animal Keeping (Secondary Use)	P	P	P	P	
Cultivated Agriculture	P	-	-	-	n/a
Stables	P	-	-	-	See Section 17.C.10.060 (Animal Keeping)
Public, Institutional, and Utility Uses					
Cemetery	C	C	C	C	n/a

Division B: Zone Regulations

Table 17.B.04.020-A: Residential Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-” = Not Allowed

Use	R-R	R-SF	R-TN	R-MF	Additional Regulations
Community Assembly					
Minor	C	C	C	C	n/a
Community Garden	P	P	P	P	n/a
Community Recreation Center	P	P	P	P	n/a
Cultural Facility	P	P	P	P	n/a
Educational Institutions					
College or University	C	C	C	C	n/a
School, Public or Private	P	P	P	P	n/a
Vocational and Trade School	C	C	C	C	n/a
Park	P	P	P	P	n/a
Public Safety Facility	P	P	P	P	n/a
Wireless Telecommunication Facility	See Section 17.C.10.270 (Wireless Telecommunication Facility)				
Other					
Accessory Use	P	P	P	P	n/a
Temporary Use	See Section 17.C.10.230 (Temporary Uses)				

Table Notes:

¹ State-licensed facilities require a Conditional Use Permit.

² Only allowed for properties on Brookside Avenue, Cougar Way, Oak Valley Parkway, 11th Street, 8th Street, Beaumont Avenue, Pennsylvania Avenue, and Highland Springs Avenue.

³ Only allowed for properties on streets designated as arterial roadways or connector street.

17.B.04.030 Residential Zones Development Standards

Table 17.B.04.030-A (Residential Zones Development Standards) establishes the development standards for residential zones.

Table 17.B.04.030-A: Residential Zones Development Standards				
ft = feet sf = square feet du = dwelling unit ac = acres n/a = not applicable				
Standard	R-R	R-SF	R-TN	R-MF
Lot Area, min	40 ac	7,000 sf	5,000 sf ¹	6,000 sf ¹
Lot Width, min (ft)	n/a	60	50 ¹	60 ¹
Lot Depth, min (ft)	See Beaumont Municipal Code Section 16.12.080.C		100 ¹	
Density (du/gross acre)	n/a	4 ²	Max: 12 Average: 6	Min: 12 Max: 30
Floor Area Ratio, max	n/a	0.35 ³		
Setbacks				
Front	Min: 25 ft	Min: 20 ft ⁴	Min: 15 ft Max: 25 ft ⁵	Min: 15 ft Max: 20 ft ⁵
Interior side	Min: 10 ft	Lots with width ≤ 70 ft, min: 5 ft Lots with width > 70 ft, min: 5 ft on one side and 10 ft other side Two-level, min: 10 ft For commercial uses adjacent to residential uses, min: 15 ft	Min: 5 ft	
Street side		Min: 10 ft	Min: 10 ft Max: 20 ft ⁵	
Rear	Min: 20 ft	Single-story, min: 20 ft Two-story, min: 20 ft Enclosed parking, min: 5 ft Accessory structures, min: 10 ft	Min: 15 ft	Garage abutting an alley, min: 5 ft
Additional Setbacks	Min: 20 ft where property lines adjoin the R-C Zone			
Height, max	26 ft or 2 stories, whichever is less	35 ft or 2 stories, whichever is less		35 ft

Table 17.B.04.030-A: Residential Zones Development Standards

ft = feet | sf = square feet | du = dwelling unit | ac = acres | n/a = not applicable

Standard	R-R	R-SF	R-TN	R-MF
Lot Coverage, max	n/a	50%	60%	70% ¹
Open Space, min				
Usable open space, common	n/a	n/a	Multi-family developments ≥ 20 units: 200 sf per unit ⁶	n/a
Usable open space, private	n/a	n/a	Multi-family developments < 20 units: 100 sf per unit ⁶ Multi-family developments ≥ 20 units: 200 sf per unit ⁶	

Table Notes:¹ Smaller lot sizes may be approved consistent with Subsection 17.C.02.060.C (Small Lot Development).² Density standard is applicable to new subdivisions.³ Applies to commercial uses only.⁴ In no event shall a residence be situated in such a manner as to result in a distance of less than 20 feet between the back of a sidewalk and the face of a garage door.⁵ The maximum setback may be waived by the Director under the following conditions:

- Common plazas, courtyards, or outdoor amenity areas are located between the street and the building(s);
- The building(s) incorporates an entrance design that creates a welcoming entry feature facing the street; or
- A larger area is required to preserve existing mature trees or natural features.

⁶ See Section 17.C.02.090 (Open Space, Usable).**17.B.04.040 Residential Zones Supplemental Standards**

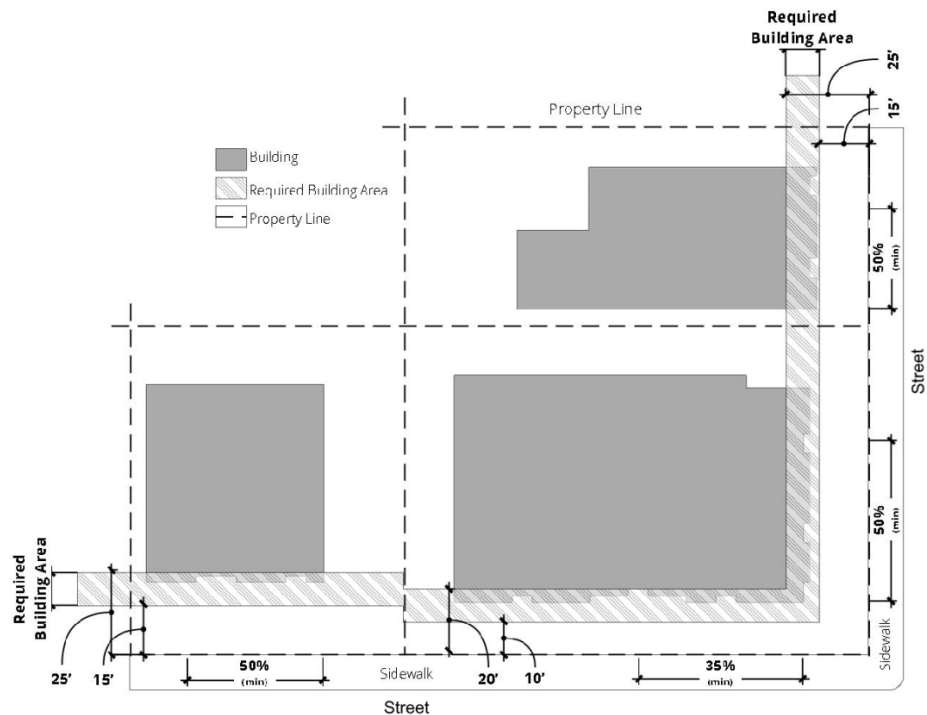
- A. **Pedestrian Circulation and Access.** On-site pedestrian circulation and access shall be provided in accordance with Section 17.C.02.110 (Pedestrian Circulation and Access).
- B. **Residential, Single-Family (R-SF) Zone Supplemental Standards.**
1. **Outdoor Lighting.** All exterior doors, including garage doors, must be illuminated with outdoor light fixtures consistent with Section 17.C.02.050 (Lighting and Illumination).
 2. **Accessory Structures.** Accessory structures shall not occupy more than 25 percent of the lot.
- C. **Residential, Traditional Neighborhood (R-TN) Zone Supplemental Standards.**
1. **Density.**
 - a. A studio or one-bedroom unit of no more than 750 square feet, excluding a garage, shall count as 0.5 of a unit.

- b. Density below four units per acre may be allowed subject to Conditional Use Permit approval, if the Planning Commission finds that the lower density does not jeopardize the City's ability to satisfy its Regional Housing Need Allocation.

2. **Building Placement.**

- a. Building façade(s) shall extend a minimum of 50 percent of the street frontage for the area between the minimum and maximum front yard setbacks. For example, if a lot is 100 feet wide, 50 linear feet of the lot parallel to the street must be occupied by a building(s) that adheres to the maximum setback requirement.
- b. In the area between the minimum and maximum street side yard setback, 35 percent of the linear distance parallel to the street shall be occupied by a building façade(s).

FIGURE 17.B.04.040-1: BUILDING PLACEMENT REQUIREMENTS, R-TN ZONE

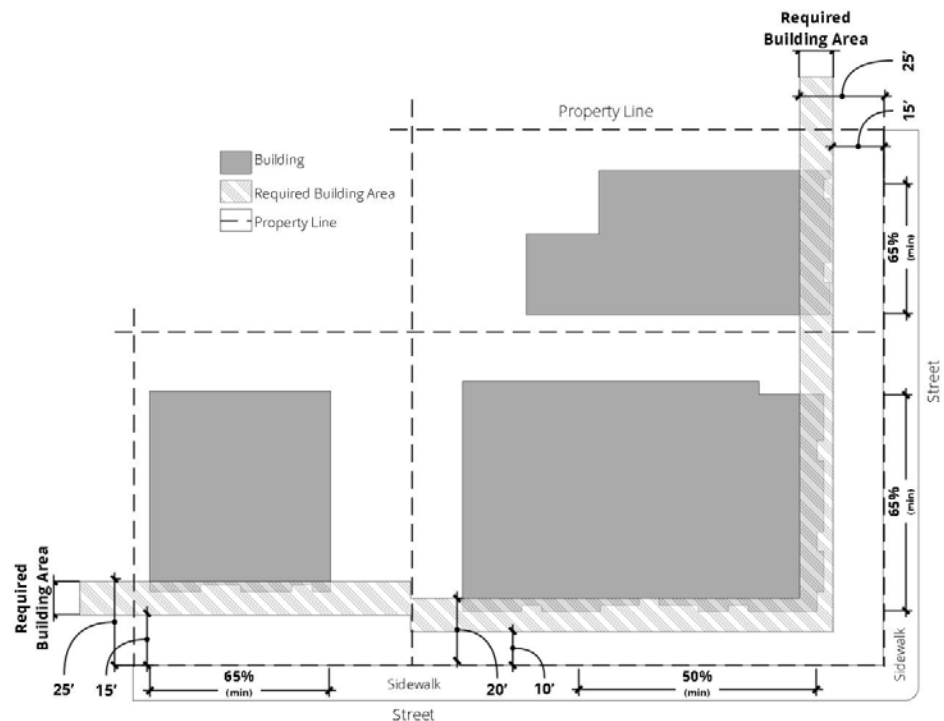


3. **Off-Street Parking.**

- a. Parking shall not be located in the front setback unless the Director makes the following findings:
 - (i) Buildings comply with the maximum front setback requirement;
 - (ii) Parking located within the front setback is in the driveway of a single-family home or a duplex; or
 - (iii) The parking area located within the front setback is landscaped along the street with a hedge, trellis, and/or landscaping consistent with Chapter 17.C.04 (Landscaping); and

- (iv) Requirements in Chapter 17.C.04 (Landscaping) are complied with.
 - b. Automobile storage space shall be provided consistent with Chapter 17.C.06 (Parking Requirements).
- 4. **Block Length.** Block length is limited to 600 feet measured from street curb edge to street curb edge.
- D. **Residential, Multiple-Family (R-MF) Supplemental Standards.**
 - 1. **Building Placement.**
 - a. Building façade(s) shall extend a minimum of 65 percent of the street frontage for the area between the minimum and maximum front yard setbacks. For example, if a lot is 100 feet wide, 65 linear feet of the lot parallel to the street must be occupied by a building(s) that adheres to the maximum setback requirement.
 - b. In the area between the minimum and maximum street side yard setback, 50 percent of the linear distance parallel to the street shall be occupied by a building façade(s).

FIGURE 17.B.04.040-2: BUILDING PLACEMENT REQUIREMENTS, R-MF ZONE



- 2. **Off-Street Parking.**
 - a. Parking shall not be located in the front setback unless the Director makes the following findings:
 - (i) Buildings comply with the maximum front setback requirement;

- (ii) Parking located within the front setback is in the driveway of a single-family home or a duplex; or
 - (iii) The parking area located within the front setback is landscaped along the street with a hedge, trellis, and/or landscaping consistent with Chapter 17.C.04 (Landscaping); and
 - (iv) Requirements in Chapter 17.C.04 (Landscaping) are complied with.
- b. Automobile storage space shall be provided consistent with Chapter 17.C.06 (Parking Requirements).

Chapter 17.B.06 Commercial Zones and Standards

Sections:

17.B.06.010	Purpose.....	17.B-12
17.B.06.020	Commercial Zones Use Regulations	17.B-12
17.B.06.030	Commercial Zones Development Standards	17.B-17
17.B.06.040	Commercial Zones Supplemental Standards	17.B-18

17.B.06.010 Purpose

- A. **Commercial, Neighborhood (C-N) Zone.** The Commercial, Neighborhood (C-N) Zone is intended to allow development that provides for a range of commercial service and retail land uses that are in proximity to residential neighborhoods consistent with the General Plan.
- B. **Community Commercial (C-C) Zone.** The Community Commercial (C-C) Zone is intended to preserve, and where applicable promote, commercial shopping centers. This Zone specifically applies to those parcels that may contain more than one business or those properties with large format retailers (e.g., where the floor area of the business exceeds 50,000 square feet).

17.B.06.020 Commercial Zones Use Regulations

Table 17.B.06.020-A (Commercial Zones Use Regulations) sets the land use regulations for commercial zones. Land uses are defined in Chapter 17.E.04 (Definition of Uses). In cases where a land use is not listed in the table, the Director shall make a determination regarding similar use consistent with Subsection 17.A.04.020.G (Determination of a Similar Use). Land uses not listed in the table and not substantially like the uses below are prohibited.

Table 17.B.06.020-A: Commercial Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required | “-” = Not Allowed

Use	C-C	C-N	Additional Regulations
Residential Uses			
Accessory Dwelling Unit	-	P	See Section 17.C.10.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units)
Caretaker's Unit	-	P ¹	n/a
Day Care Home			
Large	-	C	n/a
Duplex	-	P ¹	n/a
Elderly and Long-Term Care	-	P ¹	n/a

Table 17.B.06.020-A: Commercial Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-” = Not Allowed

Use	C-C	C-N	Additional Regulations
Emergency Shelter	-	P	See Section 17.C.10.090 (Emergency Shelters)
Home Occupation	-	P	See Section 17.C.10.130 (Home Occupations)
Live-Work Unit	M	M	See Section 17.C.10.140 (Live-Work Units)
Low Barrier Navigation Center	-	-	n/a
Multi-Family Dwelling	-	P ¹	See Section 17.C.10.180 (Multi-Family Dwellings)
Residential Care Facility			
Small	-	P ¹	
Large	-	P ^{1,2}	See Section 17.C.10.200 (Residential Care Facilities)
Single-Room Occupancy (SRO) Residence	C	C	See Section 17.C.10.220 (Single-Room Occupancy Residences)
Supportive Housing	C	C	n/a
Transitional Housing	C	C	n/a
Commercial Uses			
Animal Care and Services			
Animal Hospital	P	P	n/a
Kennel/Cattery	M	M	See Beaumont Municipal Code Chapter 6.16 (Kennels, Catteries, and Animal Rescue Facilities)
Pet Day Care	P	P	n/a
Veterinary Clinic	P	P	n/a
Banks and Financial Institutions			
Banks and Financial Services	P	P	n/a
Pawnbroker	M	M	n/a
Commercial Day Care Facility	P	P	n/a
Drive-Through Facility ³	C	C	See Section 17.C.10.080 (Drive-Through Facilities)
Entertainment and Recreation, Commercial			
Entertainment, Indoors	P	P	n/a
Entertainment, Outdoors	C	C	n/a

Division B: Zone Regulations

Table 17.B.06.020-A: Commercial Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-” = Not Allowed

Use	C-C	C-N	Additional Regulations
Sports and Recreation, Indoors	P	P	n/a
Sports and Recreation, Outdoors	C	C	n/a
Funeral Home, Mortuary	C	C	n/a
Hospital	P	P	n/a
Instructional Services			
Group	P	P	n/a
Private	P	P	n/a
Lodging Uses			
Bed and Breakfast Establishment	P	P	n/a
Hotel	P	P	n/a
Motel	P	P	n/a
Maintenance and Repair Services	P	P	n/a
Medical Support Laboratory	P	P	n/a
Offices			
Business and Professional	P	P	n/a
Communication Offices/Studio	M	M	n/a
Medical Office/Clinic	P	P	n/a
Retail			
Convenience Store	P	P	n/a
General Retail	P	P	n/a
Grocery Store, Large	P	P	n/a
Grocery Store, Small	P	P	n/a
Large Format Retail	P	P	n/a
Liquor Stores	C ^{4, 5}	C ^{4, 5}	n/a

Table 17.B.06.020-A: Commercial Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-” = Not Allowed

Use	C-C	C-N	Additional Regulations
Smoke Shop	C ^{4, 5}	C ^{4, 5}	n/a
Services			
General Services, Small	P	P	n/a
Massage Establishment	M	M	See Beaumont Municipal Code Chapter 5.44 (Massage Establishments)
Personal Services	P	P	n/a
Alcohol-Serving and Restaurant Uses			
Bars or Cocktail Lounge	M ⁴	M ⁴	See Section 17.C.10.050 (Alcohol-Serving and Restaurant Uses)
Brewery, Winery, or Distillery	M ⁴	C ⁴	
Restaurants			
Full Service	P	P	See Section 17.C.10.050 (Alcohol-Serving and Restaurant Uses)
Limited Service	P	P	
Vehicle-Related Uses			
Automobile/Vehicle Washing	M	M	n/a
Fleet-based Service	M	C	n/a
Gas/Service Station	C	C	See Section 17.C.10.120 (Gas/Service Stations)
Parking Lot ⁶	M	C	n/a
Parking Structure ⁶	M	C	n/a
Tire Store and Tire Repair	P	-	See Section 17.C.10.240 (Tire Store and Tire Repair)
Vehicle Rental	P	C	n/a
Vehicle Repair and Maintenance			
Major	-	-	n/a
Minor	P	C	n/a
Vehicle Sales and Leasing	P	C	n/a
Vehicle Storage	P	C	See Section 17.C.10.070 (Construction Yard and Equipment Rental, and Vehicle Storage)

Table 17.B.06.020-A: Commercial Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required | “-” = Not Allowed

Use	C-C	C-N	Additional Regulations
Manufacturing and Industrial Uses			
Custom and Artisan Manufacturing	M	M	n/a
Industry, Light	C	C	n/a
Recycling Processing and Collection Facility			
Collection Facilities	C	C	n/a
Processing Facilities	C	C	n/a
Agricultural Uses			
Animal Keeping (Commercial Use)	C	C	See Section 17.C.10.060 (Animal Keeping)
Animal Keeping (Secondary Use)	C	C	
Public, Institutional, and Utility Uses			
Cemeteries	C	C	n/a
Community Assembly			
Major	P	M	n/a
Minor	P	P	n/a
Community Garden	P	P	n/a
Educational Institutions			
College or University	C	C	n/a
School, Public or Private	C	C	n/a
Vocational and Trade School	C	C	n/a
Park	P	P	n/a
Public Safety Facility	P	P	n/a
Wireless Telecommunication Facility	See Section 17.C.10.270 (Wireless Telecommunication Facilities)		
Other			
Accessory Use	P	P	n/a
Farmers' Market	P	P	See Section 17.C.10.110 (Farmers' Markets)

Table 17.B.06.020-A: Commercial Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-” = Not Allowed

Use	C-C	C-N	Additional Regulations
Temporary Use	See Section 17.C.10.230 (Temporary Uses and Structures)		

Table Notes:

¹ Only allowed for properties on 6th Street.

² State-licensed facilities require a Conditional Use Permit.

³ New fast food restaurants shall not be located within 1,000 feet of another fast food restaurant.

⁴ These uses shall not be located on any parcel which is located within 1,000 feet of any school providing instruction in 12th grade or below, day care center, or youth center.

⁵ These uses shall not be located within 1,000 ft of another of the same use.

⁶ Applies to parking lots or structures that are primary uses, as defined in Division 17.E (Definitions).

17.B.06.030 Commercial Zones Development Standards

Table 17.B.06.030-A (Commercial Zones Development Standards) establishes the development standards for commercial zones.

Table 17.B.06.030-A: Commercial Zones Development Standards

ft = feet | sf = square feet | du = dwelling unit | ac = acres | n/a = not applicable

Standard	C-N	C-C
Lot Area, min	10,000 sf	
Lot Width, min (ft)	100	
Lot Depth, min (ft)	100	
Density (du/gross ac)	n/a	n/a
Floor Area Ratio, max	1.0	0.75
Setbacks, min		
Front	25 ft; if parking in front of business: 50 ft	
Interior side	Abutting commercial or industrial zones, min: 0 ft Abutting residential zones, min: 20 ft, plus 2 ft for each 1 ft when building height is greater than 35 ft	
Street side		
Rear		
Additional setbacks	0 ft where property lines adjoin the R-C Zone	
Height, max	50 ft	

Table 17.B.06.030-A: Commercial Zones Development Standards

ft = feet | sf = square feet | du = dwelling unit | ac = acres | n/a = not applicable

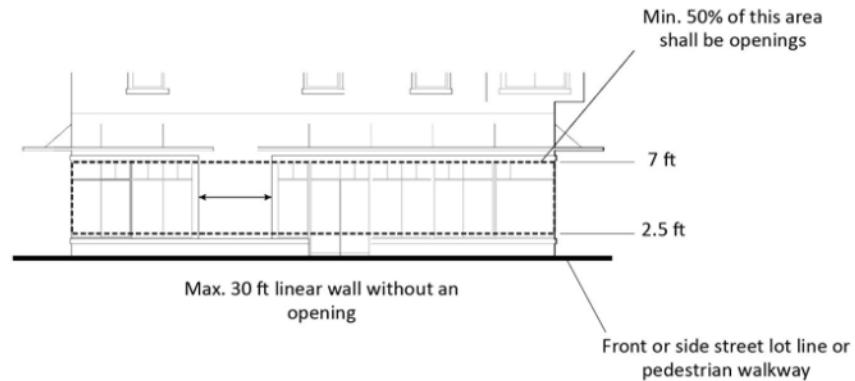
Standard	C-N	C-C
Lot Coverage, max	50%	
Open Space, min		
Usable open space, common	Multi-family developments ≥ 20 units: 200 sf per unit ¹	n/a
Usable open space, private	Multi-family developments < 20 units: 100 sf per unit ¹ Multi-family developments ≥ 20 units: 200 sf per unit ¹	n/a

Table Notes:¹ See Section 17.C.02.090 (Open Space, Usable).**17.B.06.040 Commercial Zones Supplemental Standards**

- A. **Pedestrian Circulation and Access.** On-site pedestrian circulation and access shall be provided in accordance with Section 17.C.02.110 (Pedestrian Circulation and Access).
- B. **Limitations on Location of Parking.** Above ground parking shall not be located within 40 feet of a street facing property line unless the Director makes the following findings:
1. The site is small and/or constrained such that underground parking or surface parking located more than 40 feet from the street is not feasible; or
 2. The design incorporates habitable space built close to the public sidewalk; and
 3. The parking area located within 40 feet of the street is landscaped along the street with a hedge, trellis, and/or landscaping consistent with Chapter 17.C.04 (Landscaping).
- C. **Building Transparency/Required Openings.** Exterior walls facing and within 20 feet of a front or street side property line shall include windows, doors, or other openings for at least 50 percent of the building wall area located between 2.5 and 7 feet above the level of the sidewalk. Such walls may run in a continuous plane for no more than 30 feet without an opening.
1. **Design of Openings.** Openings fulfilling this requirement shall have transparent glazing and provide views into display areas, sales areas, work areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.
 2. **Exceptions.** The following are exempt from this requirement:
 - a. Residential uses; and
 - b. Multi-level garages.
 3. **Reductions.** This requirement may be reduced or waived if the Director makes the following findings:
 - a. The proposed use has unique operational characteristics with which providing the required transparency and openings is incompatible; and

- b. Street-facing building walls will exhibit architectural relief and detail and will be enhanced with landscaping to create visual interest at the pedestrian level.

**FIGURE 17.B.06.040-1: BUILDING TRANSPARENCY/REQUIRED OPENINGS
COMMERCIAL ZONES**



- D. **Building Orientation.** Building frontages shall be generally parallel to streets and pedestrian walkways.
- E. **Building Entrances.** The primary building entrance shall face a public sidewalk. Buildings located in the interior of a site shall have the primary entrance face a pedestrian walkway that is connected to a public sidewalk.
- F. **Wall Plane Modulation.** All street-facing façades shall have at least one horizontal or vertical projection or recess at least two feet in depth, for every 50 horizontal feet of wall.
- G. **Public Open Space Requirement.** Developments with 50,000 square feet or more of nonresidential floor area on sites of five acres or larger shall provide open space consistent with the following:
1. Forty square feet of open space shall be provided for every 1,000 square feet of nonresidential floor area for the first 100,000 square feet of nonresidential floor area, plus 20 square feet of open space for every 1,000 square feet of nonresidential floor area over 100,000 square feet.
 2. Such open space shall be visible and accessible from a public street, or from on-site areas normally frequented by customers and shall be accessible during business hours. Areas within required setbacks may count towards the open space requirement.
 3. Such open space shall have a minimum dimension of 40 feet in width and depth.
 4. Amenities shall be included that enhance the comfort, aesthetics, or usability of the space, including trees, landscaping, shade structures, seating (e.g., fixed seating, planter ledges, etc.), lighting, drinking fountains, public art, or performance areas.
 5. The surface of the open space shall allow for convenient outdoor activity, recreation, and/or gathering. Such surface may be plant or hardscape material, or a combination thereof.

Chapter 17.B.08 Mixed-Use Zones and Standards

Sections:

17.B.08.010	Purpose.....	17.B-20
17.B.08.020	Mixed-Use Zones Use Regulations	17.B-20
17.B.08.030	Mixed-Use Zones Development Standards	17.B-24
17.B.08.040	Mixed-Use Zones Supplemental Standards	17.B-25

17.B.08.010 Purpose

The Urban Village (UV) Zone applies to a specific area situated between Interstate 10 and State Route 60 Freeway corridors. Within this area, a variety of specialized land uses that capitalize on the area's unique location are contemplated. These uses include a regional commercial center, higher density residential development, educational uses, and abundant open space and recreational amenities. The allowed uses and development standards are intended to be conducive to a compact, mixed use, and walkable environment.

17.B.08.020 Mixed-Use Zones Use Regulations

Table 17.B.08.020-A (Mixed-Use Zones Use Regulations) sets the land use regulations for mixed-use zones. Land uses are defined in Chapter 17.E.04 (Definition of Uses). In cases where a land use is not listed in the table, the Director shall make a determination regarding similar use consistent with Subsection 17.A.04.020.G (Determination of a Similar Use). Land uses not listed in the table and not substantially like the uses below are prohibited.

Table 17.B.08.020-A: Mixed-Use Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required | “-” = Not Allowed

Use	UV	Additional Regulations
Residential Uses		
Accessory Dwelling Unit	P	See Section 17.C.10.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units)
Boarding or Rooming House	P	n/a
Caretaker's Unit	P	n/a
Day Care Center		
Small	P	n/a
Large	P	n/a
Duplex	P	n/a

Table 17.B.08.020-A: Mixed-Use Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
 “-” = Not Allowed

Use	UV	Additional Regulations
Elderly and Long-Term Care	P	n/a
Home Occupation	P	See Section 17.C.10.130 (Home Occupations)
Live-Work Unit	P	See Section 17.C.10.140 (Live-Work Units)
Low Barrier Navigation Center	P	n/a
Multi-Family Dwelling	P	See Section 17.C.10.180 (Multi-Family Dwellings)
Parolee/Probationer Home	C	See Section 17.C.10.190 (Parolee/Probationer Home)
Residential Care Facility		
Small	P	n/a
Large	P ¹	See Section 17.C.10.200 (Residential Care Facilities)
Single-Family Dwelling	P	See Section 17.C.10.210 (Single-Family Dwellings)
Supportive Housing	P	n/a
Transitional Housing	P	n/a
Commercial Uses		
Animal Care and Services		
Animal Hospital	P	n/a
Kennel/Cattery	C	See Beaumont Municipal Code Chapter 6.16 (Kennels, Catteries, and Animal Rescue Facilities)
Pet Day Care	P	n/a
Veterinary Clinic	P	n/a
Banks and Financial Institutions		
Banks and Financial Services	P	n/a
Commercial Day Care Facility	P	n/a
Drive-Through Facility ²	M	See Section 17.C.10.080 (Drive-Through Facilities)
Entertainment and Recreation, Commercial		
Entertainment, Indoors	M	n/a

Division B: Zone Regulations

Table 17.B.08.020-A: Mixed-Use Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-“ = Not Allowed

Use	UV	Additional Regulations
Entertainment, Outdoors	M	n/a
Sports and Recreation, Indoors	M	n/a
Sports and Recreation, Outdoors	M	n/a
Funeral Home, Mortuary	C	n/a
Hospital	C	n/a
Instructional Services		
Group	P	n/a
Private	P	n/a
Lodging Uses		
Bed and Breakfast Establishment	P	n/a
Hotel	P	n/a
Motel	P	n/a
Medical Support Laboratory	P	n/a
Offices		
Business and Professional	P	n/a
Communication Offices/Studio	M	n/a
Medical Office/Clinic	P	n/a
Retail		
Convenience Store	P	n/a
General Retail	P	n/a
Grocery Stores, Large	P	n/a
Grocery Stores, Small	P	n/a
Large Format Retail	P	n/a
Liquor Store	C ^{3, 4}	n/a
Smoke Shop	C	n/a

Table 17.B.08.020-A: Mixed-Use Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
 “-” = Not Allowed

Use	UV	Additional Regulations
Services		
General Services, Small	P	n/a
Massage Establishment	C	See Beaumont Municipal Code Chapter 5.44 (Massage Establishments)
Personal Services	P	n/a
Alcohol-Serving and Restaurant Uses		
Bars or Cocktail Lounge	C ³	See Section 17.C.10.050 (Alcohol-Serving and Restaurant Uses)
Brewery, Winery, or Distillery	C ³	
Restaurants		
Full Service	P	See Section 17.C.10.050 (Alcohol-Serving and Restaurant Uses)
Limited Service	P	
Vehicle-Related Uses		
Automobile/Vehicle Washing	C	n/a
Fleet-based Service	M	n/a
Gas/Service Station	C	See Section 17.C.10.120 (Gas/Service Stations)
Vehicle Rental	C	n/a
Vehicle Sales and Leasing	C	n/a
Agricultural Uses		
Animal Keeping (Commercial Use)	C	See Section 17.C.10.060 (Animal Keeping)
Animal Keeping (Secondary Use)	C	
Public, Institutional, and Utility Uses		
Community Assembly		
Major	P	n/a
Minor	P	n/a
Community Garden	P	n/a

Table 17.B.08.020-A: Mixed-Use Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-“ = Not Allowed

Use	UV	Additional Regulations
Community Recreation Center	P	n/a
Cultural Facility	P	n/a
Educational Institutions		
College or University	C	n/a
School, Public or Private	C	n/a
Vocational and Trade School	C	n/a
Parks	P	n/a
Public Safety Facility	P	n/a
Wireless Telecommunication Facility	See Section 17.C.10.270 (Wireless Telecommunication Facilities)	
Other		
Accessory Use	P	n/a
Farmers' Market	P	See Section 17.C.10.110 (Farmers' Markets)
Temporary Use	See Section 17.C.10.230 (Temporary Uses and Structures)	

Table Notes:

¹ State-licensed facilities require a Conditional Use Permit.

² New fast food restaurants shall not be located within 1,000 feet of another fast food restaurant.

³ These uses shall not be located on any parcel which is located within 1,000 ft of any school providing instruction in twelfth grade or below, day care center, or youth center.

⁴ New liquor stores shall not be located within 1,000 ft of another liquor store.

17.B.08.030 Mixed-Use Zones Development Standards

Table 17.B.08.030-A (Mixed-Use Zones Development Standards) establishes the development standards for mixed-use zones.

Table 17.B.08.030-A: Mixed-Use Zones Development Standards

ft = feet | sf = square feet | du = dwelling unit | ac = acres | n/a = not applicable

Standard	UV
Lot Area, min	10,000 sf ¹
Lot Width, min (ft)	80 ¹

Table 17.B.08.030-A: Mixed-Use Zones Development Standards

ft = feet | sf = square feet | du = dwelling unit | ac = acres | n/a = not applicable

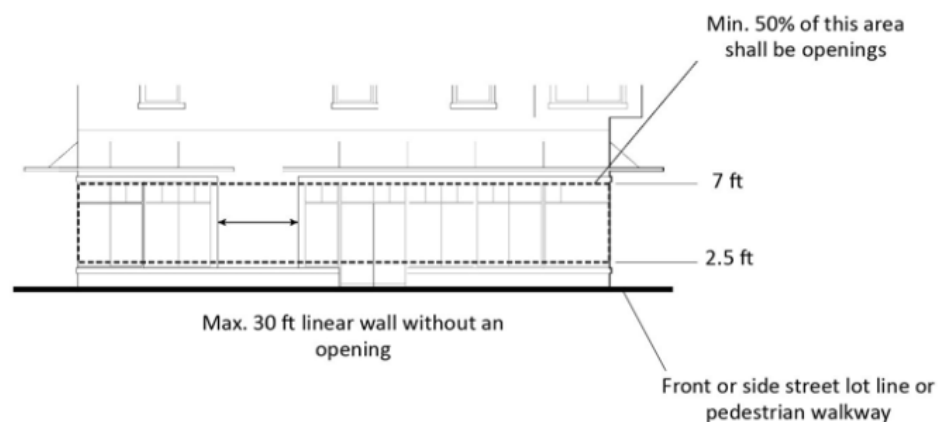
Standard	UV
Lot Depth, min (ft)	100 ¹
Density (du/gross ac)	Min: 12 Max: 24 ²
Floor Area Ratio, max	1.0 ³
Setbacks, min	
Front	Residential: 5 ft Commercial: 0 ft
Interior side	0 ft
Street side	
Rear	10 ft
Additional setbacks	20 ft where property lines adjoin the R-C Zone Residential setback from State Route 60 and Interstate 10: 500 ft
Height, max	50 ft
Open Space, min	
Usable open space, common	Multi-family developments ≥ 20 units: 200 sf per unit ⁴
Usable open space, private	Multi-family developments < 20 units: 100 sf per unit ⁴
	Multi-family developments ≥ 20 units: 200 sf per unit ⁴

Table Notes:¹ Smaller lot sizes may be approved consistent with Subsection 17.C.02.060.C (Small Lot Development).² No more than 21 acres in the UV Zone may be developed at density of less than 20 du/ac.³ Applies to nonresidential uses only.⁴ See Section 17.C.02.090 (Open Space, Usable).**17.B.08.040 Mixed-Use Zones Supplemental Standards**

- A. **Pedestrian Circulation and Access.** On-site pedestrian circulation and access shall be provided in accordance with Section 17.C.02.110 (Pedestrian Access and Circulation).
- B. **Building Transparency/Required Openings.** Exterior walls facing and within 20 feet of a front or street side property line shall include windows, doors, or other openings for at least 50 percent of the building wall area located between 2.5 and 7 feet above the level of the sidewalk. Such walls may run in a continuous plane for no more than 30 feet without an opening.
1. **Design of Openings.** Openings fulfilling this requirement shall have transparent glazing and provide views into display areas, sales areas, work areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.

2. **Exceptions.** The following are exempt from this requirement:
 - a. Residential uses; and
 - b. Multi-level garages.
3. **Reductions.** This requirement may be reduced or waived if the Director makes the following findings:
 - a. The proposed use has unique operational characteristics with which providing the required transparency and openings is incompatible; and
 - b. Street-facing building walls will exhibit architectural relief and detail and will be enhanced with landscaping to create visual interest at the pedestrian level.

**FIGURE 17.B.08.040-1: BUILDING TRANSPARENCY/REQUIRED OPENINGS
MIXED-USE ZONES**



- C. **Building Orientation.** Building frontages shall be generally parallel to streets and pedestrian walkways.
- D. **Building Entrances.** The primary building entrance shall face a public sidewalk. Buildings located in the interior of a site shall have the primary entrance face a pedestrian walkway that is connected to a public sidewalk.
- E. **Wall Plane Modulation.** All street-facing façades shall have at least one horizontal or vertical projection or recess at least two feet in width and depth, for every 50 horizontal feet of wall.
- F. **Public Open Space Requirement.** Developments with 50,000 square feet or more of nonresidential floor area on sites of five acres or larger shall provide open space consistent with the following:
 1. Forty square feet of open space shall be provided for every 1,000 square feet of nonresidential floor area for the first 100,000 square feet of nonresidential floor area, plus 20 square feet of open space for every 1,000 square feet of nonresidential floor area over 100,000 square feet.
 2. Such open space shall be visible and accessible from a public street, or from on-site areas normally frequented by customers and shall be accessible during business hours. Areas within required setbacks may count towards the open space requirement.
 3. Such open space shall have a minimum dimension of 40 feet in width and depth.

4. Amenities shall be included that enhance the comfort, aesthetics, or usability of the space, including trees, landscaping, shade structures, seating (e.g., fixed seating, planter ledges, etc.), lighting, drinking fountains, public art, or performance areas.
5. The surface of the open space shall allow for convenient outdoor activity, recreation, and/or gathering. Such surface may be plant or hardscape material, or a combination thereof.

Chapter 17.B.10 Downtown Zones and Standards

Sections:

17.B.10.010	Purpose.....	17.B-28
17.B.10.020	Downtown Zones Use Regulations.....	17.B-29
17.B.10.030	Downtown Zones Development Standards	17.B-34
17.B.10.040	Downtown Zones Supplemental Standards	17.B-36

17.B.10.010 Purpose

- A. **Downtown Mixed Use (DMU) Zone.** The Downtown Mixed Use (DMU) Zone is intended to provide for a rich and diverse mixture of office, retail, commercial, civic, entertainment, and cultural activities in a lively, thriving, high-quality pedestrian environment which incorporates mixed-use development. Active and retail uses are required along Sixth Street (between California and Palm Avenues) and Beaumont Avenue (between 5th and 8th Street) street frontages to create a walkable, pedestrian-oriented, and vibrant environment. This Zone is also intended to allow for residential uses on the upper floors (residential uses are not allowed on the first floor along Sixth Street and Beaumont Avenue to ensure that the downtown character is maintained).
- B. **Beaumont Mixed Use (BMU) Zone.** The Beaumont Mixed Use (BMU) Zone is intended to facilitate Beaumont Avenue corridor's transition to a mixed-use district with a mix of professional offices, limited commercial uses and residential uses that are compatible with the abutting single-family residences to the east and west. Development is intended to be less intense than the DMU Zone in keeping with the scale of surrounding development.
- C. **Sixth Street Mixed Use (SSMU) Zone.** The Sixth Street Mixed Use (SSMU) Zone is intended to provide for commercial and multi-family residential uses along Sixth Street, east of Palm Avenue either as stand alone or in a mixed use setting. The allowed uses and development standards are intended to be conducive to a compact, mixed use, and walkable environment and supportive of the downtown retail environment west of Palm Avenue.
- D. **Sixth Street Mixed Use – Residential (SSMU-R) Zone.** The Sixth Street Mixed Use - Residential (SSMU-R) Zone is intended to provide for multi-family residential and commercial uses along the north side of Sixth Street, east of Palm Avenue. The allowed uses and development standards are intended to be conducive to a compact, mixed use, and walkable environment and supportive of the downtown retail environment west of Palm Avenue.
- E. **Local Commercial (LC) Zone.** The Local Commercial (LC) Zone is intended to allow development that provides for a range of commercial services and retail land uses that are in proximity to residential neighborhoods consistent with the General Plan.
- F. **Downtown Residential Multi-Family (DMF) Zone.** The Downtown Residential Multi-Family (DMF) Zone is intended to encourage walkable, transit ready residential development in proximity to downtown, and to facilitate further development of this land use type. This includes higher density housing that includes condominiums, townhomes, duplexes, patio apartments, senior housing, and supporting ancillary facilities.

17.B.10.020 Downtown Zones Use Regulations

Table 17.B.10.020-A (Downtown Zones Use Regulations) sets the land use regulations for downtown zones. Land uses are defined in Chapter 17.E.04 (Definition of Uses). In cases where a land use is not listed in the table, the Director shall make a determination regarding similar use consistent with Subsection 17.A.04.020.G (Determination of a Similar Use). Land uses not listed in the table and not substantially like the uses below are prohibited.

Table 17.B.10.020-A: Downtown Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required | “-” = Not Allowed

Use	DMU	BMU	SSMU	SSMU-R	LC	DMF	Additional Regulations
Residential Uses							
Accessory Dwelling Unit	P	P	P	P	P	P	See Section 17.C.10.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units)
Boarding or Rooming House	C	-	C	C	-	C	n/a
Caretaker's Unit	P	P	P	P	P	P	n/a
Day Care Center							
Small	P ¹	P	P	P	-	P	n/a
Large	P ¹	P	P	P	-	P	n/a
Duplex	P ¹	P	P	P	-	P	n/a
Elderly and Long-Term Care	P ¹	-	P	P	-	P	n/a
Emergency Shelter	-	-	C	C	P	-	See Section 17.C.10.090 (Emergency Shelters)
Home Occupation	P	P	P	P	-	P	See Section 17.C.10.130 (Home Occupations)
Live-Work Unit	P	P	P	P	-	P	See Section 17.C.10.140 (Live-Work Units)
Low Barrier Navigation Center	P	P	P	P	-	P	n/a
Mobilehome Park	-	-	-	-	C	-	See Section 17.C.10.170 (Mobilehome Parks)

Table 17.B.10.020-A: Downtown Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
 “-” = Not Allowed

Use	DMU	BMU	SSMU	SSMU-R	LC	DMF	Additional Regulations
Multi-Family Dwelling	P ¹	-	P	P	-	P	See Section 17.C.10.180 (Multi-Family Dwellings)
Parolee/Probationer Home	C	C	C	C	C	C	See Section 17.C.10.190 (Parolee/ Probationer Home)
Residential Care Facility							
Small	P ¹	P	P	P	-	P	n/a
Large	P ^{1,2}	P ²	P ²	P ²	-	P ²	See Section 17.C.10.200 (Residential Care Facilities)
Single-Family Dwelling	-	P	-	-	-	-	See Section 17.C.10.210 (Single-Family Dwellings)
Single-Room Occupancy (SRO) Residence	P ¹	C	P	P	-	-	See Section 17.C.10.220 (Single-Room Occupancy Residences)
Supportive Housing	P ¹	P	P	P	C	P	n/a
Transitional Housing	P ¹	P	P	P	C	P	n/a
Commercial Uses							
Animal Care and Services							
Animal Hospital	P ^{3,4}	-	P	P	P	-	n/a
Pet Day Care	P	P	P	P	P	P	n/a
Veterinary Clinic	P ³	-	P	P	P	-	n/a
Banks and Financial Institutions							
Banks and Financial Services	P	P ⁵	P	P	P	-	n/a
Pawnbroker	M	M ⁵	M	M	P	M	n/a
Commercial Day Care Facility	-	P	P	P	M	-	n/a

Table 17.B.10.020-A: Downtown Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
 “-” = Not Allowed

Use	DMU	BMU	SSMU	SSMU-R	LC	DMF	Additional Regulations
Drive-Through Facility ⁶	-	-	C	C	P	-	See Section 17.C.10.080 (Drive-Through Facilities)
Entertainment and Recreation, Commercial							
Entertainment, Indoors	M	M	M	M	M	M	n/a
Entertainment, Outdoors	C	C	C	C	C	C	n/a
Sports and Recreation, Indoors	M ^{3,4}	M ⁵	M ⁶	M ⁴	M	M	n/a
Sports and Recreation, Outdoors	C ³	C ⁵	C	C	C	C	n/a
Funeral Home, Mortuary	C ³	-	-	C	C	-	n/a
Instructional Services							
Group	P	P	P	P	P	P	n/a
Private	P	P	P	P	P	P	n/a
Lodging Uses							
Bed and Breakfast Establishment	P ¹	M	M	M	P	M	n/a
Hotel	P ¹	-	P	P	P	-	n/a
Motel	-	-	-	-	P	-	n/a
Maintenance and Repair Services	-	-	M	M	P	-	n/a
Medical Support Laboratory	P	P	P	P	P	-	n/a
Offices							
Business and Professional	P ¹	P	P	P	P	-	n/a
Communication Offices/Studio	-	-	M	-	M	-	n/a
Medical Office/Clinic	P ¹	P	P	P	P	-	n/a
Retail							
Convenience Store	P	P ⁵	P	P	P	-	n/a
General Retail	P ^{3,4}	P ⁵	P ⁷	P ⁷	P	-	n/a

Table 17.B.10.020-A: Downtown Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-” = Not Allowed

Use	DMU	BMU	SSMU	SSMU-R	LC	DMF	Additional Regulations
Grocery Stores, Large	M	C	M	M	P	-	n/a
Grocery Stores, Small	P	P ⁵	P	P	P	-	n/a
Large Format Retail	C	-	C	C	P	-	n/a
Liquor Store	C ^{8,9}	C ^{8,9}	C ^{8,9}	C ^{8,9}	C ^{8,9}	-	n/a
Smoke Shop	C	C ⁵	C	C	C	-	n/a
Services							
General Services, Small	P ⁷	P ⁷	P ⁷	P ⁷	P	-	n/a
Massage Establishment	P ¹	P	P	P	P	-	See Beaumont Municipal Code Chapter 5.44 (Massage Establishments)
Personal Services	P	P	P	P	P	-	n/a
Alcohol-Serving and Restaurant Uses							
Bars or Cocktail Lounges	C ⁸	-	C ⁸	C ⁸	C ⁸	-	See Section 17.C.10.050 (Alcohol-Serving and Restaurant Uses)
Brewery, Winery, or Distillery	C ⁸	C ⁸	C ⁸	C ⁸	C ⁸	-	
Restaurants							
Full Service	P	M	P	P	P	-	See Section 17.C.10.050 (Alcohol-Serving and Restaurant Uses)
Limited Service	P	P	P	P	P	-	
Vehicle-Related Uses							
Automobile/Vehicle Washing	-	-	C	-	M	-	n/a
Fleet-based Service	-	-	C	-	M	-	n/a
Gas/Service Station	-	-	C	C	C	-	See Section 17.C.10.120 (Gas/Service Stations)
Parking Lot ¹⁰	C	C	C	C	C	-	n/a
Parking Structure ¹⁰	C	C	C	C	C	-	n/a

Table 17.B.10.020-A: Downtown Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
 “-” = Not Allowed

Use	DMU	BMU	SSMU	SSMU-R	LC	DMF	Additional Regulations
Tire Store and Tire Repair	-	-	-	-	P	-	See Section 17.C.10.240 (Tire Store and Tire Repair)
Vehicle Rental	-	-	P	C	P	-	n/a
Vehicle Repair and Maintenance							
Major	-	-	-	-	-	-	n/a
Minor	-	-	C	-	C	-	n/a
Vehicle Sales and Leasing	-	-	P	C	P	-	n/a
Manufacturing and Industrial Uses							
Custom and Artisan Manufacturing	C	M	M	M	M	-	n/a
Recycling Processing and Collection Facility							
Collection Facilities	-	-	-	-	C	-	n/a
Processing Facilities	-	-	-	-	C	-	n/a
Public, Institutional, and Utility Uses							
Community Assembly							
Major	M	C	P	M	M	-	n/a
Minor	P	C	P	P	M	C	n/a
Community Recreation Center	P	C	P	P	P	P	n/a
Cultural Facility	P	C	P	P	P	-	n/a
Educational Institutions							
College or University	P ³	-	P ¹	-	P	-	n/a
School, Public or Private	C ³	C	P	C	C	C	n/a
Vocational and Trade School	P ^{1, 6}	C ^{1, 5}	P	-	P	-	n/a
Park	P	P	P	P	P	P	n/a
Public Safety Facility	P	P	P	P	P	P	n/a

Table 17.B.10.020-A: Downtown Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-” = Not Allowed

Use	DMU	BMU	SSMU	SSMU-R	LC	DMF	Additional Regulations
Wireless Telecommunication Facility	See Section 17.C.10.270 (Wireless Telecommunication Facilities)						
Other							
Accessory Use	P	P	P	P	P	P	n/a
Farmers' Market	P	P	P	P	P	-	See Section 17.C.10.110 (Farmers’ Markets)
Temporary Use	See Section 17.C.10.230 (Temporary Uses)						

Table Notes:

¹ Use is allowed only on upper floor locations on parcels fronting 6th Street and Beaumont Avenue. Limited lobby or entry areas are allowed on the ground floor.

² State-licensed facilities require a Conditional Use Permit.

³ Use is not allowed on parcels fronting 6th Street and Beaumont Avenue unless approved by the Planning Commission through the CUP process.

⁴ Use is limited to 10,000 sf unless approved by the Planning Commission through the CUP process.

⁵ Use is limited to 2,500 sf unless approved by the Planning Commission through the CUP process.

⁶ New fast-food restaurants should not be located within 1,000 ft of another fast food restaurant.

⁷ Use is limited to 5,000 sf unless approved by the Planning Commission through the CUP process.

⁸ These uses shall not be located on any parcel which is located within 1,000 ft of any school providing instruction in 12th grade or below, day care center, or youth center.

⁹ New liquor stores shall not be located within 1,000 ft of another liquor store.

¹⁰ Applies to parking lots or structures that are primary uses, as defined in Division 17.E (Definitions).

17.B.10.030 Downtown Zones Development Standards

Table 17.B.10.030-A (Downtown Zones Development Standards) establishes the development standards for downtown zones.

Table 17.B.10.030-A: Downtown Zones Development Standards

ft = feet | sf = square feet | du = dwelling unit | ac = acres | n/a = not applicable

Standard	DMU	BMU	SSMU	SSMU-R	LC	DMF
Lot Area, min (sf)	n/a	n/a	10,000 ¹			6,000 ¹
Lot Width, min (ft)	n/a	n/a	80 ¹		100 ¹	60 ¹

Table 17.B.10.030-A: Downtown Zones Development Standards

ft = feet sf = square feet du = dwelling unit ac = acres n/a = not applicable						
Standard	DMU	BMU	SSMU	SSMU-R	LC	DMF
Lot Depth, min (ft)	See Beaumont Municipal Code Section 16.12.080.C		100 ¹			100 ¹
Density (du/gross ac)	Max: 15	Max: 10	Max: 22		n/a	Max: 22
Floor Area Ratio, max	0.35 ³		0.5 ³		0.7	n/a
Setbacks						
Front	Commercial Uses: n/a Residential Uses, min: 0 ft Residential Uses, max: 5 ft Above-ground Parking, min: 40 ft ⁴	Min: 5 ft ⁵ Max: 20 ft ⁵	Min: 5 ft Max: 10 ft Above-ground Parking, min: 40 ft ⁴		Min: 5 ft Max: n/a	Min: 10 ft Max: 20 ft ²
Interior side	n/a ⁶	Min: 5 ft ⁶			n/a ⁶	Min: 5 ft ⁶
Street side	n/a	Min: 5 ft Max: n/a			n/a	Min: 10 ft Max: 20 ft ²
Rear	n/a ⁷	Min: 10 ft ⁷			n/a ⁷	Min: 15 ft ⁷
Additional setbacks	Residential setback from Interstate 10, min: 500 ft	n/a	Residential setback from Interstate 10, min: 500 ft	n/a	n/a	n/a
Height, max	45 ft and 3 stories	35 ft and 2 stories	60 ft and 4 stories			45 ft and 4 stories
Lot Coverage, max	n/a	n/a	n/a	n/a	50% ¹	n/a
Open Space, min						
Usable open space, public	See Section 17.B.10.040.C.9	n/a	n/a	n/a	See Section 17.B.10.040.C.9	n/a

Table 17.B.10.030-A: Downtown Zones Development Standards

ft = feet sf = square feet du = dwelling unit ac = acres n/a = not applicable						
Standard	DMU	BMU	SSMU	SSMU-R	LC	DMF
Usable open space, private	n/a					Multi-family developments < 20 units: 100 sf per unit Multi-family developments ≥ 20 units: 200 sf per unit ⁸

Table Notes:

¹ Smaller lots may be allowed consistent with Subsection 17.C.02.060.C (Small Lot Development).

² The maximum setback can be waived by Director under the following conditions:

- Common plazas, courtyards, or outdoor amenity areas are located between the street and the building(s);
- The building(s) incorporates an entrance design that creates a welcoming entry feature facing the street; or
- A larger area is required to preserve existing mature trees or natural features.

³ Applies to nonresidential uses only.

⁴ The above ground parking setback may be waived by the Director with the following two findings:

- The site is small and/or constrained such that underground parking or surface parking located more than 40 ft from the street is not feasible; and
- The parking area located within 40 ft of the street is landscaped along the street with a hedge, trellis, and/or landscaping consistent with Chapter 17.C.04 (Landscaping).

⁵ In no event shall a residence be situated in such a manner as to result in a distance of less than 20 feet between the back of a sidewalk and the face of a garage door.

⁶ A minimum setback of 15 feet must be provided when adjacent to a single-family residential use.

⁷ A minimum setback of 20 feet must be provided when adjacent to a single-family residential use.

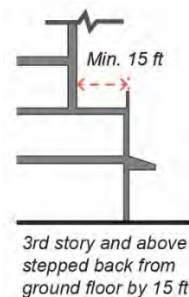
⁸ See Section 17.C.02.090 (Open Space, Usable).

17.B.10.040 Downtown Zones Supplemental Standards

A. Supplemental Standards Applicable to All Downtown Zones.

1. ***Setback from Single-Family Residential Uses.*** When adjacent to single-family residential uses, upper floors (i.e., the third floor and higher) must be stepped-back from the ground-floor street-facing building façade by a minimum of 15 feet.

FIGURE 17.B.10.040-1: STEP BACK FROM ADJACENT RESIDENTIAL USES



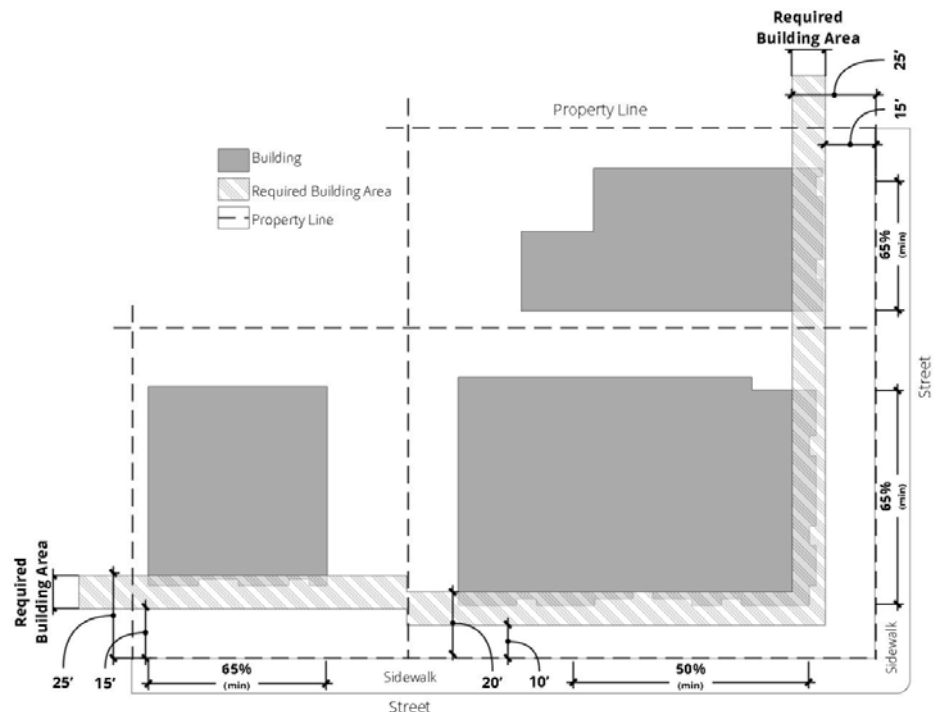
2. **Adjacency to Interstate 10.** The following standards apply within 500 feet of Interstate 10 as measured from its right-of-way:
 - a. Occupied open space areas (play areas, courtyards, patios, balconies, etc.) must be located as far from the freeway as possible.
 - b. Non-habitable uses, such as parking structures and building areas not calculated in floor area, should be located nearest to the freeway.
 - c. The project site must be screened with substantial vegetation and/or a wall barrier in addition to the requirements of Section 17.C.02.140 (Screening Standards) as approved by the Director.
 - d. Additional noise mitigation shall be provided for residential uses that are within 500 feet of Interstate 10 as approved by the Director.
3. **Pedestrian Circulation and Access.** On-site pedestrian circulation and access shall be provided in accordance with Section 17.C.02.110 (Pedestrian Access and Circulation).

B. DMF Zone Supplemental Standards.

1. Building Placement.

- a. Building façade(s) shall extend a minimum of 65 percent of the street frontage for the area between the minimum and maximum front setbacks. For example, if a lot is 100 feet wide, 65 linear feet of the lot parallel to the street must be occupied by a building(s) that adheres to the maximum setback requirement.
- b. In the area between the minimum and maximum street side setback, 50 percent of the linear distance parallel to the street shall be occupied by a building façade(s).

FIGURE 17.B.10.040-2: BUILDING PLACEMENT REQUIREMENTS, DMF ZONE



2. ***Off-Street Parking.***

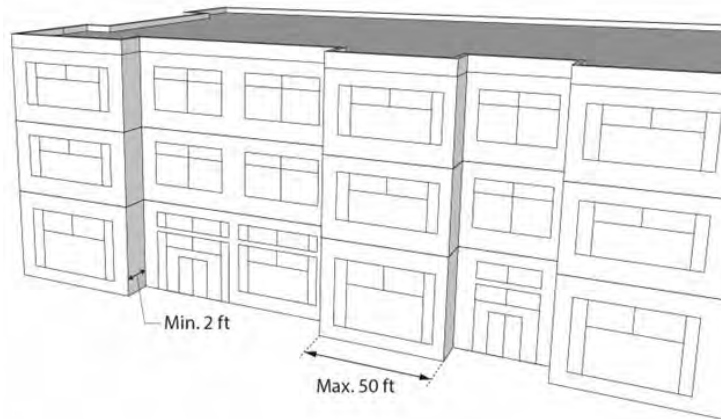
- a. Parking shall not be located in the front setback unless the Director makes the following findings:
 - (i) Buildings comply with the maximum front setback requirement;
 - (ii) The parking area located within the front setback is landscaped along the street with a hedge, trellis, and/or landscaping consistent with Chapter 17.C.04 (Landscaping); and
 - (iii) Requirements in Chapter 17.C.06 (Parking Requirements) are complied with.
- b. Automobile storage space shall be provided as indicated in Chapter 17.C.06 (Parking Requirements).

C. **BMU, DMU, SSMU, and SSMU-R Zones Supplemental Standards.** The standards below apply to all development in the BMU, DMU, SSMU, and SSMU-R zones.

1. ***Wall Plane Modulation.***

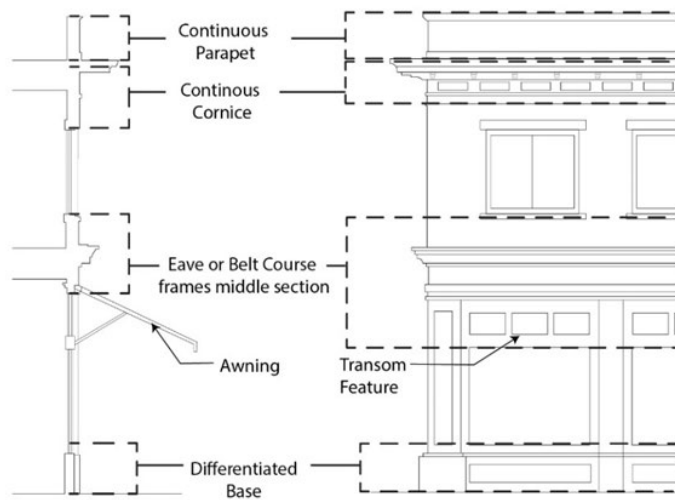
- a. All nonresidential street-facing façades must have at least one horizontal or vertical projection or recess at least two feet in width and depth, for every 50 horizontal feet of wall.

FIGURE 17.B.10.040-3: WALL PLANE MODULATION



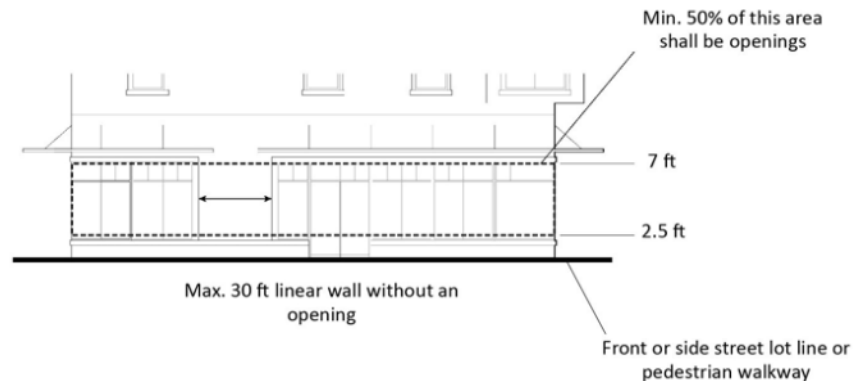
- b. Horizontal articulation must include a differentiated base, a roof cornice line or parapet, and an eave, awning, overhang, transom feature, belt course, or other architectural element that frames the middle section of the building.
- c. Buildings or portions of buildings over two stories must include articulation for the top story of the building. This may be accomplished through two or more of the following:
 - (i) Change in color;
 - (ii) Change in material;
 - (iii) Cornice/belt course at the bottom of the uppermost floor; and
 - (iv) Change in roof pitch, such as a gable, or an upper-story step-back.

FIGURE 17.B.10.040-4: BUILDING FAÇADE VISIBLE FROM PUBLIC STREET



2. **Ground Floor Height.**
 - a. Nonresidential ground level floor-to-ceiling height must be a minimum 11 feet.
 - b. Nonresidential ground floor height may not differ from the height of any adjacent nonresidential use by more than two feet or as approved by the Director.
3. **Building Transparency/Required Openings.** Exterior walls facing and within 20 feet of a front or street side property line shall include windows, doors, or other openings for at least 50 percent of the building wall area located between 2.5 and 7 feet above the level of the sidewalk. Such walls may run in a continuous plane for no more than 30 feet without an opening.
 - a. *Design of openings.* Openings fulfilling this requirement shall have transparent glazing and provide views into display areas, sales areas, work areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.
 - b. *Exceptions.* The following are exempt from this requirement:
 - (i) Residential uses; and
 - (ii) Multi-level garages.
 - c. *Reductions.* This requirement may be reduced to 40 percent if street-facing building walls exhibit architectural relief (articulated building base, columns/piers, transom) and are enhanced with landscaping at the pedestrian level.
 - d. *Reductions by Director.* This requirement may be further reduced or waived if the Director finds that the proposed use has unique operational characteristics with which providing the required transparency and openings is incompatible.

**FIGURE 17.B.10.040-5: BUILDING TRANSPARENCY/REQUIRED OPENINGS
EXHIBIT**



- e. *Enhancement on blank walls.* Blank walls that exceed eight horizontal feet at the ground level must include one or more of the following:
 - (i) A pattern of insets;
 - (ii) A building base of at least 2.5 feet in height and a cornice or other architectural features at the top of the ground level;
 - (iii) Landscaping that, at maturity, obscures a minimum 50 percent of the wall area; or
 - (iv) Landscaped metal trellises or lattices over a minimum 50 percent of the wall area.
4. **Building Orientation.** Building frontages shall be generally parallel to streets and pedestrian walkways.
5. **Building Entrances.**
 - a. *Orientation.* The primary building entrance shall face a public sidewalk. Buildings located in the interior of a site shall have the primary entrance facing a pedestrian walkway that is connected to a public sidewalk.
 - b. *Separation of residential and nonresidential entrances.* Entrances to residential units, either shared or common, must be a minimum 30 horizontal feet from commercial entrances. Live/work units are excluded from this standard.
6. **Corner Design.** Building design at intersections must exhibit signature architectural features at the corner. Features may include but are not limited to tower elements, wrap-around bay windows, or rounded or chamfered corners elements, or decorative parapets.
7. **360-Degree Design.** All buildings must be designed with “360-degree design” where each exterior wall is designed equivalent to the primary facade in the extent of building articulation, level of detail, and quality of exterior materials, and consistent with the color scheme of the primary facade. Details include but are not limited to window and door trim, window and door recesses, cornices, belt courses, columns/piers, posts/beams, brackets, columns/arches, and roof forms.

8. **Additions/remodels.** Notwithstanding the design standards of this Chapter, additions to and remodels of existing buildings, including porches, balconies and decks, must match the architectural design and detail of the existing building.
9. **Public Open Space Requirement.** Developments with 50,000 square feet or more of nonresidential floor area on sites of five acres or larger shall provide open space consistent with the following:
 - a. Forty square feet of open space shall be provided for every 1,000 square feet of nonresidential floor area for the first 100,000 square feet of nonresidential floor area, plus 20 square feet of open space for every 1,000 square feet of nonresidential floor area over 100,000 square feet.
 - b. Such open space shall be visible and accessible from a public street, or from on-site areas normally frequented by customers and shall be accessible during business hours. Areas within required setbacks may count towards the open space requirement.
 - c. Such open space shall have a minimum dimension of 40 feet in width and depth.
 - d. Amenities shall be included that enhance the comfort, aesthetics, or usability of the space, including trees, landscaping, shade structures, seating (e.g., fixed seating, planter ledges, etc.), lighting, drinking fountains, public art, or performance areas.
 - e. The surface of the open space shall allow for convenient outdoor activity, recreation, and/or gathering. Such surface may be plant or hardscape material, or a combination thereof.
10. **Parking Design.**
 - a. *Surface parking area design.* Surface parking areas must be separated from on-site buildings by a minimum distance of five feet that is either paved or landscaped.
 - b. *Garages.* Garage doors must be recessed a minimum of six inches from the face of the garage.
 - c. *Tandem parking.* Tandem parking may be allowed to satisfy the off-street parking requirement in accordance with the following.
 - (i) Tandem parking to meet required parking for multi-unit development must be located within an enclosed structure and the number of tandem parking spaces may not exceed 50 percent of the total number of spaces.
 - (ii) Tandem parking may not be used to satisfy the parking requirement for guest parking.
 - d. *Driveway width.* Driveways to shared garages may not exceed 35 feet in width.
 - e. *Parking visibility.* Visible structured parking must be screened from view from the right-of-way by landscaping or decorative screening, or a combination of architectural features and landscaping or living walls.

f. *Curb cut frequency.*

- (i) A maximum of one curb cut for driveway access may be permitted per street frontage per development project site, unless additional curb cuts are approved by the Director, Public Works Director and Public Safety or the Development Review Committee.
- (ii) On corner lots, curb cuts must be located on the street frontage with the least pedestrian activity whenever feasible.

D. **Local Commercial (LC) Zone Supplemental Standards.** The additional standards in Section 17.B.06.040 (Commercial Zones Supplemental Standards) apply to all projects in the LC Zone.

Chapter 17.B.12 Industrial Zones and Standards

Sections:

17.B.12.010	Purpose.....	17.B-43
17.B.12.020	Industrial Zones Use Regulations	17.B-43
17.B.12.030	Industrial Zones Development Standards	17.B-46
17.B.12.040	Industrial Zones Supplemental Standards.....	17.B-47

17.B.12.010 Purpose

The Manufacturing (M) Zone is intended to maintain the existing industrial and manufacturing uses and to promote the development of new business parks, light industrial use, research parks, manufacturing uses, warehousing activities, and ancillary and supportive uses.

17.B.12.020 Industrial Zones Use Regulations

Table 17.B.12.020-A (Industrial Zones Use Regulations) sets the land use regulations for industrial zones. Land uses are defined in Chapter 17.E.04 (Definition of Uses). In cases where a land use is not listed in the table, the Director shall make a determination regarding similar use consistent with Subsection 17.A.04.020.G (Determination of a Similar Use). Land uses not listed in the table and not substantially like the uses below are prohibited.

Table 18.B.12.020-A: Industrial Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required | “-” = Not Allowed

Use	M	Additional Regulations
Residential Uses		
Caretaker's Unit	M	n/a
Commercial Uses		
Adult-Oriented Business	C	See Section 17.C.10.040 (Adult-Oriented Businesses)
Animal Care and Services		
Animal Hospital	P	n/a
Kennel/Cattery	C	See Chapter 6.16 (Kennels, Catteries, and Animal Rescue Facilities)
Commercial Day Care Facility	C	n/a
Entertainment and Recreation, Commercial		
Entertainment, Indoors	M	n/a

Division B: Zone Regulations

Table 18.B.12.020-A: Industrial Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-“ = Not Allowed

Use	M	Additional Regulations
Entertainment, Outdoors	C	n/a
Sports and Recreation, Indoors	M	n/a
Sports and Recreation, Outdoors	C	n/a
Funeral Home, Mortuary	C	n/a
Lodging Uses		
Hotel	C	n/a
Motel	C	n/a
Maintenance and Repair Services	P	n/a
Offices		
Business and Professional	M	n/a
Communication Office/Studios	M	n/a
Medical Office/Clinic	M	n/a
Retail		
Convenience Store Market	P	n/a
Services		
General Services, Small	M	n/a
Alcohol-Serving and Restaurant Uses		
Bars or Cocktail Lounge	M ¹	See Section 17.C.10.050 (Alcohol-Serving and Restaurant Uses)
Brewery, Winery, or Distillery	M ¹	
Restaurants		
Full Service	M	See Section 17.C.10.050 (Alcohol-Serving and Restaurant Uses)
Limited Service	P	
Vehicle-Related Uses		
Automobile/Vehicle Washing	M	n/a
Commercial Fueling Facility	C	n/a

Table 18.B.12.020-A: Industrial Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
 “-” = Not Allowed

Use	M	Additional Regulations
Fleet-based Service	M	n/a
Gas/Service Stations	C	See Section 17.C.10.120 (Gas/Service Stations)
Tire Store and Tire Repair	P	See Section 17.C.10.240 (Tire Store and Tire Repair)
Vehicle Rental	C	n/a
Vehicle Repair and Maintenance		
Major	C	n/a
Minor	P	n/a
Vehicle Sales and Leasing	C	n/a
Vehicle Storage	P	See Section 17.C.10.070 (Construction Yard and Equipment Rental, and Vehicle Storage)
Manufacturing and Industrial Uses		
Advanced Manufacturing	P	n/a
Construction Yard and Equipment Rental	P	See Section 17.C.10.070 (Construction Yard and Equipment Rental, and Vehicle Storage)
Custom and Artisan Manufacturing	P	n/a
Food and Beverage Processing and Preparation	P	n/a
Industry, General	P	n/a
Industry, Heavy	M	n/a
Industry, Light	P	n/a
Research and Development	P	n/a
Salvage and Wrecking	P	n/a
Recycling Processing and Collection Facility		
Collection Facility	C	n/a
Processing Facility	C	n/a
Warehousing, Storage, and Distribution		
Mini-Storage or Self-Storage	P	n/a
Logistics Use	P	n/a

Table 18.B.12.020-A: Industrial Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-“ = Not Allowed

Use	M	Additional Regulations
Agricultural Uses		
Aviary	C	n/a
Animal Keeping (Commercial Use)	C	See Section 17.C.10.060 (Animal Keeping)
Animal Keeping (Secondary Use)	C	
Cultivated Agriculture	C	n/a
Public, Institutional, and Utility Uses		
Cemetery	C	n/a
Educational Institutions		
College or University	C	n/a
School, Public or Private	C	n/a
Vocational and Trade School	C	n/a
Energy Storage Facilities	P	See Section 17.C.10.100 (Energy Storage Facilities)
Public Safety Facility	P	n/a
Public Utility/Service Structures		
Public Utility Facility	P	n/a
Wind Energy Conversion System	See Section 17.C.10.260 (Wind Energy Conversion Systems)	
Wireless Telecommunication Facility	See Section 17.C.10.270 (Wireless Telecommunication Facilities)	
Other Uses		
Accessory Use	P	n/a
Temporary Use	See Section 17.C.10.230 (Temporary Uses)	

Table Notes:

¹ These uses shall not be located on any parcel which is located within 1,000 ft of any school providing instruction in twelfth grade or below, day care center, or youth center.

17.B.12.030 Industrial Zones Development Standards

Table 17.B.12.030-A (Industrial Zones Development Standards) establishes the development standards for industrial zones.

Table 17.B.12.030-A: Industrial Zones Development Standards

ft = feet | sf = square feet | du = dwelling unit | ac = acres | n/a = not applicable

Standard	M
Lot Area, min	n/a, except for parcels with structures: 10,000 sf
Lot Width, min (ft)	n/a
Lot Depth	See Beaumont Municipal Code Section 16.12.080.C
Density (du/gross ac)	n/a
Floor Area Ratio	Min: 0.25 Max: 0.75
Setbacks	
Front	Min: 25 ft If parking in front of building, min: 50 ft
Interior side	Abutting nonresidential zones, min: 0 ft Abutting residential zones, min: 20 ft, plus 2 for each 1 ft when building height is greater than 35 ft
Street side	
Rear	
Additional setbacks	Min: 20 ft where property lines adjoin the R-C Zone Min: 100 ft where an industrial use adjoins a residential use
Height, max	50 ft
Open Space, min	
Usable open space, public	n/a
Usable open space, common	See Section 17.B.12.040.D.2 (Open Space) and Section 17.B.12.040.E (Large Projects)

Table Notes:

None.

17.B.12.040 Industrial Zones Supplemental Standards**A. Building Entrances.**

1. All buildings shall be designed with a primary building entrance.
2. The primary building entrance must incorporate a projection, recess, or combination of projection and recess at least 40 square feet in area and with a minimum depth of five feet.
3. At least one building entrance must be provided along the primary street frontage.

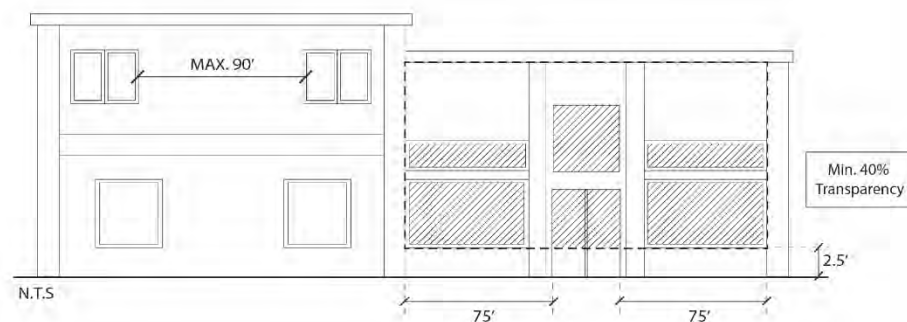
B. Building Orientation and Placement.

1. Buildings shall include articulated frontage design and transparent frontages along a minimum of 50 feet on both sides of the building that defines a corner.
2. Office and administration buildings associated with a redevelopment or reuse of an existing industrial building shall be placed at the corner of a building at the intersection of two public streets for corner lots. The building corner shall include a prominent, vertical structural element (e.g., a tower) that projects no more than 15 feet above the maximum allowable height of the building and that occupies a maximum of five percent of the building roof area. In addition, raised parapets with enhanced decorative treatment such as cornices or crenellations are permitted, not to exceed six feet above the maximum allowable height of the building.
3. The primary entrance to an office or administration building must face the corner or an adjacent public street.
4. Equipment, electrical, and service rooms shall be placed within the footprint of the building (i.e., inside the building) or screened so that they are not visible from the public right-of-way.

C. Façade Design and Articulation.

1. Facades within 30 feet of a front or street side property line shall include windows, doors, other openings, or glazed areas for at least 40 percent of the building wall area located between 2.5 feet above the level of the sidewalk and the underside of the roof structure for portions of the façade within 75 feet of the street-facing main entry.
2. No street-facing façade may run in a continuous plane for more than 90 feet without a window, door, or other opening.

FIGURE 17.B.12.040-1: FAÇADE DESIGN AND TRANSPARENCY



3. All building facades must incorporate window trim and/or window recesses, architectural features, changes in material, changes in texture, or similar design elements that add visual interest to the facade. This includes a varied palette of materials, textures, and colors that emphasize details and changes in plane.

D. Site Design and Aesthetics.

1. **Aesthetics.** Site elements such as buildings, parking areas, driveways, sidewalks, and outdoor recreational spaces must be arranged to emphasize the aesthetically pleasing components of the site (e.g., landscaping and the superior architectural design of office building elements) and to screen less attractive elements (e.g., service facilities, loading

docks, outdoor storage, equipment areas, and refuse enclosures) through the placement and design of buildings, screen walls, and landscaping.

2. **Open Space.**

- a. An outdoor seating/break area is required for the proposed office area of a building.
- b. On-site open space areas shall contain an outdoor seating/break area with seating designed to allow a variety of sitting environments.
- c. Outdoor seating areas shall provide shade under a suitable structure and wind protection using landscaping or transparent screening structures.
- d. Outdoor seating areas shall be easily accessed from the lobby or interior break rooms and placed at the corner of the building or along the side of a building facing a public street.

E. **Large Projects.** Projects over 80,000 gross square feet must provide the following:

- 1. Landscaped areas and usable outdoor common open space equal to a cumulative 10 percent of the site area that:
 - a. Provides gathering space or opportunities for active or passive recreation and benches or other seating.
 - b. Provides amenities that enhance the comfort, aesthetics, or usability of the space, including but not limited to trees and other landscaping, shade structures, drinking fountains, water features, or public art.
 - c. Is separated from on-site parking areas by a minimum of six feet.
 - d. May include on-site stormwater treatment areas and landscaped areas.
- 2. An outdoor seating/break area for every proposed and potential office area of a building. Outdoor eating areas shall have a minimum dimension of 12 feet. Outdoor seating areas shall:
 - a. Include tables, seating and covering to provide protection from sun and weather conditions; and
 - b. Be contiguous with required on-site public open space or provided in a separate area.

F. **Parking and Loading.** Parking and loading in industrial zones shall comply with Chapter 17.C.06 (Parking Requirements) and the following:

1. **Parking Location.**

- a. Surface parking shall be located to the side or to the rear of principal buildings to the greatest extent feasible.

- b. All required passenger vehicle parking spaces shall be separated from any enclosed truck parking area or truck court and shall not require access through any enclosed truck parking area or truck court to reach the parking spaces.
 - 2. **Parking Design.** Driveways shall not exceed 35 feet in width, except that driveways providing large truck access to truck bays shall not exceed 40 feet in width. All driveways must be located a minimum of 50 feet from the boundary of an abutting residential or open space zone.
- G. **Interim Uses for Vacant Industrial Structures.** Certain industrial properties may be vacant without any immediate plans for site development. In these instances, the properties may be utilized for a defined list of interim uses for a limited time period as specified below. The uses permitted within this Subsection are supplemental to the uses listed in Section 17.B.12.020 (Industrial Zones Use Regulations).
- 1. **Permitted Interim Uses.** Permitted interim uses include:
 - a. Cultivated agriculture;
 - b. Farmers' markets;
 - c. Temporary uses;
 - d. Community gardens; and
 - e. Parks.
 - 2. **Other Uses.** Other uses intended to be temporary that are allowed by-right on a permanent basis in the associated zone, upon the determination of the Director.
 - 3. **Minor Conditional Use Permit Required.** Prior to the establishment of an interim use, a Minor Conditional Use Permit shall be approved.
 - 4. **Time Period.** The maximum time period for an interim use is five years.
 - 5. **Conditions.** At a minimum, the conditions should include an agreement between the City and the applicant stipulating timing, installation of permanent improvements and buildings, and/or restoration of the site to its original condition. At the end of five years, the use shall be removed or the site developed in accordance with the full development regulations of any adopted plan.
- H. **Policy on Land Use and Sensitive Receptors (PLUS).** Logistics uses and other similar uses larger than 100,000 square feet in size are subject to the City's Policy on Land Use and Sensitive Receptors (PLUS). Also see Section 17.C.10.150 (Logistics Uses) for additional standards related to logistics uses.

Chapter 17.B.14 Other Zones and Standards

Sections:

17.B.14.010	Purpose.....	17.B-51
17.B.14.020	Other Zones Use Regulations	17.B-51
17.B.14.030	Other Zones Development Standards	17.B-53
17.B.14.040	Other Zones Supplemental Standards	17.B-54

17.B.14.010 Purpose

- A. **Recreation/Conservation (R-C) Zone.** The Recreation/Conservation (R-C) Zone is intended to include and recognize the following uses: water course and watershed areas, public and private park lands, cemeteries, natural resource lands, wildlife preserves, and publicly owned dedicated scenic and open space areas. This Zone is also intended to provide for permanent open space in specific areas by limiting projects in areas where natural hazards are present that might endanger the health, safety, and welfare of residents from possible flood, subsidence, erosion, or seismic activity.
- B. **Public Facilities (PF) Zone.** The Public Facilities (PF) Zone includes a range of public uses and activities that serve the public good and welfare. These include, but are not limited to, schools, civic buildings, fire stations, public and private park lands, and similar uses.
- C. **Specific Plan (SP) Zone.** The Specific Plan (SP) Zone applies to areas where the systematic implementation of General Plan goals and policies are desired to ensure a more comprehensive planning effort. Specific plans shall be prepared and amended consistent with Chapter 17.D.10 (Specific Plans).

17.B.14.020 Other Zones Use Regulations

Table 17.B.14.020-A (Other Zones Use Regulations) sets the land use regulations for other zones. Land uses are defined in Chapter 17.E.04 (Definition of Uses). In cases where a land use is not listed in the table, the Director shall make a determination regarding similar use consistent with Subsection 17.A.04.020.G (Determination of a Similar Use). Land uses not listed in the table and not substantially like the uses below are prohibited. Use regulations for the Specific Plan (SP) Zone are separately established through each adopted specific plan.

Table 17.B.14.020-A: Other Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-” = Not Allowed

Use	R-C	PF	Additional Regulations
Residential Uses			
Employee Housing	P	-	n/a

Table 17.B.14.020-A: Other Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
“-” = Not Allowed

Use	R-C	PF	Additional Regulations
Commercial Uses			
Entertainment and Recreation, Commercial			
Sports and Recreation, Outdoors	P	-	n/a
Lodging Uses			
Bed and Breakfast Establishment	C	-	n/a
RV Camper Park	C	-	n/a
Agricultural Uses			
Animal Keeping (Secondary Use)	-	P	See Section 17.C.10.060 (Animal Keeping)
Public, Institutional, and Utility Uses			
Cemetery	-	C	n/a
Community Recreation Center	M	P	n/a
Cultural Facility	M	P	n/a
Educational Institutions			
College or University	-	P	n/a
School, Public or Private	-	P	n/a
Vocational and Trade School	-	P	n/a
Park	P	P	n/a
Public Safety Facility	P	P	n/a
Public Utility/Service Structures			
Public Utility Facility	P	P	n/a
Wind Energy Conversion System	See Section 17.C.10.260 (Wind Energy Conversion Systems)		
Wireless Telecommunication Facility	See Section 17.C.10.270 (Wireless Telecommunication Facilities)		
Other Uses			
Accessory Use	P	P	n/a
Street/Craft Fair and Farmers' Market	-	P	See Section 17.C.10.110 (Farmers’ Markets)

Table 17.B.14.020-A: Other Zones Use Regulations

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required |
 “-” = Not Allowed

Use	R-C	PF	Additional Regulations
Temporary Use	See Section 17.C.10.230 (Temporary Uses)		

17.B.14.030 Other Zones Development Standards

Table 17.B.14.030-A (Other Zones Development Standards) establishes the development standards for other zones. Development standards for the Specific Plan (SP) Zone are separately established through each adopted specific plan.

Table 17.B.14.030-A: Other Zones Development Standards

ft = feet | sf = square feet | du = dwelling unit | ac = acres | n/a = not applicable

Standard	RC	PF
Lot Area, min	n/a	n/a, except for parcels with structures: 10,000 sf
Lot Width, min (ft)	n/a	n/a
Lot Depth	See Beaumont Municipal Code Section 16.12.080.C	
Density (du/gross ac)	n/a	n/a
Floor Area Ratio, max	n/a	1.0
Setbacks, min		
Front	Setbacks shall be specified by the Review Authority.	
Interior Side		
Street Side		
Rear		
Additional Setbacks	n/a	20 where property lines adjoin the R-C Zone
Height, max	35 ft and 2 stories	
Open Space		
Usable open space, public	n/a	
Usable open space, private		

17.B.14.040 **Other Zones Supplemental Standards**

Reserved.

Chapter 17.B.16 Overlay Zones and Standards

Sections:

17.B.16.010	Purpose.....	17.B-55
17.B.16.020	Overlay Zones Use Regulations	17.B-55
17.B.16.030	Overlay Zones Development Standards	17.B-60
17.B.16.040	Overlay Zones Supplemental Standards	17.B-61

17.B.16.010 Purpose

- A. **General Purpose.** This Chapter establishes additional standards for defined areas (i.e., overlay zones) that are applied in addition to standards provided in the base zones. The overlay zone standards are intended to ensure that proposed uses and development are consistent with the General Plan.
- B. **Transit Oriented District (TOD) Overlay.** The Transit Oriented District (TOD) Overlay applies to the area around a future Metrolink transit station. The allowed uses and development standards are intended to be conducive to a transit-friendly environment, including a mix of residential and commercial uses within a walkable and transit accessible setting.
- C. **Higher Density Overlay (HDO).** The Higher Density Overlay applies to properties subject to rezoning as identified in the City's Housing Element and mapped on the City's Zoning Map.
- D. **Housing Sites Overlay (HSO).** The Housing Sites Overlay applies to properties identified in the City's Housing Element as housing sites in zones where no minimum density previously applied.
- E. **Downtown RSF Overlay (D-RSF).** The Downtown RSF Overlay applies to RSF-zoned properties located in the Downtown area.
- F. **Downtown RTN Overlay (D-RTN).** The Downtown RTN Overlay applies to RTN-zoned properties located in the Downtown area.

17.B.16.020 Overlay Zones Use Regulations

Table 17.B.16.020-A (Overlay Zones Use Regulations) sets the land use regulations for overlay zones. Land uses are defined in Chapter 17.E.04 (Definition of Uses). In cases where a land use is not listed in the table, the Director shall make a determination regarding similar use consistent with Subsection 17.A.04.020.G (Determination of a Similar Use). Land uses not listed in the table and not substantially like the uses below are prohibited.

Table 17.B.16.020-A: Overlay Zones Use Regulations ¹

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required | “-” = Not Allowed

Use	TOD	Additional Regulations
Residential Uses		
Accessory Dwelling Unit	P	See Section 17.C.10.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units)
Caretaker's Unit	P	n/a
Day Care Center		
Small	P	n/a
Large	P	n/a
Duplex	P	n/a
Elderly and Long-Term Care	P	n/a
Emergency Shelter	C	See Section 17.C.10.090 (Emergency Shelters)
Home Occupation	P	See Section 17.C.10.130 (Home Occupations)
Live-Work Unit	P	See Section 17.C.10.140 (Live-Work Units)
Low Barrier Navigation Center	P	n/a
Multi-Family Dwelling	P	See Section 17.C.10.180 (Multi-Family Dwellings)
Parolee/Probationer Home	C	See Section 17.C.10.190 (Parolee/Probationer Home)
Residential Care Facility		
Small	P	n/a
Large	P ²	See Section 17.C.10.200 (Residential Care Facilities)
Single-Family Dwelling	P	See Section 17.C.10.210 (Single-Family Dwellings)
Single-Room Occupancy (SRO) Residence	C	See Section 17.C.10.220 (Single-Room Occupancy Residences)
Supportive Housing	P	n/a
Transitional Housing	P	n/a
Commercial Uses		
Animal Care and Services		
Animal Hospital	P	n/a

Table 17.B.16.020-A: Overlay Zones Use Regulations ¹

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required | “-” = Not Allowed

Use	TOD	Additional Regulations
Kennel/Cattery	C	See Beaumont Municipal Code Chapter 6.16 (Kennels, Catteries, and Animal Rescue Facilities)
Pet Day Care	P	n/a
Veterinary Clinic	P	n/a
Banks and Financial Institution		
Banks and Financial Services	P	n/a
Pawnbroker	M	n/a
Commercial Day Care Facility	P	n/a
Drive-Through Facility	C	See Section 17.C.10.080 (Drive-Through Facilities)
Entertainment and Recreation, Commercial		
Entertainment, Indoors	P	n/a
Entertainment, Outdoors	M	n/a
Sports and Recreation, Indoors	P	n/a
Sports and Recreation, Outdoors	M	n/a
Funeral Home, Mortuary	C	n/a
Hospital	P	n/a
Instructional Service		
Group	P	n/a
Private	P	n/a
Lodging Uses		
Bed and Breakfast Establishment	P	n/a
Hotel	P	n/a
Motel	P	n/a
Maintenance and Repair Services	P	n/a
Medical Support Laboratory	P	n/a
Offices		

Table 17.B.16.020-A: Overlay Zones Use Regulations ¹

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required | “-” = Not Allowed

Use	TOD	Additional Regulations
Business and Professional	P	n/a
Communication Offices/Studios	M	n/a
Medical Office/Clinic	P	n/a
Retail		
Convenience Store Markets	P	n/a
General Retail	P	n/a
Grocery Store, Large	P	n/a
Grocery Store, Small	P	n/a
Large Format Retail	P	n/a
Liquor Store	C	n/a
Smoke Shop	C	n/a
Services		
General Services, Small	P	n/a
Massage Establishment	C	See Beaumont Municipal Code Chapter 5.44 (Massage Establishments)
Personal Services	P	n/a
Alcohol-Serving and Restaurant Uses		
Bars or Cocktail Lounges	C	See Section 17.C.10.050 (Alcohol-Serving and Restaurant Uses)
Brewery, Winery, or Distillery	C	
Restaurant		
Full Service	P	See Section 17.C.10.050 (Alcohol-Serving and Restaurant Uses)
Limited Service	P	
Vehicle-Related Uses		
Automobile/Vehicle Washing	C	n/a
Fleet-based Service	C	n/a
Gas/Service Station	C	See Section 17.C.10.120 (Gas/Service Stations)

Table 17.B.16.020-A: Overlay Zones Use Regulations ¹

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required | “-” = Not Allowed

Use	TOD	Additional Regulations
Parking Lot ³	M	n/a
Parking Structure ³	C	n/a
Vehicle Rental	P	n/a
Vehicle Repair and Maintenance		
Minor	M	n/a
Vehicle Sales and Leasing	M	n/a
Manufacturing and Industrial Uses		
Custom and Artisan Manufacturing	M	n/a
Recycling Processing and Collection Facility		
Collection Facilities	C	n/a
Processing Facilities	C	n/a
Agricultural Uses		
Animal Keeping (Commercial Use)	C	n/a
Animal Keeping (Secondary Use)	C	n/a
Public, Institutional, and Utility Uses		
Community Assembly		
Major	P	n/a
Minor	P	n/a
Community Garden	P	n/a
Community Recreation Center	P	n/a
Cultural Facility	P	n/a
Educational Institutions		
College or University	C	n/a
Schools, Public or Private	C	n/a
Vocational and Trade Schools	C	n/a

Table 17.B.16.020-A: Overlay Zones Use Regulations ¹

“P” = Permitted Use | “M” = Minor Conditional Use Permit required | “C” = Conditional Use Permit required | “-” = Not Allowed

Use	TOD	Additional Regulations
Park	P	n/a
Public Safety Facility	P	n/a
Transit Stations and Facility	C	n/a
Wireless Telecommunication Facility	See Section 17.C.10.270 (Wireless Telecommunication Facilities)	
Other Uses		
Accessory Use	P	n/a
Street/Craft Fair and Farmers' Market	P	See Section 17.C.10.110 (Farmers' Markets)
Temporary Use	See Section 17.C.10.230 (Temporary Uses)	

Table Notes:

¹ Uses regulations for all other overlay zones besides the TOD overlay zone are provided by the base zone.

² State-licensed facilities require a Conditional Use Permit.

³ Applies to parking lots or structures that are primary uses, as defined in Division 17.E (Definitions).

17.B.16.030 Overlay Zones Development Standards

Table 17.B.16.030.A (Other Zones Development Standards) establishes the development standards for other zones.

Table 17.B.16.030-A: Overlay Zones Development Standards

ft = feet | sf = square feet | du = dwelling unit | ac = acres | n/a = not applicable

Standard	TOD	HDO	HSO	D-RSF	D-RTN
Density (du/gross ac)	Min: 18 du/ac Max: 30 du/ac	Min: 20 du/ac Max: 30 du/ac	Min: 11 du/ac Max: See base zone	Max: 15 du/ac	Max: 15 du/ac
Floor Area Ratio, max	1.0 ¹	See base zone	See base zone	See base zone	See base zone
Setbacks					
Front	Min: 0 ft Max: n/a	See base zone	See base zone	Min: 10 ft Max: 20 ft ²	Min: 10 ft Max: 20 ft ²

Table 17.B.16.030-A: Overlay Zones Development Standards

ft = feet sf = square feet du = dwelling unit ac = acres n/a = not applicable					
Standard	TOD	HDO	HSO	D-RSF	D-RTN
Interior Side	See base zone	See base zone	See base zone	Min: 5 ft	Min: 5 ft
Street Side	See base zone	See base zone	See base zone	See base zone	See base zone
Rear	See base zone	See base zone	See base zone	Min: 15 ft Garage abutting an alley, min: 5 ft	See base zone

Table Notes:

¹ Applies to nonresidential uses only.

² The maximum setback may be waived by Director under the following conditions:

- Common plazas, courtyards, or outdoor amenity areas are located between the street and the building(s);
- The building(s) incorporates an entrance design that creates a welcoming entry feature facing the street; or
- A larger area is required to preserve existing mature trees or natural features.

17.B.16.040 Overlay Zones Supplemental Standards

A. **Transit Oriented District (TOD) Overlay.** The following standards apply in the TOD Overlay.

1. **Maximum Block Length.** Block length is limited to 400 feet measured from curb edge to curb edge. A block length of up to 600 feet shall only be allowed when a mid-block pedestrian connection is provided, or the Director finds that:
 - a. The location and configuration of the lot makes a mid-block pedestrian connection infeasible or impractical; and
 - b. Safe and convenient pedestrian connections are provided throughout the site consistent with applicable pedestrian access requirements in this Title.
2. **Culs-de-Sac and Dead-End Streets.** Culs-de-sac and dead-end streets are not allowed unless the Director makes the following findings:
 - a. Unique physical circumstances exist that prevent a connected a connected street system; and
 - b. A cul-de-sac or dead-end street is necessary to provide access to lots or buildings in a manner consistent with City standards.
3. **Pedestrian Circulation and Access.** On-site pedestrian circulation and access shall be provided in accordance with Section 17.C.02.110 (Pedestrian Access and Circulation).

- B. **Higher Density Overlay (HSO).** The following applies in the Higher Density Overlay:
1. Owner-occupied and rental multi-family uses are allowed as permitted uses (by right) regardless of the affordability level of the units.
 2. 100 percent residential use is allowed.
 3. A minimum of 50 percent of the floor area in mixed-use projects must be occupied by residential use.

City of Beaumont

Division C: Citywide Standards

Public Review Draft

Lisa Wise Consulting, Inc.

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17.C.02.010 Purpose

This Chapter establishes general development standards applicable to all land uses and development in the City of Beaumont.

17.C.02.020 Accessory Buildings and Structures

- A. **Purpose.** This Section identifies standards applicable to particular accessory buildings and structures.
- B. **Requirements.**
 - 1. **Barbecue Islands.** Barbecue islands shall be set back at least five feet from any property line.
 - 2. **Storage Containers.** Storage containers are only allowed as accessory to agricultural uses, unless otherwise allowed by Section 17.C.10.230 (Temporary Uses).

3. ***Swimming Pools and Related Equipment.***

a. *Setbacks.*

- (i) Private swimming pools must not be located closer than five feet to any property line or dwelling.
- (ii) All related mechanical equipment shall not be located closer than five feet from any property line.
- (iii) All other swimming pools shall not be located nearer than 10 feet from any property line or building.

- b. *Walls.* A masonry wall or other sound reducing material as approved by the Director must be erected on three sides of the mechanical equipment facing adjoining properties to a height of not less than 1.5 feet taller than the equipment.

17.C.02.030 Fences and Walls

A. **Purpose.** This Section identifies standards applicable to fences and walls.

B. **Fence and Wall Materials.**

- 1. ***In Single-Family Residential Zones.*** Fence and wall materials in single-family residential zones may include decorative masonry block, or any other appropriate materials as determined by the Director.
- 2. ***In Multi-Family Residential, Commercial, and Industrial Zones.*** Fence and wall material in multi-family residential, commercial, and industrial zones must be masonry or other permanent materials as approved by the Director. Open work fences facing any public street in commercial zones must be either masonry or metal grill work including, but not limited to wrought iron. Open work fences in any other situation may, in addition to the above, be open metal mesh, or any other appropriate material as determined by the Director.
- 3. ***Barbed Wire Fences.*** Barbed wire fences may only be allowed in the Residential, Rural Zone, Recreation/Conservation Zone, and Manufacturing Zone when specifically approved by the Director, and are prohibited in all other zones. Barbed or similar type wire must not be visible from any facing public street.

C. **Fence and Wall Location and Height.** Fences and walls may be erected on property lines in any zone, with a maximum height of six feet above the ground level at its highest point, with the following exceptions:

- 1. Fences greater than 3.5 feet in height may not be placed in the required front setback, either along the front or side property line, unless otherwise allowed in this Section.
- 2. No fence or wall shall be erected within the “limited use area” defined in the County of Riverside’s “Intersection Sight Distance” Transportation Standard No. 821.
- 3. Within residential zones, fencing in the front setback areas must be limited to 3.5 feet, either along the front or side property line, in the required front setback, or the closest projection of the front of the residence, whichever is more restrictive.

4. In industrial zones, fences which do not exceed eight feet in height measured from the ground level immediately abutting the fence at its highest point may be erected at a property line, provided that the maximum height of the fence in any setback abutting a public street must be limited to six feet in height within a five-foot setback area from any public street.
- D. **Nonconforming Fences.** Every fence erected prior to the adoption of this Title which does not conform to the provisions of this Title must be removed, altered or replaced to be in compliance with this Title. Nonconforming fences must be abated according to the following schedule provided in Table 17.C.02.030-A (Abatement Schedule for Nonconforming Walls and Fences). The value of the fence must be determined by the Building Official after consultation with the fence owner and/or a fence installer. Value must be the book value of the fence, as it existed on the effective date of this Title.

Table 17.C.02.030-A: Abatement Schedule for Nonconforming Walls and Fences

Value of Wall or Fences	Period for Removal
\$100.00 or less	90 days
\$100.01 to \$200.00	6 months
\$200.01 to \$400.00	1 year
\$400.01 to \$650.00	2 years
\$650.01 to \$1,000.00	3 years
\$1,000.01 to \$1,500.00	4 years
\$1,500.01 to \$2,500.00	5 years
\$2,500.01 to \$5,000.00	7 years
\$5,000.01 to \$7,500.01	8 years
\$7,500.01 to \$10,000.00	9 years
\$10,000.01 or more	10 years

17.C.02.040 Height Exceptions

The structures and features listed in Table 17.C.02.040-A (Allowed Projections Above Height Limits) may exceed the maximum permitted building height for the zone in which they are located, subject to the limitations stated and provided that no portion of a structure taller than the building height limit contains habitable areas.

Table 17.C.02.040-A: Allowed Projections Above Height Limits

Structures Allowed Above the Height Limit	Maximum Vertical Projection Above the Height Limit (ft)	Maximum Coverage and Locational Limitation
Skylights	1	None
Chimneys and smokestacks	8	None
Decorative features including spires, cupolas, steeples, bell towers, domes, obelisks, and monuments	10	Limited to a total of 20% of roof area of the building or structure

Table 17.C.02.040-A: Allowed Projections Above Height Limits

Structures Allowed Above the Height Limit	Maximum Vertical Projection Above the Height Limit (ft)	Maximum Coverage and Locational Limitation
Rooftop open space features including sun decks, sunshade and windscreens, trellises, and landscaping		Must be set back from the exterior wall one foot for every foot of projection above the height limit
Elevator and stair towers (for multi-unit residential and nonresidential buildings only)	16	Limited to a total of 10% of roof area Must be set back from the exterior wall one foot for every foot of projection above the height limit
Mechanical equipment	5	Must be set back from the exterior wall one foot for every foot of projection above the height limit and screened consistent with Section C.02.140 (Screening Standards)
Mechanical equipment penthouses	10	Limited to 60% of roof area Must be set back from the exterior wall one foot for every foot of projection above the height limit and screened consistent with Section C.02.140 (Screening Standards)
City utility infrastructure	Consistent with City standard (e.g., light pole height) or as required by law or for public safety	None
Fire escapes, catwalks, and open railings required by law	No restriction	None
Telecommunications facilities, antennas, microwave equipment, and radio towers	Subject to the provisions of Section 17.C.10.270 (Wireless Telecommunications Facilities)	

17.C.02.050 Lighting and Illumination

Outdoor lighting, light trespass, and illumination requirements indicated in Beaumont Municipal Code Chapter 8.50 (Outdoor Lighting) apply to all development in the City.

17.C.02.060 Lots and Divisions of Land

Whenever a division of land is proposed, the total number of lots or density permitted must comply with the General Plan, any applicable adopted specific plan, the California Government Code, and the requirements in this Section.

- A. **Recorded Lots as Building Sites.** The following lots may be used as a building site, provided the required setbacks are maintained:
1. A lot shown on an official subdivision map; or
 2. A lot shown on a record of survey map properly approved and recorded; or
 3. A lot for which a bonafide deed has been recorded prior to the effective date of Ordinance No. 324.

- B. **Gated Communities.** The City will review requests for gated communities during the tentative map process and may approve gated communities if the following findings are made:
1. The gated community shall include pedestrian and bicycle access, connections, and improvements with access points located no more than 600 feet apart; and
 2. There is a demonstrated need for public safety or security that will be satisfied by the gate; or
 3. There is a demonstrated benefit for private maintenance of infrastructure and facilities located within the gated community.
- C. **Small Lot Development.** Residential projects located on lots less than the minimum lot size as allowed in Division B (Zone Regulations) may be approved with a Major Plot Plan subject to the following standards:
1. Maximum and minimum density must be consistent with the zone, and as may be modified through a density bonus in Chapter 17.C.12 (Affordable Housing Incentives and Density Bonus Provisions);
 2. The minimum lot size is 2,000 square feet;
 3. The minimum lot width is 25 feet;
 4. The minimum lot depth is 50 feet;
 5. The maximum area of the lot occupied by structures is 75 percent; and
 6. **Setbacks.**
 - a. **Side Setbacks.** The minimum side setback is three feet. For attached units, a minimum side setback of five feet must be provided at the end of the row of attached units.
 - b. **Rear Setbacks.** The minimum rear setback is 10 feet. A minimum rear setback of five feet is allowed for a garage abutting an alley.
 - c. **Other Setbacks.** Other setbacks must be consistent with the zone, and as may be modified by Chapter 17.C.12 (Affordable Housing Incentives and Density Bonus Provisions).

17.C.02.070 Manufactured Homes

- A. **Purpose.** This Section indicates the specific requirements for manufactured homes.
- B. **Applicability.** This Section applies to all manufactured homes in the city.
- C. **Standards.** A manufactured home may be installed on a foundation in any zone that allows a conventional single-family dwelling, if it meets the following conditions:
1. The manufactured home shall be certified under the national Mobilehome Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.) and shall bear a California insignia or federal label as required by California Health and Safety Code §18550 (b).

2. The foundation system shall meet the requirements of California Health and Safety Code §18551.
3. The manufactured home shall have a roof overhang of not less than 16 inches with a minimum 12-inch gable overhang, unless the Review Authority determines otherwise.
4. The manufactured home shall have non-reflecting roofing material and siding material consistent with standards applied to non-manufactured single-family dwellings.
5. A garage shall be provided consistent with the requirements for a non-manufactured single-family dwelling.
6. The manufactured home shall be used only as a single-family residential use and shall comply with all setback and height requirements of the zone in which it is located.

17.C.02.080 Off-Site Improvements

This Section indicates the specific requirements for off-site improvements. Notwithstanding any provision to the contrary in this Title, this Section is not subject to Section 17.D.04.060 (Variances).

- A. **Applicability.** This Section applies to Building Permit Applications for:
 1. A new structure;
 2. An enlargement or addition of more than 300 square feet, or of more than 25 percent of the original area of an existing residential structure; and
 3. The relocation of a structure on a lot abutting a public street.
- B. **Necessary Improvements.** A building or structure must not be built, enlarged, or altered on a lot which abuts a street unless:
 1. The necessary right-of-way for street and highway purposes has been dedicated; and
 2. The portion of the street and/or right-of-way upon which the lot fronts and adjoins has been improved. The improvement must include the installation of curb, gutter, pavement, and sidewalk as is required on that side of the centerline of the street and/or right-of-way adjoining the lot.
- C. **Certificate of Occupancy.** A Certificate of Occupancy must not be issued for any building or structure without all improvements and dedications completed.
- D. **Plans and Standards for Improvements.** The applicant for the Building Permit shall submit plans prepared by a Registered Engineer for the dedication and improvement to the City Engineer for his review and approval. All street improvements required by this Subsection must be designed in accordance with the standards for streets as set forth in the official standards as approved by the Council.
- E. **Street Dedication and Improvements Required.**
 1. A building must not be erected, enlarged by more than 25 percent or moved to any lot or parcel of lots, which abuts or adjoins a street unless the one-half portion of the street adjoining or abutting the developed area has been dedicated and improved in accordance with the official standards as approved by the Council.

2. All of the improvements identified in Section 17.C.02.080.B.2 in addition to those required by the City Engineer must be provided.
 3. If sidewalks exist on 25 percent or more of the total frontage of the lots in the block on the side of the street adjoining the lot upon which the building or structure is proposed to be built, then a sidewalk must be provided in front of the lot provided that the Council may waive the provisions for sidewalks in front of single-family residences, in industrial zones, and in the Recreation/Conservation Zone if appealed by the property owner.
 4. The Council may extend the deadline for installation of street improvements for one year after a Certificate of Occupancy is issued provided security acceptable to the City Engineer is provided and a signed agreement, approved between the City and applicant is executed.
- F. **Costs of Engineering and Improvements.** The owner, developer, or applicant for the Building Permit shall pay all costs of dedication and improvement, including any cost for the removal or relocation of utilities, including fire hydrants, traffic signals, street lighting, drainage culverts, and of preparation of plans and blueprints.
- G. **Completion of Improvements.** Any person required to make street improvements in compliance with the provisions of this Subsection shall make and construct all improvements in accordance with the standards and specifications and other requirements of the Director of Public Works and/or City Engineer, or upon Council approval, shall file with the City Engineer, a letter of credit, cash, certificate of deposit, or an agreement and note for the obligation secured by a deed of trust on the property, in the amount as the City Engineer shall estimate and determine to be necessary to cover the total costs of all required improvements. The City Engineer may determine the period of time during which the installation of the improvements could be reasonably delayed, provided that the installation or construction of the improvements must not be delayed for a period of more than one year from the date of final inspection of the building without the approval of the Council, as allowed for in Subsection 17.C.02.080.E.4. The City Engineer shall cause a written itemized estimate of the costs of all improvements and the amount of the required security to be given to the owner or applicant required to make the improvements within 30 days after issuance of the Building Permit.

17.C.02.090 **Open Space, Usable**

- A. **Purpose.** This Section identifies standards applicable to usable open space.
- B. **Required Minimum Dimensions.** Each linear dimension of usable open space shall be a minimum of six feet, except as otherwise allowed by this Section.
- C. **Qualifying Usable Open Space Types.**
1. **Private Usable Open Space.** Private usable open space typically consists of balconies, decks, patios, fenced yards, and other similar areas outdoor areas that are accessible only to occupants of the residential unit.

2. ***Common Usable Open Space.***

- a. Common usable open space typically consists of landscaped areas, patios, swimming pools, barbeque areas, playgrounds, turf, or other such improvements as are appropriate to enhance the outdoor environment of the entire development, and that are accessible to occupants of all residential units in the development; these can be located at the ground level, on parking podiums, or on rooftops, provided they are adequately landscaped.
- b. Enclosed recreation or multi-purpose activity rooms may also be credited as usable open space so long as they are readily accessible to occupants of all residential units in the development.

D. **Computation.** The computation of usable open space provided shall be as follows:

1. The following areas shall be computed at 1.25 times the area actually devoted to such use (e.g., a qualifying 80-square-foot private patio described in Subsection D.1.a below would count as providing 100 square feet of usable open space):
 - a. Private patios, when directly accessible to only one dwelling unit by a doorway to a habitable room or hallway, that are completely enclosed on all sides by a fence which is a minimum of five feet in height;
 - b. Balconies and lanais, when directly accessible to only one dwelling unit by a doorway to a habitable room or hallway, that have a minimum width and length of five feet;
 - c. Swimming pool areas, including any hard surface deck which normally surrounds such pools. Deck area more than 25 feet from the edge of the pool will not be counted as open space under this Subsection; and
 - d. Recreation activity rooms, provided these rooms are permanently maintained for the use of tenants for various recreation activities. Such activity rooms shall not include lobbies, but may include common steam rooms, saunas, or similar common interior amenities.
2. All other areas meeting usable open space requirements shall be credited with the actual area (square feet) provided.

17.C.02.100 Outdoor Display and Sales

Outdoor display and sales shall be located, developed, and operated in compliance with the following standards.

- A. **Temporary Outdoor Display and Sales.** The temporary outdoor display and sale of merchandise shall comply with Section 17.D.04.040 (Temporary Use Permits).
- B. **Produce Displays.** The outdoor display of fresh produce associated with a grocery store on the same site is allowed, subject to the following standards:
 1. The display shall not disrupt the normal function of the site or its circulation and shall not encroach upon parking spaces, driveways, pedestrian walkways, or required landscaped areas.

2. All produce shall be removed or enclosed at the close of each business day.
- C. **Permanent or Ongoing Outdoor Display and Sales.** The permanent or ongoing outdoor display of merchandise, except for vehicle sales and leasing and vehicle rental, shall comply with the following standards:
1. **Relationship to Primary Use.** The outdoor display and sales area shall be directly related to a business occupying a principal structure on the same lot.
 2. **Allowable Merchandise.** Only merchandise sold at the business is allowed to be displayed outdoors.
 3. **Location.** The displayed merchandise shall occupy a fixed and defined location, shall not disrupt the normal function of the site or its circulation, and shall not encroach upon parking spaces, driveways, pedestrian walkways, or required landscaped areas.
 4. **Size Limits.** Permitted as an accessory use where the outdoor display and sales occupies less than 200 square feet or five percent of the indoor retail space, whichever is less. Additional area may be allowed with approval of a Minor Conditional Use Permit.

17.C.02.110 Pedestrian Access and Circulation

On-site pedestrian circulation and access shall be provided in all zones except for the R-R, R-SF, PF, and R-C zones consistent with the following standards.

- A. **Internal Connections.** A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
- B. **Paving.** For multi-family residential and residential mixed-use projects, paving within required setback areas must be distinct from the adjacent public sidewalk in color, design, or texture.
- C. **To Circulation Network.** Regular connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes or trails shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
- D. **To Neighbors.** Direct and convenient access shall be provided to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security. This requirement shall not apply to the M Zone.
- E. **To Transit.** Safe and convenient pedestrian connections shall be ADA-compliant and shall be provided from transit stops to building entrances.
- F. **Pedestrian Walkway Design.**
 1. Walkways shall be a minimum of six feet wide except that eight-foot wide walkways shall be required for multi-family and residential mixed-use projects. Walkway widths may be reduced to three feet wide for small lot development (Section 17.C.02.060.D) or as required by the Building Official.
 2. Walkways shall be hard-surfaced and paved with permeable materials.
 3. Where a required walkway crosses a driveway, parking area, or loading area, it must be clearly identified using a raised crosswalk, a different paving material, or a similar method.

4. Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or another physical barrier.

17.C.02.120 Performance Standards

- A. **Purpose.** The performance standards identified in this Section regulate the use of a building or land to minimize potential risk to the public from hazards; and ensure that uses and activities are conducted in a manner that protects the public health and safety and do not produce adverse impacts on surrounding properties or the community at large.
- B. **Applicability.** The standards of this Section apply to all uses and properties in all zones, unless otherwise specified. The standards established by this Section are minimum requirements and shall not be construed to prevent the Council, the Planning Commission, or the Director from imposing, as part of a project approval, specific conditions which may be more restrictive, in order to meet the intent of these regulations.
- C. **Measurement of Impacts.** Measurements necessary for determining compliance with the performance standards of this Section shall be taken at the property line of the establishment or use that is the source of a potentially objectionable condition, hazard, or nuisance.
- D. **Property Maintenance.** Abandoned vehicles and dilapidated structures are regulated by Beaumont Municipal Code Title 8 (Health and Safety).
- E. **Electromagnetic Interference.** Uses, activities, and processes shall not cause electromagnetic interference with normal radio and television reception, or with the function of other electronic equipment beyond the lot line of the site in which it is situated. All uses, activities, and processes shall comply with the applicable Federal Communications Commission regulations.
- F. **Radioactivity.** No radiation of any kind shall be emitted that is dangerous to humans.
- G. **Fire and Explosive Hazards.** All activities, processes, or uses involving the storage, use of, transportation, or production of products which, in the raw or finished state, constitute a flammable or explosive material or volatile extraction, shall be subject to approval by the Fire Department. All incineration is prohibited except for those substances including, but not limited to, chemicals, insecticides, hospital materials and waste products required by law to be disposed of by burning, and those instances where the Fire Department deems it a practical necessity. Also see Beaumont Municipal Code Chapter 8.16 (Burning).
- H. **Glare.** Uses, activities, buildings, structures, and processes shall not produce glare perceptible beyond the boundaries of the lot where the use is located. Exterior lighting must comply with Beaumont Municipal Code Chapter 8.50 (Outdoor Lighting).
- I. **Heat and Humidity.** Uses, activities, and processes shall not produce any emissions of heat or humidity that cause distress, physical discomfort, or injury to a reasonable person, or interfere with the ability to perform work tasks or conduct other customary activities. In no case shall heat emitted by a use cause a temperature increase of more than five degrees Fahrenheit on another property.

- J. **Noise.** Noise standards are established in the Noise Element of the General Plan and Beaumont Municipal Code Chapter 9.02 (Noise Control). Additionally, the following standards shall apply.
1. **Acoustic Study.** An acoustic study shall be required for any proposed project which could create or be subject to a noise that exceeds the levels contained in Tables 10.1 and 10.2 2 in the General Plan.
 2. **Noise Attenuation Measures.**
 - a. Noise attenuation measures identified in an acoustic study shall be incorporated into the project to reduce noise impacts to satisfactory levels as determined by the Director.
 - b. Emphasis shall be placed upon site planning and project design measures. The use of noise barriers shall be considered and may be required only after all feasible design-related noise measures have been incorporated into the project.
 3. **Public Areas.** Recorded background music may be permitted outdoors on public sidewalks and in other public areas subject to the standards of this Title and Beaumont Municipal Code Chapter 9.02 (Noise Control).
- K. **Hazardous Materials.** The use, handling, storage, and transportation of hazardous and extremely hazardous materials shall comply with the provisions of the California Hazardous Materials Regulations, the California Fire and Building Codes, Beaumont Municipal Code Chapter 15.20 (Fire Code), as well as the laws and regulations of the California Department of Toxic Substances Control and the County of Riverside Environmental Health Department.
- L. **Air Contaminants.**
1. Uses, activities, and processes shall not operate in a manner that emits excessive dust, fumes, or particulate matter.
 2. Sources of air emissions shall comply with regulations established by the Environmental Protection Agency, the California Air Resources Board, and the South Coast Air Quality Management Control District (SCAQMD). Operators of activities, processes, or uses that require “approval to operate” from the SCAQMD, shall file a copy of the permit with the Department within 30 days of permit approval.
- M. **Odors.**
1. No use, process, or activity shall produce odors that are perceptible without instruments at the lot lines of a site. Odors from temporary construction, demolition, and vehicles that enter and leave the subject lot (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.
 2. An odor detected no more than a total of 15 minutes in any one day shall not be deemed to be continuous, frequent, or repetitive.

17.C.02.130 Refuse And Recycling Areas

- A. **Purpose.** This Section establishes standards for refuse and recycling areas consistent with California Public Resources Code §42900 et seq. and §40050 et seq.

- B. **Applicability.** Areas for collecting and loading refuse and recyclable materials are required for any project for which a Building Permit is required, except as follows:
1. Projects that consist of interior improvements only; or
 2. Single-family dwellings and other uses which participate in the City's curbside trash and recycling program.
- C. **Screening.** Refuse and recycling areas or bins shall be stored or screened in such a manner that containers are not visible from the right-of-way at the front of the property.
- D. **Enclosure Plans and Specifications.** The applicant for any applicable project shall, as a condition of approval, submit for review and approval site plans and profiles of enclosures. The plans must include the following information:
1. **Trash and Recycling Containers.** Trash and recycling containers must be shown on the site plan at grade.
 2. **Enclosure Accessibility.** Enclosures must be accessible to solid waste and recycle collection vehicles. The site plan must include a design for truck turn around movements, ingress and egress, and "keep clear" areas.
 3. **Location.** Enclosures must not be placed in front or side setback areas, although the Director may approve enclosures in the front or side setback when screened from public view as described in Subsection 17.C.02.130.C (Screening). Trash enclosures shall not be located within any rear setback area that adjoins residential zones or residential uses.
 5. **Size and Number.** Refuse and recycling collection areas and bins shall be adequate in capacity, number, and distribution to accommodate all trash, garbage, recyclables, green waste, organic waste, and any other waste until such items are picked up by the City or its contracted collector.
 6. **Design.** The design must conform to the City's standard specifications, although alternative designs may be approved at the discretion of the Director. Trash and recycling containers and areas for multi-family residential, commercial, and industrial uses must be secured.
 7. **Signs.** Signs must be permanently placed on enclosure walls and on trash and recycling containers to distinguish them, including general instructions about which items may be recycled or disposed of as trash must be posted, which must include a prohibition against the disposal of oil, grease, and hazardous waste. The signs must include the name and phone number of the person responsible for the maintenance of the enclosure.
 8. **Review by Waste Management.** Waste Management shall review and approve the location of proposed trash enclosures in parking lots in accordance with Subsection 17.C.06.080.G.3 (Review by Waste Management).
- E. **Refuse and Debris.** Debris, rubbish, and trash, including, but not limited to discarded old furniture, appliances, boxes, toys, etc.; discarded building materials; and equipment and materials shall not be visible from public rights-of-way at any time and must not be kept in the setback areas for more than seven days.
- F. **Trash Receptacles.** Trash receptacles must not be stored in any front setback within any residential zone.

17.C.02.140 Screening Standards

- A. **Purpose.** This Section establishes standards for the screening and separation of abutting residential and nonresidential uses, outdoor storage areas, and equipment to minimize visual and other potential impacts on adjacent lots and surrounding areas.
- B. **Visibility.** The visibility of any equipment from the public right-of-way shall be determined by "line-of-sight" and measured from a point that is six feet above the finished surface of the centerline of the public right-of-way (e.g., street).
- C. **Screening for Industrial Uses Abutting Residential Zones and Uses.** A minimum six-foot masonry or solid fence and/or screening landscaping must be provided and maintained on the interior lot lines of any lot that contains an industrial use and adjoins a residential zone or residential use.
- D. **Screening for Parking Areas.**
 - 1. A solid masonry wall a minimum height of six feet shall be required on all common property lines when any parking area for a commercial or industrial use abuts a residentially zoned property, church, school, or park. The wall shall be consistent with Section 17.C.02.030 (Fences and Walls).
 - 2. Unless sufficiently screened in compliance with Subsection 17.C.02.140.D.1, a minimum 3-foot-tall hedge or wall shall be provided to shield headlight glare from shining onto a public street.
- E. **Outdoor Storage.** Outdoor storage areas shall be screened from view from any adjacent public street or freeway, existing or planned residential area, or publicly accessible open space area with a solid wall or tight board fence that is:
 - 1. Tall enough to sufficiently screen stored material; and
 - 2. Consistent with this Title; however, the fence or wall may exceed the maximum allowable height consistent with Chapter 17.D.02 (Procedures).
 - 3. **Exceptions.**
 - a. Temporary storage of materials reasonably required for construction work on the premises in compliance with a valid Grading Permit or Building Permit.
 - b. Outdoor sales or uses that by their nature provide outdoor storage, such as auto, trailer, and boat dealers, and equipment rental specified as an allowed land use in the applicable zone.
- F. **Equipment Screening.**
 - 1. **Ground-Mounted Equipment.** Ground-mounted equipment including, but not limited to, air conditioning units, landscape irrigation controls, transformers, communication equipment, gas meters, water meters, standpipes, fire sprinkler connectors, tanks and other exterior equipment shall comply with the following standards:
 - a. **Location.** Ground-mounted equipment must be located outside the front setback and, when no front setback is required, ground-mounted equipment must be outside the area between the street and the building closest to the street. Where it is infeasible to locate ground-mounted equipment outside the front setback,

- ground-mounted equipment located in the front yard must be screened from public view as provided for in Subsection 17.C.02.140.F.1.b (Screening) below.
- b. **Screening.** Equipment shall be completely screened from view from all public and private streets by dense shrubbery, masonry wall such as split face block or masonry finished to match the building, or other solid screening material utilizing colors and materials which complement the building. Wall and fences must comply with Section 17.C.02.030 (Fences and Walls).
 - c. No net reduction in the number of on-site trees, and no loss of protected trees, as defined in Section 17.C.04.050 (Tree Preservation and Maintenance), are allowed for the placement of any ground-mounted equipment.
 - d. **Height of ground-mounted equipment.**
 - (i) In commercial and industrial zones, the installed height of the transformer, tank, or equipment shall not exceed the height of the building. Equipment exceeding building height may be approved by the Director if it is proposed at the rear of the building, and the applicant can demonstrate that the equipment will not be seen from the public right-of-way.
 - (ii) If adjacent to a residential zone, mixed use zone, or a residential use, the maximum installed height shall not exceed six feet.
 - e. Generators are not allowed adjoining residential zones or residential use.
2. **Rooftop Equipment.** All rooftop equipment including, but not limited to, air conditioning units, and mechanical equipment shall be shielded and architecturally screened from view from on-site parking areas, adjacent public streets, and adjacent residential zones as follows:
- a. All rooftop equipment shall be placed so that it is screened by a screening wall, parapet wall, equipment well, or other device approved by the Review Authority and not visible from public rights-of-way.
 - b. Rooftop equipment screening shall match or be complementary in material and color to the exterior building and may include metal panels, parapet walls, or screens constructed of exterior grade plywood or other durable materials.
3. **Exceptions.** Exceptions may be granted by the Director where screening is infeasible due to existing development or health and safety or utility requirements.

17.C.02.150 Setback Encroachments

Building projections may encroach into required setbacks according to the standards of Table 17.C.02.150-A (Allowed Encroachments into Required Setbacks), subject to all applicable requirements of the Building Code. The "Limitations" column states any dimensional, area, or other limitations that apply to such projections.

Table 17.C.02.150-A: Allowed Encroachments into Required Setbacks

Projection	Front or Street Side Setback (max.)	Interior Side Setback (max.)	Rear Setback (max.)	Limitations
All projections	No projection may extend closer than 3 ft to an interior lot line unless a setback of less than 3 ft is required or into a public utility or other easement. Where any allowance of this Title conflicts with applicable Building or Fire Codes, the more restrictive shall apply.			
Cornices, canopies, eaves, and similar architectural features	3 ft	3 ft	3 ft	Must not be located closer than 3 ft to any side lot line unless a setback of less than 3 ft is required
Covered porches and patios	May not encroach	May not encroach	10 ft	Must be unenclosed on 3 sides except for required vertical supports, insect screening, and kickboards not exceeding 1 ft in height measured from ground level
Fire escapes required by law or public agency regulation	4.5 ft	3 ft	4.5 ft	n/a
Ramps and similar structures that provide access for persons with disabilities	Must not be located closer than 3 ft to any lot line unless a setback of less than 3 ft is required Any railing that is part of one of these projections is allowed provided the railing is an openwork design and does not exceed 3.5 ft in height Reasonable accommodation will be made consistent with Beaumont Municipal Code Chapter 15.26 (Reasonable Accommodation)			
Uncovered stairs, ramps, stoops, landings, decks, balconies, porches, platforms, and walkways				
All elements 18 inches or less above ground elevation	6 ft	3 ft	6 ft	Walkways 4 ft in width or less may encroach to the property line
All elements more than 18 inches above ground elevation	4.5 ft	3 ft	4.5 ft	n/a

17.C.02.160 Site Preparation and Grading

This Section identifies standards applicable to the preparation of a site for a project.

- A. **Property Lines.** Boundary stakes must be placed on the property by a licensed land surveyor prior to beginning construction for the purpose of delineating property lines.

B. Site Grading Requirements.

1. All grading must conform to the Uniform Building Code Chapter 70, as may be amended by the Beaumont Municipal Code.
2. The minimum building pad and drainage swale slope must equal one percent if cut or fill is less than 10 feet. The minimum building pad and drainage swale slope must equal two percent if the cut or fill is greater than 10 feet. Drainage swales must be a minimum of 0.3 feet deep and be constructed a minimum of two feet from the top of cut or fill slopes.
3. The maximum cut and fill slopes are two to one (2:1).
4. A five-foot wide by one-foot high berm must be provided, or its equivalent along the top of all fill slopes over five feet high.
5. All grading must be done under the supervision of a competent soils engineer who shall certify that all fill has been properly placed and who shall submit a final compaction report for all fills over one foot deep.
6. A Registered Civil Engineer shall submit to the Building and Safety Department, written certification of completion of rough grading in accordance with the approved grading plan prior to issuance of the Building Permit. This certification must apply to line, grade, elevation, and the location of cut fill slopes.
7. A final compaction report will be required for all fills greater than one foot.
8. All grading must be done in accordance with recommendations of a preliminary soils investigation.
9. Two sets of the final compaction report must be submitted to the Building and Safety Department which must include foundation design recommendations and certification that grading has been done in accordance with the recommendation of the preliminary soils report.
10. The contractor shall notify the Building and Safety Department or Public Works Department at least 24 hours in advance requesting finish lot grade and drainage inspection. This inspection must be approved prior to Building Permit final inspection for each lot.
11. During rough grading operations and prior to the construction of permanent drainage structures, temporary drainage control must be provided to prevent the ponding of water and the flooding of adjacent properties.
12. Fill must not be placed on existing ground until the ground has been cleared of weeds debris, topsoil, and other deleterious material.
13. If steep sloping terrain occurs upon which fill is to be placed, it must be cleared, keyed, and benched into firm natural soil for full support. Preparation shall be approved by a registered Soils Engineer prior to the placement of fill material.
14. Cut slopes or fill slopes equal to or greater than three in vertical height must be planted with grass or ground cover to protect the slope from erosion and instability in accordance with policies of the City Engineer prior to the approval of final inspection.
15. Dust must be controlled by watering or other approved methods.

16. All existing drainage courses on the project site must continue to function, especially during storm conditions. Protective measures and temporary drainage provisions must be used to protect adjoining properties during grading operations.
17. Stability calculations with a factor of at least one and five-tenth must be submitted by a soils engineer to the Building and Safety Department or Public Works Department for cut and cut and fill slopes over 30 feet in vertical height.
18. A Registered Civil Engineer or licensed land surveyor shall submit certification of building pad elevation. Where specific elevations are required, the elevation (with respect to mean sea level) must be given. If an elevation with respect to adjacent ground surface is required, the actual distance above the adjacent ground must be given.
19. The design engineer shall provide a minimum of one blue top finished pad, prior to rough grade approval.

17.C.02.170 Street Improvement Standards

See Beaumont Municipal Code Titles 12 (Streets, Sidewalks, and Public Places) and 16 (Subdivisions) for street improvement standards.

17.C.02.180 Underground Utilities

- A. **Purpose.** This Section includes standards for new utilities and infrastructure to protect public safety and to improve the appearance of the community.
- B. **Responsibility for Providing New Utility Service and Connections.** Any applicant proposing to develop property subject to this Title shall be responsible for furnishing and installing all required utility service and connections as required by the applicable utility provider.
- C. **New Utility Lines Required to be Underground.** All new electrical distribution lines of 34.5 kilovolts or less, and all new telephone, cable television, fiber optic, and similar wires and lines that provide customer services must be installed underground, except for:
 1. Utility poles within six feet of the rear lot line used for terminating underground facilities;
 2. Temporary utilities while construction is ongoing;
 3. Risers and poles as provided by the applicant or owner;
 4. Meter boxes, terminal boxes, and similar equipment;
 5. Transformers, except that all transformers shall be located in vaults; and
 6. Infill development in R-SF Zone where existing overhead lines serve the area, subject to the approval of the Director.
- D. **Existing Utility Lines.** See Beaumont Municipal Code Chapter 12.18 (Undergrounding of Existing Overhead Utilities).

- E. **Electrical Disturbance.** Activity that causes electrical disturbance that affects the operation of equipment located beyond the property line is not allowed. Radio, television, and microwave transmitters must be suitably wired, shielded, and controlled so that they do not emit electrical waves or impulses that may affect other electronic devices or equipment. Also see Subsection 17.C.02.120.E (Electromagnetic Interference).

Chapter 17.C.04 Landscaping Standards

Sections:

17.C.04.010	Purpose.....	17.C-19
17.C.04.020	Applicability	17.C-19
17.C.04.030	Landscape Plan	17.C-20
17.C.04.040	Landscaping Standards by Use Category.....	17.C-21
17.C.04.050	Tree Preservation and Maintenance	17.C-24
17.C.04.060	Water Efficient Landscape Standards	17.C-25
17.C.04.070	General Landscaping Standards	17.C-37

17.C.04.010 Purpose

The purpose of this Chapter is to establish minimum landscape standards to enhance the appearance of projects, provide shade, reduce heat and glare, control soil erosion, conserve water, ensure the ongoing maintenance of landscape areas, and ensure that landscape installations do not create hazards for motorists or pedestrians. All landscaping must be planted and maintained according to Section 17.C.04.060 (Water Efficient Landscape Standards), and the landscape installation and maintenance guidelines in a manner to maximize the growth, health, and longevity of the plantings.

17.C.04.020 Applicability

The standards of this Chapter apply to new and existing projects, as follows, unless identified in Subsection 17.C.04.020.D (Exceptions). Deviations from the development standards of this article may be allowed on a case-by-case basis by with a Major Plot Plan approval.

- A. **New Projects.** New single-family residential, multi-family residential, mixed-use, commercial, and industrial projects.
- B. **Expansions.** Building expansions of 10 percent or more of the existing square footage. Also see Section 17.C.16.070.B (Nonconforming Landscaping).
- C. **Landscaping Changes.** This Section applies in the case that an existing nonresidential, mixed-use, multi-family residential and/or single-family project wants to make changes to existing landscape areas.
- D. **Exceptions.** This Chapter shall not apply to the following:
 - 1. Construction of accessory dwelling units (see Section 17.C.10.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units)); and
 - 2. Construction of accessory structures.

17.C.04.030 Landscape Plan

A. Application Requirements.

1. **Filing and Review.** A conceptual landscape plan demonstrating compliance with the standards of this Chapter shall be prepared, filed, and processed concurrently with any required planning permit or approval in compliance with Chapter 17.D.02 (Procedures) and this Section. If no planning permit or approval is required, a landscape plan shall be submitted as part of a Building Permit, Grading Permit, or other similar application. If applicable, the landscape plan may be combined with the Construction Document Package required by Beaumont Municipal Code Section 17.C.04.060.C (Landscape Documentation Standards).
2. **Preparation by Landscape Professional.** All landscape plans for commercial, industrial, institutional, and residential projects consisting of four or more units, shall be prepared by a California registered landscape architect or licensed landscape contractor. A written statement from the landscape professional must be included on the landscape plan indicating compliance with this Chapter.

B. Alternative Landscape Plan Requirements.

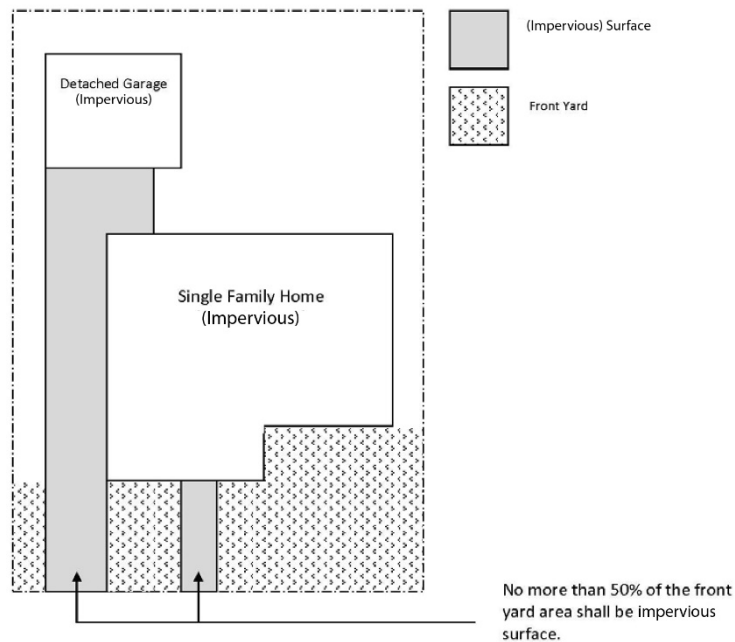
1. **Purpose.** An applicant may demonstrate that the intent of the landscape requirements of this Chapter can be achieved through an alternative landscape plan.
2. **Filing and Review.** An alternative landscape plan shall be filed and processed in the same manner as a conceptual landscape plan consistent with Subsection 17.C.04.030.A (Application Requirements); however, an alternative landscape plan must clearly detail the modifications being requested from the standards of this Chapter.
3. **Criteria for Approval.** The Review Authority may approve a landscape plan, with or without conditions of approval, only after finding that the landscape plan meets one or more of the following criteria (in the case no other applications is required, the Director shall review and have the authority to approve a landscape plan):
 - a. Innovative use of plant materials and design techniques in response to unique characteristics of the site or the proposed use;
 - b. Preservation or incorporation of existing native vegetation and documentation and proposed removal of existing invasive species;
 - c. Integration of landscaping and pedestrian facilities in a manner that improves access or incorporates pedestrian-friendly design; this may include reduced ground-level planting along the street or within the front setback area if canopy shade trees along sidewalks are provided; and/or
 - d. Use of additional shade trees to create a greater canopy effect.

17.C.04.040 Landscaping Standards by Use Category

A. Landscape Standards for Single-Family Residential Uses.

1. ***Limitation on Impervious Surfaces in Setback Areas.***
 - a. For single-family residential properties, no more than 50 percent of the front setback and street side setback area shall be covered by an impervious surface (e.g., used as a driveway). See Figure 17.C.04.040-1 (Front Yard Coverage) below.
 - b. Deviations from the standard in Subsection 17.C.04.040.A.1.a above may be allowed through a Minor Plot Plan or for small lot projects where these standards preclude the maximum lot coverage from being achieved. Also see Beaumont Municipal Code Subsection 17.C.02.060.C (Small Lot Development).
2. ***Areas Required to be Landscaped.*** The remaining unpaved or pervious portion of the front and street side setback areas not covered in Subsection 17.C.04.040.A.1.a shall be landscaped, irrigated, and maintained. See Figure 17.C.04.040-1 (Front Yard Coverage) below.
 - a. At least one-third of the landscaped area must be provided by trees, shrubs, and other plant material. All other landscaped areas must have wood chips, decorative rock, decomposed granite, or other landscaping as approved by the Director.
 - b. All landscaping shall be maintained per the Beaumont Municipal Code and as necessary as often to prevent a nuisance. Junk, debris, or other similar materials shall not be stored in the landscaped areas.

FIGURE 17.C.04.040-1: FRONT YARD COVERAGE



3. ***Shade Trees Required.*** A minimum of two 24-inch box shade trees are required within the front setback of all single-family residences.

B. Landscape Standards for Multi-Family Residential Uses.

1. ***Four or Fewer Units.*** Multi-family residential properties with four units or fewer must meet the same standards as single-family uses in accordance with Subsection 17.C.04.040.A (Landscape Standards for Single-Family Residential Uses).
2. ***More Than Four Units.*** Multi-family residential properties with more than four units must meet the landscape standards for commercial properties in Subsection 17.C.04.040.D.1 (Commercial Use Landscaping Standards). Qualifying projects shall also meet the parking lot landscaping standards in Subsection 17.C.04.040.E (Parking Lot Landscape Requirements).

C. Landscape Standards for Mixed Uses. Mixed use properties are subject to the landscape standards for each type of use proposed at the property as described by this Section as determined by the Director.

D. Landscape Standards For Nonresidential Uses.

1. ***Commercial Use Landscaping Standards.*** The following areas shall be landscaped:
 - a. Property lines adjacent to residential zones: minimum five feet.
 - b. Front and street side setback areas: minimum 10 feet, unless a smaller setback is allowed consistent with Division B (Zone Regulations) or as follows:
 - (i) Areas used for vehicles (i.e., parking and driveways) are excluded from this requirement.
 - (ii) Where buildings are located at the back of the sidewalk on the property line or within two feet of a property line, no landscaped areas are required; however, the sidewalk must be extended to the front of the building and constructed with materials that match the surface of the existing sidewalk.
2. ***Industrial Use Landscaping Standards.*** The following areas shall be landscaped:
 - a. Front and street side setback areas, except for the area occupied by necessary driveways and walkways, must be landscaped with trees and other plant materials.
 - b. Landscaping within required setbacks adjacent to the public right-of-way shall be provided and maintained so that at least one-third of the total landscaped area must be provided by trees, shrubs, and other plant material.
 - c. A landscaped buffer shall be provided along the boundary of all industrially zoned property where it abuts a residential or commercial zone.
3. ***General Commercial and Industrial Use Landscape Provisions.***
 - a. All non-paved areas must be landscaped and maintained to control dust.
 - b. An automatic irrigation system must be provided for all landscaped areas.
 - c. Landscaping shall be provided and maintained within any setback area adjacent to the public right-of-way with a distinct demarcation between asphalt paving and landscaped area.
 - d. No other usage or storage is allowed within required landscaped area.

- E. **Parking Lot Landscaping Standards.** The following standards apply to parking areas for multi-family projects with five or more units and nonresidential parking area with 10 or more spaces.

1. ***Minimum Landscaped Area in Parking Areas.***

- a. A minimum of 15 percent of the total off-street open parking area shall be landscaped with a mixture of trees, shrubs, ground cover, and other plant material.
- b. A minimum of one-third of the required landscaping must be within the interior of the parking facility.

2. ***Parking Area Landscaping Along the Public Right-of-Way.*** Along the public right-of-way adjacent to any street front parking there must be a minimum landscape planting area 10 feet wide; however, portions of the right-of-way landscape strip may be reduced to five feet when in the opinion of the Director the following conditions are met:

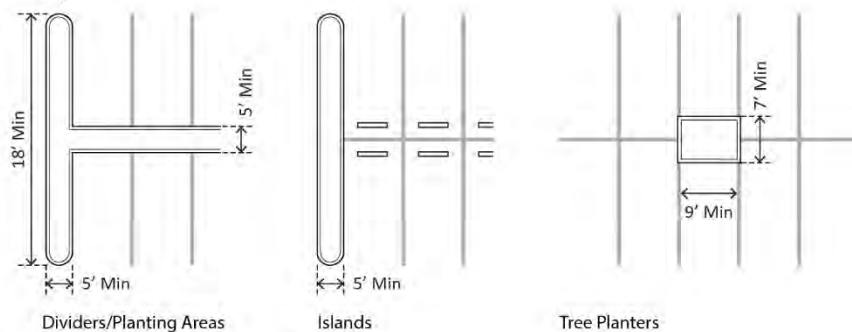
- a. The total amount of required landscaping, as calculated by applying the 10-foot width requirement, is met along the same street frontage, or the size, configuration, topography, or other condition on the site would make the 10-foot requirement impractical.
- b. The reduction does not preclude the requirement for adequate shading or screening of the parking area; and
- c. The reduction in required width does not impede compliance with any other landscape requirement.

3. ***Trees Within Parking Areas.***

- a. ***Tree planter dimensions.*** Tree planters shall be a minimum of nine feet by seven feet measured to the inside perimeter of the planter, and shall have no less than 48 square feet of permeable soil planting area. Also see Figure 17.C.04.040-1 (Parking Lot Requirements).
- b. ***Residential parking.*** Every six contiguous parking spaces require one tree planter.
- c. ***Nonresidential parking.*** Every eight contiguous parking spaces require one tree planter.
- d. ***Tree size.*** The minimum size tree planted shall be no less than a 24-inch box tree with at least a one-inch diameter at breast height (DBH).
- e. ***Shade requirements for surface parking areas.*** Shade trees must be installed to provide shade over 30 percent of a vehicle parking area within 15 years. Areas within the parking area that are excluded from the total vehicle parking area shade requirement include:
 - (i) The surface parking area covered by solar photovoltaic shade structures, or shade structures;
 - (ii) Truck loading in front of overhead doors;
 - (iii) Truck maneuvering and main access roads and driveways not used as back-up areas; and

- (iv) Surfaced areas for vehicle sales and leasing, vehicle repair and maintenance, and vehicle storage.
 - f. *Tree diversity.* At least two types of tree species are required to provide diversity.
 - g. *Existing trees.* Where trees already exist, the parking lot shall be designed to make the best use of this existing growth and shade wherever it is reasonably possible.
4. **Landscaping Adjacent to Paved Areas.**
- a. All landscaped areas located adjacent to driveways, loading areas, parking lots and sidewalks must be protected along the parking lot side with curbs or wheel stops, or alternative treatments subject to Review Authority approval.
 - b. Parking lot dividers, islands, planters, and planting areas shall be a minimum five feet wide and 10 feet long, except for tree planters, which are regulated in Subsection 17.C.04.040.E.3.a.

FIGURE 17.C.04.040-1: PARKING LOT REQUIREMENTS



- c. A six-inch high curb must be constructed around planter islands.

17.C.04.050 Tree Preservation and Maintenance

- A. **Tree Removal Permit.** A person shall obtain a tree removal permit to remove any tree from any property in accordance with Section, unless otherwise exempted in accordance with Subsection 17.C.04.050.B (Exemptions).
- B. **Exemptions.** The following shall be exempt from the provisions of this Section:
 - 1. Removal of a tree that presents an immediate safety hazard to life or property, as determined by the City Manager, Director, Building Official, Public Works Director, Police Chief, Fire Marshal, public utility company, or designees;
 - 2. Routine tree maintenance, such as the trimming or thinning of branches;
 - 3. Tree removal performed by the City, public utilities, or other public agencies in public utility easements or public rights-of-way;
 - 4. Tree removal for fuels reduction purposes on publicly owned land, performed in conjunction with an approved fuel reduction program or activity;
 - 5. Removal of trees felled by natural weather conditions or an act of God;
 - 6. Removal of visibly dead trees; and

7. Coniferous and deciduous trees with a diameter at breast height (DBH) of less than 12 inches.
- C. **Approval Findings.** The Review Authority shall issue a tree removal permit if any of the following findings apply. The Director may request the applicant to provide a professional assessment by a registered professional forester or arborist to support the reasons for the proposed tree removal.
1. The tree is infected with an epidemic insect or disease where the recommended control is not applicable and an arborist has recommended removal to prevent transmission;
 2. The tree is visibly dying;
 3. The tree presents a hazard to health, safety or property that cannot be corrected by pruning, transplanting or other treatments;
 4. The tree severely interferes with the growth and development of a more desirable tree;
 5. The removal of the tree would substantially increase midday solar access to a solar collector;
 6. The tree interferes or is causing extensive damage to utility services or facilities, roadways, sidewalks, curbs, gutters, pavement, water or sewer line, foundations or existing structures;
 7. The removal of the tree would be necessary to maintain defensible space around a structure, or for fuels reduction purposes approved by the Fire Department;
 8. The removal of the tree would allow for improved enjoyment or quality of a publicly accessible recreation or event site (e.g., improved event circulation or seating, enhanced golf course playability, etc.);
 9. Any other reason, which, in the determination of the Director, would be necessary to maintain public health, safety or welfare, or to avoid damage to buildings or property.
- D. **Insufficient Reasons for Approval of a Tree Removal Permit.** Creation of views, lawns, or similar amenities shall not be sufficient cause to remove trees.

17.C.04.060 Water Efficient Landscape Standards

- A. **Purpose.**
1. Establish provisions for water management practices and water waste prevention;
 2. Establish a structure for planning, designing, installing, maintaining, and managing water efficient landscapes in new and rehabilitated projects;
 3. To reduce the water demands from landscapes without a decline in landscape quality or quantity;
 4. To retain flexibility and encourage creativity through appropriate design;
 5. To assure the attainment of water efficient landscape goals by requiring that landscapes serviced by potable water not exceed a maximum water demand of 50 percent or 0.50 of its reference evapotranspiration (ET_o);

6. To assure the attainment of water efficient landscape goals by requiring that landscapes serviced entirely by recycled water not exceed a maximum water demand of 70 percent or 0.70 of its reference evapotranspiration (ET_o);
7. To eliminate water waste from overspray and/or runoff;
8. To achieve water conservation by raising the public awareness of the need to conserve water through education and motivation to embrace an effective water demand management program;
9. To implement the standards of the California Water Conservation in Landscaping Act 2006 and the California Code of Regulations Title 23, Division 2, Chapter 2.7;
10. To promote water conservation within new residential subdivision landscapes by prohibiting the use of natural turfgrass lawns within the front setbacks of new homes and promoting low water use plants and inert materials for a sustainable and marketable landscape design; and
11. To prohibit the new installation of natural turfgrass within medians and parkways within and along City maintained roads.

B. Applicability.

1. This Chapter applies to all of the following landscape projects:
 - a. New development projects with an aggregate landscape area equal to or greater than 500 square feet requiring a Building Permit or Plot Plan; and
 - b. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a Building Permit or Plot Plan;
2. This Chapter does not apply to:
 - a. Registered local, state or federal historical sites;
 - b. Ecological restoration projects that do not require a permanent irrigation system;
 - c. Mined-land reclamation projects that do not require a permanent irrigation system; or
 - d. Existing plant collections, as part of botanical gardens and arboreta open to the public.
3. Recognizing the special landscape needs of cemeteries, new and rehabilitated landscapes within a cemetery are subject only to the provisions set forth in Section 17.C.04.060.D (Landscape Irrigation and Maintenance).
4. If the local water purveyor has stricter standards than called for in this Title, the project applicant is responsible for contacting the water purveyor to determine what the standards are and for designing the plans to those standards. The City will work with the project applicant to implement the water purveyor standards.

C. Landscape Documentation Standards. An applicant proposing any new or rehabilitated landscape for a project subject to the standards of Subsection 17.C.04.020 (Applicability) of this Section shall prepare and submit a construction document package (CDs) to the Director including the following:

1. All project information;

2. A planting plan;
3. An irrigation design plan;
4. A soil management plan; and
5. **A Grading Design Plan.** The "Riverside County Guide to California Friendly Landscaping" (Landscaping Guide) as may be periodically amended by the Director is hereby incorporated by reference to assist in designing, constructing, and maintaining a water efficient landscape and efficient irrigation system. It is recommended that an applicant proposing any new or rehabilitated landscape that is designated for recycled water use consult with the appropriate local water purveyor early in the development review process to ensure that future recycled water facilities meet the projected demand and that the aforementioned plans when submitted comply with the applicable standards, approvals, and implementation standards of this Section, the local water purveyor, and any applicable maintenance entity. Water systems for common open space areas must use non-potable water if approved facilities are made available by the local water purveyor. Provisions for a non-potable water system must be provided within the irrigation design plan. Water systems designed to utilize non-potable water must be designed to meet all applicable standards of the appropriate regional water quality control board and the Riverside County Health Department.
 - a. Project information to be located on cover sheet is as follows:
 - (i) Date;
 - (ii) Name of applicant and contact information;
 - (iii) Name of project owner and contact information;
 - (iv) Project address including parcel and lot numbers;
 - (v) Total landscape area in square feet;
 - (vi) Project type (e.g. new or rehabilitated; residential, commercial, or industrial);
 - (vii) Water supply (e.g. potable, well, recycled; use of recycled water is encouraged);
 - (viii) Applicant's signature and date with statement, "I agree to comply with the requirements of Chapter 17.C.04 (Landscaping Standards) and submit a complete Landscape Documentation Package";
 - (ix) Landscape Architect's information, stamp, and signature; and
 - (x) Status of plans, e.g. "plan check set", "bid set", "construction set".
 - b. Planting plan requirements are as follows:
 - (i) New natural turfgrass lawns are effectively prohibited within the front setback for any new residential subdivisions. New natural turfgrass within medians and parkways within and along City maintained roads are effectively prohibited.
 - (ii) Plant types must be grouped together in regard to their water, soil, sun, and shade standards and in relationship to the buildings. Plants with

different water needs must be irrigated separately. Plants with the following classifications must be grouped accordingly: high and moderate, moderate and low, low and very low. Deviation from these groupings must not be permitted.

- (iii) Trees for shade must be provided for residential, commercial, and industrial buildings, parking lots, and open space areas. These trees can be deciduous or evergreen and are to be incorporated to provide natural cooling opportunities for the purpose of energy and water conservation.
- (iv) Plants must be placed in a manner considerate of solar orientation to maximize summer shade and winter solar gain.
- (v) Plant selection for projects in high fire hazard areas must address fire safety and prevention. A defensible space or zone around a building or structure is required in accordance with Public Resources Code section 4291 and Riverside County Ordinance No. 695. Fire-prone plant materials and highly flammable mulches must be avoided.
- (vi) Invasive species of plants must be avoided especially near parks, buffers, greenbelts, water bodies, conservation areas/reserves, and other open space areas because of their potential to cause harm to environmentally sensitive areas.
- (vii) All exposed surfaces of non-turf areas within the developed landscape area must be mulched with a minimum three-inch layer of material, except in areas with groundcover planted from flats where mulch depth shall be 1.5 inches.
- (viii) Mulching products used on slopes must aid in slope stability.
- (ix) Turf areas must be used in response to functional needs as defined and in compliance with the water budget.
- (x) Decorative water features must use re-circulating water systems.
- (xi) Where available, recycled water must be used as the source for irrigation and decorative water features.
- (xii) Planting plans must identify and site the following:
 - (a) New and existing trees, shrubs, ground covers, and turf areas within the proposed landscaped area;
 - (b) A planting legend indicating all plant species by botanical name and common name, spacing, and quantities of each type of plant by container size;
 - (c) Designation of hydrozones;
 - (d) Area, in square feet, devoted to landscaping and a breakdown of the total area by landscape hydrozones;
 - (e) Property lines, streets, and street names;

- (f) Building locations, driveways, sidewalks, retaining walls, and other hardscape features;
 - (g) Appropriate scale and north arrow;
 - (h) Any special landscape areas;
 - (i) Type of mulch and application depth;
 - (j) Type and surface area of water features;
 - (k) Type and installation details of any applicable stormwater best management practices; and
 - (l) Planting specifications and details, including the recommendations from the soils analysis, if applicable.
- (xiii) Planting plans must be prepared and have accurate and complete water budget calculations using one MAWA for the entire project and one EAWU formula for each hydrozone:

- (a) Maximum applied water allowance (MAWA): Planting plans shall be prepared using the following water budget formula for projects serviced by potable water sources and required not to exceed 50 percent or 0.50 ETo:

$$\text{MAWA (in gallons)} = (\text{ETo})(0.62)[0.5 \times \text{LA} + 0.5 \times \text{SLA}]$$

Formula for projects serviced entirely by recycled water sources and required not to exceed 70% or 0.70 ETo:

$$\text{MAWA (in gallons)} = (\text{ETo})(0.62)[0.7 \times \text{LA} + 0.3 \times \text{SLA}]$$

Where:

ETo is reference evapotranspiration, local to the project;

SLA is the amount of special landscape area in square feet;

LA is total landscape area (including the SLA) in square feet; and

For the purposes of determining the MAWA, average irrigation efficiency is assumed to be 0.71. Irrigation systems must be designed, maintained, and managed to meet or exceed an average irrigation efficiency of 0.71.

- (b) Estimated annual water use (EAWU): EAWU for a given hydrozone is calculated as follows:

$$\text{EAWU (in gallons)} = (\text{ETo})(0.62)[((\text{PF} \times \text{HA})/\text{IE}) + \text{SLA}]$$

Where:

ETo is reference evapotranspiration;

PF is Plant Factor;

HA is hydrozone area in square feet;

IE is irrigation efficiency (minimum 0.71); and

SLA is the amount of special landscape area in square feet.

- (c) Landscaping plans must provide EAWU (in the same units as the MAWA) for the sum of all valve circuits in the irrigation hydrozone. The sum of all EAWU hydrozone calculations must not exceed the MAWA for the project;
 - (d) The plant factor used must be from Water Use Classification of Landscape Species (WUCOLS). The plant factor for low water use plants range from 0 to 0.39, for moderate water use plants range from 0.4 to 0.6, and for high water use plants range from 0.61 to 1.0.
 - (e) The plant factor calculation is based on the proportions of the respective plant water uses and their plant factor, or the factor of the higher water using plant used.
 - (f) The surface area of a water feature must be included in the high-water use hydrozone area of the water budget calculation and temporarily irrigated areas in the low water use hydrozone.
 - (g) Landscape concept plans not for construction must be required to provide a complete and accurate MAWA calculation only.
 - (xiv) Planting plans and irrigation design plans (Subsection 17.C.04.060.C.5.c (Irrigation Design Plan Requirements)) must be drawn at the same size and scale.
 - (xv) The planting plan and irrigation design plans (Section 17.C.04.060.C.5.c (Irrigation Design Plan Requirements)) including landscape concept plans must be prepared by a landscape architect licensed or registered by the State of California.
- c. *Irrigation design plan standards.*
- (i) New natural turfgrass lawns are effectively prohibited within the front setback for any new residential subdivisions. New natural turfgrass within medians and parkways within and along City maintained roads is effectively prohibited.
 - (ii) Irrigation systems must be designed, maintained, and managed to meet or exceed an average irrigation efficiency of 0.71.
 - (iii) All irrigation systems must be designed to prevent runoff, over-spray, low head drainage, and other similar conditions where water flows off-site on to adjacent property, non-irrigated areas, walks, roadways, or structures. Irrigation systems shall be designed, constructed, managed, and maintained to achieve as high an overall efficiency as possible. The irrigation system must be designed to ensure that the dynamic pressure

at each emission device is within the manufacturer's recommended pressure range for optimal performance.

- (iv) Landscaped areas must be provided with a smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to real time weather conditions unless the use of the property would otherwise prohibit use of a timer. The planting areas must be grouped in relation to moisture control zones based on similarity of water requirements (e.g., turf separate from shrub and groundcover, full sun exposure areas separate from shade areas, top of slope separate from toe of slope). Additional water conservation technology may be required, where necessary, at the discretion of the Director.
- (v) Water systems for common open space areas must use non-potable water, if approved facilities are made available by the water purveyor. Provisions for the conversion to a non-potable water system must be provided within the landscape plan. Water systems designed to utilize non-potable water must be designed to meet all applicable standards of the California Regional Water Quality Control Board and the Riverside County Health Department.
- (vi) Separate valves must be provided for separate water use planting areas, so that plants with similar water needs are irrigated by the same irrigation valve. Trees should be placed on separate irrigation valves from other plants (hydrozoned) with either bubblers or drip emitters. All installations shall rely on highly efficient state of the art irrigation systems to eliminate runoff and maximize irrigation efficiency as required by the Landscaping Guide.
- (vii) Static water pressure, dynamic or operating pressure, and flow reading of the water supply must be measured. These pressure and flow measurements must be conducted at the design stage. If the measurements are not available at the design stage, the measurements must be conducted at the installation.
- (viii) The capacity of the irrigation system must not exceed:
 - (a) The capacity required for peak water demand based on water budget calculations within the required water window;
 - (b) Meter capacity;
 - (c) Backflow preventer type and device capacity; or
 - (d) A velocity of five feet per second for polyvinyl chloride (PVC) materials and seven feet per second for copper and brass materials.
- (ix) Sprinkler heads and other emission devices must have matched precipitation rates, unless otherwise directed by the manufacturer.
- (x) Within inert mulched planting areas, the use of point source drip irrigation is required to maximize water infiltration into the root zone. In 3" organic mulched planting areas where slopes are less steep than 4:1,

the use of Emitter Tubing irrigation or point source drip irrigation is required to maximize water infiltration into the root zone. Low water use plants that require overhead spray may be exempted from this requirement but must be grouped, spaced and hydrozoned independently on overhead spray. In 3" organic mulched planting areas where slopes are steeper than 4:1, the use of low volume irrigation or point source drip irrigation is required to maximize water infiltration into the root zone. Drip irrigation must be installed under the mulch. If grading conditions require increased stability not obtainable through low volume drip methods then overhead irrigation will be allowed with proper justification at the discretion of the Director.

- (xi) Slopes greater than or equal to 4:1 must not be irrigated with an irrigation system with a precipitation rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the landscape documentation required to be submitted in compliance with this Chapter, and if there is a clear demonstration that no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.
- (xii) Long-narrow, or irregularly shaped landscaped areas including functional turf areas less than 10 feet in width in any direction must be irrigated with subsurface irrigation or low-volume irrigation technology.
- (xiii) Overhead irrigation must not be allowed within two feet of any non-permeable surface including DG walking trails, or paths. There are no restrictions on the irrigation system type if the landscape area is adjacent to permeable surfacing or if no overspray and runoff occurs.
- (xiv) For the purpose of design, overhead irrigation must be limited to the hours of 9:00 p.m. to 6:00 a.m. (nine-hour water window), no more than six days a week.
- (xv) All irrigation systems must be equipped with the following:
 - (a) A smart irrigation controller as defined in Subsection 17.C.04.060.C.5.c (Irrigation Design Plan Requirements) of this Chapter;
 - (b) A rain sensing device to prevent irrigation during rainy weather;
 - (c) Anti-drain check valves installed at strategic points to minimize or prevent low-head drainage;
 - (d) A manual shut-off valve must be required as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency or routine repair;
 - (e) A mainline pressure regulator when the static water pressure is 15 percent above the recommended operating pressure of the irrigation system;
 - (f) Pressure regulation within each valve circuit to establish optimal operating pressure per manufacturers' recommendations;

- (g) Backflow prevention devices within a lockable cage or enclosure or other anchoring device to prevent theft; and
- (h) Risers must not be used in high traffic areas.
- (xvi) Dedicated landscape meters must be required for all projects greater than 2,500 square feet except single-family residences.
- (xvii) Irrigation design plans must identify and site the following:
 - (a) *Hydrozones.*
 - (1) Each hydrozone must be designated by number, letter, or other designation;
 - (2) A hydrozone information table must be prepared for each hydrozone;
 - (3) Each hydrozone must be identified by a low, medium, or high priority designation in the event of a drought or water budgeting event as determined by the local water purveyor.
 - (b) The areas irrigated by each valve;
 - (c) Irrigation point of connection (POC) to the water system;
 - (d) Static water pressure at POC;
 - (e) Location and size of water meter(s), service laterals, and backflow preventers;
 - (f) Location, size, and type of all components of the irrigation system, including automatic controllers, main and lateral lines, valves, sprinkler heads and nozzles, pressure regulator, drip and low volume irrigation equipment;
 - (g) Total flow rate (gallons per minute), and design operating pressure (psi) for each overhead spray and bubbler circuit, and total flow rate (gallons per hour) and psi for each drip and low volume irrigation circuit;
 - (h) Precipitation rate (inches per hour) for each irrigation circuit;
 - (i) Irrigation legend with the manufacturer name, model number, and general description for all specified equipment, separate symbols for all irrigation equipment with different spray patterns, spray radius, and precipitation rate;
 - (j) Irrigation system details and specifications for assembly and installation; and
 - (k) Recommended irrigation schedule for each month, including number of irrigation days per week, number of start times (cycles) per day, minutes of run time per cycle, and estimated amount of applied irrigation water, expressed in gallons per month and gallons per year, for the established landscape.

- (xviii) For each valve, two irrigation schedules must be prepared, one for the initial establishment period of six months and one for the established landscape, which incorporate the specific water needs of the plants and functional turf throughout the calendar year.
 - (xix) The planting plans (Subsection 17.C.04.060.C.5.b) and irrigation design plans must be drawn at the same size and scale.
 - (xx) The planting plan (Subsection 17.C.04.060.C.5.b) and irrigation design plans including landscape concept plans must be prepared by a landscape architect licensed or registered by the State of California.
- d. *Soil management plan standards.*
- (i) After mass grading, the project applicant shall:
 - (a) Perform a preliminary site inspection;
 - (b) Determine the appropriate level of soil sampling and sampling method needed to obtain representative soil sample(s), typically one test per every 25,000 square feet of landscaped area;
 - (c) Conduct a soil probe test to determine if the soil in the landscape area has sufficient depth to support the intended plants; and
 - (d) Obtain appropriate soil sample(s).
 - (ii) The project applicant shall submit soil sample(s) to a laboratory for analysis and recommendation. The soil analysis may include:
 - (a) Soil texture;
 - (b) Infiltration rate determined by laboratory test or soil texture infiltration rate tables;
 - (c) pH;
 - (d) Total soluble salts;
 - (e) Sodium; and
 - (f) Soil analysis recommendations.
 - (iii) The project applicant shall prepare documentation describing the following:
 - (a) Soil type;
 - (b) Identification of limiting soil characteristics;
 - (c) Identification of planned soil management actions to remediate limiting soil characteristics; and
 - (d) Submit the soil analysis report and documentation verifying implementation of soil analysis report recommendations to the County in accordance with the standards of Subsection 17.C.4.060.E (Compliance/Plan Submittal Process).

- e. *Grading design plan standards.* The landscape documentation submitted must include rough/precise grade elevations prepared for the project by a licensed civil engineer.

D. Landscape Irrigation and Maintenance. This Section must apply to all projects subject to the provisions of this Chapter as set forth in Section 17.C.04.060.B (Applicability).

1. Two irrigation schedules must be prepared, one for the initial establishment period of six months and one for the established landscape, which incorporate the specific water needs of the plants and turf throughout the calendar year. The irrigation schedule must take into account the particular characteristics of the soil; must be continuously available on site to those responsible for the landscape maintenance; and must contain specifics as to optimum run time and frequency of watering, and irrigation hours per day. The schedule currently in effect must be posted at the controller.
2. A regular maintenance schedule and certificate of completion must be submitted to the Director, property owner, and water purveyor. A regular maintenance schedule must include, but not be limited to, routine inspection, adjustments, and repair of the irrigation system and its components; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; weeding in all landscape areas and removing any obstruction to irrigation devices. Repair of all irrigation equipment shall be done with the original equipment manufacturers installed components or equivalent/improved quality components.
3. All model homes that are landscaped must use signs and written information to demonstrate the principles of water efficient landscapes described in this Chapter.
4. Information must be provided to owners of new, single-family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes.

E. Compliance/Plan Submittal Process. Prior to issuance of a Building Permit for the project, the project applicant shall:

1. Submit all landscape documents for review and approval by the Director. The planting plan, irrigation design plan, and soils management plan must be reviewed by a licensed or registered landscape architect to ensure that all components of the plans adhere to the requirements of this Chapter. The licensed or registered landscape architect shall sign the plans verifying that the plans comply with this Chapter. Any plans submitted without the signature of a licensed or registered landscape architect must not be accepted for review.
2. Prior to issuance of a Certificate of Occupancy or final inspection for the project, a regular maintenance schedule and a certificate of completion shall be submitted to the Director certifying that the landscaping has been completed in accordance with the approved planting, irrigation design, soil management, and grading design plans for the project. The certificate of completion must be signed by a licensed or registered landscape architect and must indicate:
 - a. Date;

- b. Project information: project name; project applicant name, telephone and mailing address; project address and location; and property owner name and mailing address;
 - c. Prior to backfilling, evidence that the party responsible for irrigation installation conducted a preliminary field inspection of the irrigation system (evidence of field inspection must be attached);
 - d. The landscaping has been installed in conformance with the approved planting and irrigation design plans;
 - e. Irrigation audit report performed by a certified irrigation auditor after project installation (audit report shall be attached);
 - f. The smart irrigation controller has been programmed appropriately according to the parameters of each valve circuit;
 - g. The irrigation system has been adjusted to maximize irrigation efficiency and eliminate overspray and runoff;
 - h. A copy of the approved landscape documentation (Section 17.C.04.060.C (Landscape Documentation Standards)), the irrigation schedule (Section 17.C.04.060.D (Landscape Irrigation and Maintenance)) and the maintenance schedule (Section 17.C.04.060.D (Landscape Irrigation Maintenance)) has been given to the property owner and local water purveyor; and
 - i. Verification that the maintenance schedule has been provided to the Director.
 3. At a minimum, all landscape irrigation audits must comply with the "Irrigation Association Certified Landscape Irrigation Auditor (CLIA) Training Manual" (3rd Edition, or most current) and must be conducted by a certified landscape irrigation auditor. Any landscape irrigation auditor performing audits shall maintain a current certification as a CLIA from the Irrigation Association (IA).
 4. The Director or his/her designee shall have the right to enter upon the project site at any time before, during, and after installation of the landscaping, to conduct inspections for the purpose of enforcing this Chapter.
 5. The Director shall have the discretion to interpret and determine suitable compliance based upon the intent of the Chapter.
- F. **Landscape Water Use Efficiency Enforcement.** The City will rely on water purveyors to enforce landscape water use efficiency standards. The City shall coordinate with local water purveyors and identify programs that enhance and encourage landscape water use efficiency such as:
1. Tiered water rate structure, or
 2. Allocation-based conservation water pricing structure, or
 3. A rate structure at least as effective as the above options, or
 4. Irrigation audits and/or irrigation surveys, or
 5. Penalties for water waste.

17.C.04.070 General Landscaping Standards

A. Landscape Components.

1. Required landscaped areas must be planted with a combination of ground covers, shrubs, vines, and/or trees. All proposed landscaping plants types must be consistent with the County of Riverside Guide to California Friendly Landscaping's California Friendly Plan List for Water Use Classification of Landscape Species (WUCOLS) Region 4.
2. Landscaped areas may also include incidental features including stepping stones, benches, fountains, sculptures, decorative stones, or other ornamental features, placed within a landscaped setting.
3. Garden areas and other areas dedicated to edible plants are considered landscaped areas and count toward required landscaping.

B. Artificial Turf/Grass. Artificial turf/grass shall be allowed in all landscape areas subject to the following standards:

1. Artificial turf/grass must be aesthetically similar to natural turf.
2. Artificial turf/grass must be maintained to the standards and aesthetics consistent to the time at which it was approved and installed.
3. Artificial turf/grass must have a permeable base and drainage system approved by the City Engineer underneath the synthetic turf.
4. Artificial turf/grass must have an artificial turf fiber blend that reduces heat absorption, has appropriate ultraviolet protection, and has a flammability rating that meets the City of Beaumont Municipal Code Chapter 15.20 (Fire Code).

C. Size and Spacing. To achieve an immediate effect of a landscape installation and to allow sustained growth of planting materials, minimum plant material sizes, plant spacing, and minimum planter widths (inside measurements) are as follows:

1. **Ground Covers.** Ground cover plants other than grass must have a minimum container size of four inches. Areas planted in ground cover plants other than grass seed or sod must be planted at a rate of one ground cover plant per 12 inches on center or less.
2. **Shrubs.**
 - a. All proposed shrubs except accent, color, or ground cover planting shall be a minimum five gallons in size. However, a 15-gallon minimum size shall be required for screening purposes.
 - b. The minimum planter width for shrubs is three feet.

D. Trees.

1. **Street Trees.**
 - a. *Applicability.* This Subsection applies to street trees located within the public right-of-way. Also see Beaumont Municipal Code Chapter 12.20 (Trees), which regulates street trees and trees on private property that project onto streets.
 - b. *Permitted plantings.* Only trees approved by the Director may be planted along a public street, alley, parking strip, public right-of-way, or parkway.

- c. *Responsibility for maintenance.* Owners of a property fronting a public street or alley shall be responsible for the adequate watering of all street trees abutting that property and shall bear the cost of replacement of any street tree that dies.
 - d. *Alteration or removal.* A person shall not plant, trim, or remove any tree or shrub on any public street or right-of-way without approval of a permit by the Department. Public utility companies and agencies shall be permitted to trim trees to ensure the safe operation of their businesses.
 - e. *Prohibitions.* The following acts in planting strips or parkway areas are prohibited:
 - (i) Construction of a tree well with diameter less than four feet or otherwise filling the ground area around a tree so as to shut off light, air, or water from the roots.
 - (ii) Piling of any building material, equipment, or other substance around any tree so as to cause injury.
 - (iii) Pouring of any deleterious matter on or around any tree or on the ground or on any lawn in such a manner as to damage the tree.
 - (iv) Cutting, breaking, defacing, or damaging a tree in any manner whatsoever.
 - (v) Placing or allowing to remain in any parkway area any vegetation (other than an approved tree) or structure exceeding 1.5 feet in height.
 - (vi) Posting or affixing to any City tree any bill, poster, picture, placard, announcement, notice, advertisement, or sign.
2. ***Required Trees.*** A minimum of one tree shall be located along every 40 feet of street frontage in the following zones:
- a. Downtown Mixed Use Zone;
 - b. Beaumont Mixed Use Zone;
 - c. Sixth Street Mixed Use Zone;
 - d. Sixth Street Mixed Use – Residential Zone;
 - e. Downtown Residential Multi-family Zone;
 - f. Residential, Traditional Neighborhood Zone;
 - g. Residential, Multiple-Family Zone;
 - h. Urban Village Zone; and
 - i. Transit Oriented District Overlay Zone.
3. ***Tree Size and Spacing.***
- a. The minimum planting size for trees shall be 15-gallon with a one-inch diameter at breast height (DBH), and a minimum 24-inch box size.
 - b. Any tree that cannot be planted in the ground shall be planted in a planter box at least twice the width and depth of the root ball plus one additional foot in

container diameter for every four feet of mature tree height. The minimum planter area for trees shall be five feet by five feet.

- c. Any tree planted along a lot line or adjacent to a structure must be no closer to the lot line or structure than one-half the diameter of the species' drip line at maturity, measured from the center of the tree.

E. Slopes.

1. Cut and fill slopes equal to or greater than three feet in vertical height must be planted with ground cover and must be provided with an in-ground irrigation system to protect the slope from erosion and instability.
2. Cut and fill slopes exceeding 10 feet in vertical height must be planted with approved trees and shrubs in addition to ground cover to protect the slope from erosion and instability.

F. Maintenance.

1. All required landscaping and structural landscape features such as water features, must be maintained in a healthy condition consistent with the approved landscape plans and not create a nuisance consistent with Beaumont Municipal Code Chapter 8.32 (Nuisances). Maintenance includes watering, fertilizing, weeding, cleaning, pruning, trimming, spraying, and cultivating.
2. All landscaped areas in a public street, sidewalk, or right-of-way that is abutting a property must be maintained by the adjoining property owner, unless it is maintained through another mechanism such as a homeowner's association or business improvement district.
3. Landscaping must not obstruct a public street, intersection, sidewalk, or right-of-way either physically or visually as determined by the Public Works Director.
4. Occupants of a property abutting a public street or alley shall keep private trees from overhanging into the public right-of-way. Trees must be trimmed to maintain a minimum clearance of 10 feet above the sidewalk, 14 feet above a curb, 17.5 feet at center in residential areas, and 17.5 feet above the curb at bus stops.

All dead, dying, or significantly injured tree(s) shall be replaced. Unless otherwise approved, a replacement tree(s) must be the same size and species as the removed tree. The minimum size for a replacement tree(s) is no less than a 24-inch boxed tree with at least a one-inch diameter at breast height (DBH).

G. Irrigation.

1. **General.** Landscaping shall be designed to prevent irrigation water from flowing over paved surfaces. Techniques include:
 - a. Offsetting any turf areas from driveways and sidewalks a minimum of 2 feet to prevent overspray from sprinklers;
 - b. Using a subterranean irrigation system (versus spray irrigation) or drip irrigation system; and
 - c. Other water conservation techniques.

2. ***Parking Lots.*** Parking lots shall have automatic irrigation systems. Trees shall be irrigated with drip emitters, bubbler heads, or subterranean low-volume drip system and shall be irrigated separately from shrubs and ground covers.

Chapter 17.C.06 Parking Requirements

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17.C.06.010 Purpose

The specific purposes of the parking and loading requirements are to:

- A. Require parking spaces and loading spaces for all land uses that are sufficient in number, size, and arrangement;
- B. Minimize the negative environmental and urban design impacts of parking lots, driveways, and drive aisles within parking lots;
- C. Ensure the provision of adequate off-street bicycle parking; and
- D. Establish standards and regulations for safe and well-designed parking, unloading and vehicle circulation areas.

17.C.06.020 Applicability

Off-street parking spaces shall be provided and improved consistent with this Chapter as follows:

- A. Whenever a building is constructed;
- B. Whenever a new use is established; or
- C. Whenever an existing building or use is altered, resulting in an increase in the number of required parking or loading facilities; however, Subsection 17.C.16.070.A (Nonconforming Parking) may reduce the amount of additional parking required.

17.C.06.030 General Requirements

- A. **When Constructed.** Parking and loading facilities required by this Chapter shall be constructed or installed prior to final inspection or the issuance of a Certificate of Occupancy for the use that they serve.
- B. **Existing Parking and Loading to be Maintained.** No existing parking and loading area serving any use may be reduced in amount or changed in design or location below the requirements for such use, unless equivalent substitute facilities are provided.
- C. **Accessibility.** Parking and loading areas shall be accessible for their intended purpose during all hours of operation.
- D. **Restriction Regarding Use of Parking Areas.** No required parking or loading facilities shall be used for the sale or display of goods or services, the storage of inoperable vehicles, or for repair work, servicing, or the dismantling of vehicles.
- E. **Truck Parking Prohibited in Residential Zones.** The parking of commercial vehicles weighing 6,000 pounds or more shall be prohibited in all residential zones. This restriction shall apply to both on-street and off-street parking.
- F. **Parking for Special Events or Temporary Uses.** Parking areas in any zone may be used for special events or temporary uses with authorization from the property owner or operator of the parking area and the Director in accordance with Beaumont Municipal Code Chapter 9.03 (Regulation of Special Events) and Section 17.D.4.040 (Temporary Use Permits), as appropriate.
- G. **Access Required.** A Building Permit shall not be issued for a building or structure on a lot that does not have access on a dedicated and improved street or on a private road acceptable to the Director and the City Engineer.
- H. **Emergency Access.** Dedicated fire lanes to serve as access for fire vehicles and emergency apparatus from a public street shall be provided as set forth below and shall be posted as a fire lane:
 - 1. **When Required.**
 - a. If any structure is 50 feet from a right-of-way and more than 30 feet high; or
 - b. If any structure is 150 feet from a right-of-way and 30 feet high or less; or
 - c. If the structure or use is commonly associated with a fire or explosion hazard; or
 - d. If the structure or use attracts a large congregation of people, as determined by the Fire Department.
 - 2. Fire lanes must be at least 25 feet wide. An alley can serve as a fire lane if it meets the requirements. Likewise, an appropriately designed buffer strip unobstructed by landscaping or structures, can serve as a fire lane.
 - 3. Projects with other characteristics, such as distance from the nearest fire hydrant, site design, etc., which inhibit fire control may require provision of a fire lane at the discretion of the Planning Director.
 - 4. Alternative means of fire control may be provided, subject to the approval of the Fire Department.

17.C.06.040 Type of Vehicle Parking Allowed

- A. **General.** Parking spaces shall be designed consistent with Subsection 17.C.06.080 (Parking Area Development and Design Standards) unless otherwise allowed by this Chapter.
- B. **Disabled Accessible Parking.**
1. Parking for disabled persons shall be provided in compliance with the Building Code and the Americans with Disabilities Act (ADA).
 2. Parking spaces for disabled persons shall count toward the number of parking spaces required by this Chapter.
 3. A site shall not be considered to have nonconforming parking if the number of off-street spaces provided is reduced to less than required by this Chapter solely because the lot is restriped to comply with handicapped parking requirements.
- C. **Compact Parking Spaces.** For parking areas and garages containing 20 or more stalls serving nonresidential uses, up to 10 percent of the total (i.e., required and non-required) stalls may be compact parking spaces.
- D. **Tandem Parking.** Tandem parking is allowed for residential uses when the tandem spaces are assigned to the same dwelling unit and where the tandem parking is a maximum of two cars in depth. Tandem parking may also be approved for nonresidential uses when the tandem spaces are assigned to employees of the same nonresidential establishment or if the applicant demonstrates that tandem parking will not interfere with orderly parking and movement of vehicles consistent with Subsection 17.C.06.040.E (Stacked Parking). Tandem parking may not encroach into the public right-of-way.
- E. **Stacked Parking.** Stacked or valet parking is allowed if an attendant is present, or an automated system is in place to move vehicles. If stacked parking managed by an attendant is used for required parking spaces, an acceptable form of guarantee must be filed with the Director ensuring that an attendant will be present while the parking lot is in operation.
- F. **Unbundled Parking from Residential Uses.** Unbundled parking is allowed with any dwelling unit other than a detached single-family dwelling and is required for attached single unit and multi-unit projects of 16 units or more, in compliance with California Civil Code §1947.1:
1. All off-street spaces shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space.
 2. In cases where there are fewer parking spaces than dwelling units, the parking spaces shall be offered first to the potential owners or renters of three-bedroom or more units, second to owners or renters of two-bedroom units, and then to owners and renters of other units. Spaces shall be offered to tenants first. Non-tenants may lease with a provision for 30 days to terminate the lease.

17.C.06.050 Number of Parking Spaces Required

A. Number of Spaces Required.

- Each land use is subject to the minimum required number of parking spaces as listed in Table 17.C.06.050-A (Minimum Required Number of Vehicle Parking Spaces) unless otherwise provided in this Title.
- The parking requirement for any use not listed in Table 17.C.06.050-A (Minimum Required Number of Vehicle Parking Spaces) shall be determined by the Director based upon the requirements for the most similar comparable use, the characteristics of the proposed use, and any other relevant data regarding parking demand.

Table 17.C.06.050-A: Minimum Required Number of Vehicle Parking Spaces

Land Use Classification	Minimum # of Spaces	
	Residential, Commercial, Mixed-Use, Manufacturing, and Other Zones	Downtown Zones
Residential Uses		
Accessory Dwelling Unit	See Section 17.C.10.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units)	
Boarding or Rooming House	1 per guest room, plus 2 per manager’s unit	0.5 per guest room, plus 1 per manager’s unit
Caretaker’s Unit	1 per unit	1 per unit
Employee Housing	1 space per 2 beds	n/a
Parolee/Probationer Home	Same as required for underlying residential use (e.g., single-family dwelling), plus 1 per manager’s unit	
Day Care Center		
Small	Same as required for underlying residential use	Same as required for underlying residential use
Large	1 per employee on the largest shift; plus an area for loading and unloading children	1 per employee on the largest shift; plus an area for loading and unloading children
Elderly and Long-term Care	1 per every 3 beds; plus 1 space per employee on the largest shift	1 per every 5 beds; plus 1 space per employee on the largest shift
Emergency Shelter; Low Barrier Navigation Center; Residential Care Facility	1 space per employee or agency vehicle used in connection with the use	
Home Occupation	Same as required for underlying residential use (e.g., single-family dwelling)	

Table 17.C.06.050-A: Minimum Required Number of Vehicle Parking Spaces

Land Use Classification	Minimum # of Spaces	
	Residential, Commercial, Mixed-Use, Manufacturing, and Other Zones	Downtown Zones
Live-work Unit	Single-family and duplex parking requirements for residential component; plus 1 space for the commercial component	
Mobile Home Park	See Section 17.C.10.170 (Mobilehome Parks)	
Multi-Family Dwelling		
Studio and 1-bedroom (up to 1,100 sf)	1 per unit; plus 15% of total spaces for guest parking ¹	1 per unit; plus 10% of total spaces for guest parking ¹
2-bedroom (up to 1,100 sf)	1.5 per unit; plus 15% of total spaces for guest parking ¹	1.25 per unit; plus 10% of total spaces for guest parking ¹
3 or more bedrooms and/or 1,101 sf or larger	2 per unit; plus 15% of total spaces for guest parking ¹	1.5 per unit; plus 10% of total spaces for guest parking ¹
Single-Family Dwelling; Duplex		
Less than 900 sf and 2 bedrooms or fewer	1 per unit ¹	1 per unit ¹
Over 900 sf or over 2 bedrooms	2 per unit ¹	1.25 per unit ¹
Single-Room Occupancy (SRO) Residence	0.5 per unit	0.33 per unit
Supportive Housing; Transitional Housing	Same as required for underlying residential use	Same as required for underlying residential use
Commercial Uses		
All Commercial Uses	1 per 400 sf of floor area, except as specified below	
Animal Care and Services		
Animal Hospital; Kennel/Cattery; Pet Day Care; Veterinary Clinic	1 per employee; plus 2 spaces	1 per 2 employees; plus 1 customer space
Banks and Financial Institutions	1 per 200 sf gross floor area	1 per 400 sf gross floor area
Entertainment and Recreation, Commercial		
Entertainment, Indoors; Entertainment, Outdoors	1 per 3 seats	1 per 6 seats
Sports and Recreation, Outdoors	Determined by Director	
Hospital	1 per 1.5 beds	
Lodging		

Table 17.C.06.050-A: Minimum Required Number of Vehicle Parking Spaces

Land Use Classification	Minimum # of Spaces	
	Residential, Commercial, Mixed-Use, Manufacturing, and Other Zones	Downtown Zones
Bed and Breakfast Establishment	1 per guest room in addition to required spaces for non-transient residential use	
Hotel	0.5 per guest room	
Motel	0.7 per guest room	
RV Camper Park	1 per RV space; plus 1 per employee	n/a
Offices		
Business and Professional; Communication Offices/Studios	1 per 300 sf gross floor area	1 per 600 sf gross floor area
Medical Office/Clinic	1 per 300 sf gross floor area	1 per 600 sf gross floor area
Services	1 per 300 sf gross floor area	1 per 600 sf gross floor area
Alcohol-Serving and Restaurant Uses		
Bars or Cocktail Lounge; Brewery, Winery, or Distillery	1 per 200 sf gross floor area	
Restaurant (Limited Service and Full Service)	1 per 250 sf of gross floor area	
Vehicle-Related Uses		
All Vehicle-Related Uses except as specified below	1 per 400 sf	
Commercial Fueling Facility; Fleet-based Service	1 per 1,000 sf gross floor area within any building	
Gas/Service Stations	1 per 200 sf gross floor area of accessory uses such as retail or food service	0.75 per 200 sf of accessory uses such as retail or food service
Parking Lots; Parking Structures; Vehicle Storage	None	
Tire Store and Tire Repair; Vehicle Repair and Maintenance	3 per service bay	
Vehicle Sales and Leasing	1 per 1,000 sf of showroom plus 1 per 400 sf of retail or office	
Industrial Uses		
All Industrial Uses except as specified below	1 per 2,000 sf of floor area; plus 1 per 300 sf of office area, except as specified below	
Advanced Manufacturing; Custom and Artisan Manufacturing	1 per 500 sf	

Table 17.C.06.050-A: Minimum Required Number of Vehicle Parking Spaces

Land Use Classification	Minimum # of Spaces	
	Residential, Commercial, Mixed-Use, Manufacturing, and Other Zones	Downtown Zones
Warehousing, Storage, and Distribution		
Mini-Storage or Self-Storage	1 per 5,000 sf of storage unit area; plus 2 employee parking spaces	
Agricultural Uses		
All Agricultural Uses	Determined by Director	
Public, Institutional, and Utility Uses		
All Public, Institutional, and Utility Uses except as specified below	1 per 400 sf of floor area, except as specified below	
Cemetery; Community Garden; Park;	Determined by the Director	
Community Assembly	1 per 5 permanent seats and/or 1 per 100 sf of assembly seating area Where temporary seats are used	1 per 5 permanent seats and/or 1 per 200 sf of assembly seating area
Community Recreation Center; Cultural Facility	1 per 400 sf of floor area open to the public	1 per 200 sf of floor area open to the public
Educational Institutions		
College or University	2 per classroom plus 1 per 300 sf of assembly area	
Schools, Public or Private	1 per classroom; plus 1 per 400 sf of office	
Vocational and Trade Schools	2 per classroom plus 1 per 300 sf of assembly area	
Public Safety Facility; Public Utility/Service Structures	1 per employee; plus 1 for each agency vehicle used in connection with the use	
Other Uses ²		
All Other Uses	None	

Table Notes:

¹ At least one covered space per unit. A driveway space measuring a minimum of 8' x 18' shall count as an off-street parking space.

² Other uses as defined in Section 17.E.04.080 (Other Uses)

3. **Exceptions Near a Major Transit Stop.** No minimum number of spaces are required within a one-half mile of a major transit stop in accordance with California Public Resources Code §21155 unless the findings at California Government Code §65863.2 are made.

4. ***Maximum Number of Spaces Allowed in Downtown.***

- a. For newly constructed developments in downtown zones, no more than 125 percent of the minimum required parking may be provided.
- b. When the parking requirement is zero, a maximum of five spaces may be provided.
- c. The maximum parking limit does not apply to primary uses that are parking lots or parking structures, any shared parking areas, or any City facilities.
- d. Exceptions to the maximum number of parking spaces allowed parking limit may be approved with a Major Plot Plan.

B. **Calculation of Required Spaces.**

- 1. ***Parking Ratios.*** The number of required parking spaces shall be calculated according to the following rules:
 - a. ***Floor area.*** Where a parking requirement is stated as a ratio of parking spaces to floor area, the floor area is assumed to be gross floor area, unless otherwise stated. Any portion of floor area that is used for automobile parking shall not be counted in calculating the floor area for required parking.
 - b. ***Employees.*** Where a parking requirement is stated as a ratio of parking spaces to employees, the number of employees shall be based on the maximum number of employees that occurs in a typical week.
 - c. ***Bedrooms.*** Where a parking requirement is stated as a ratio of parking spaces to bedrooms, any rooms having the potential of being a bedroom and meeting the standards of the California Building Code as a sleeping room shall be counted as a bedroom.
 - d. ***Students or clients.*** Where a parking requirement is stated as a ratio of parking spaces to students or clients, the number is assumed to be the number of students or clients at the state-certified capacity or at Building Code Occupancy where no state certification is required.
 - e. ***Seats.*** Where a parking requirement is stated as a ratio of parking spaces to seats, each 24 inches of bench-type seating at maximum seating capacity is counted as one seat. For places of meeting or assembly that do not include fixed seating, seven square feet shall equal one seat.
- 2. ***Sites with Multiple Uses.*** If more than one use is located on a site, the number of required parking and loading spaces shall be equal to the sum of the requirements calculated separately for each use, unless a lower amount of parking is required or allowed consistent with Section 17.C.06.060.A (Shared Parking), this Chapter, or this Title.
- 3. ***Parking Requirements for Ancillary Uses.*** For accessory or ancillary uses, no additional parking may be required as determined by the Director. Examples of this case include a coffee or snack shop within an office or hotel development.
- 4. ***New Building Without Tenants.*** If the type of tenant that will occupy a nonresidential building, or the nonresidential portion of a mixed-use building, is not known at the time the new building is being proposed, the number of parking spaces required for the

nonresidential use shall be the parking generally required for the use classification (e.g., commercial uses) as identified in Table 17.C.06.050-A (Minimum Required Number of Vehicle Parking Spaces) unless otherwise determined by the Review Authority.

5. **Queuing Area.** The number of parking spaces required by Table 17.C.06.050-A (Minimum Required Number of Vehicle Parking Spaces) does not include queuing space that may be required for vehicles and customers waiting in vehicles for service, pump stations, auto service bays, or similar uses.

17.C.06.060 Parking Reductions

A. Shared Parking.

1. **Purpose.** Buildings or sites with multiple uses shall have reduced parking requirements reflecting different peak parking demands and/or the capture of trips within the building or site due to the mix of on-site uses.
2. **Parking Reductions For Sites With Two Uses.** The amount of the parking reduction is calculated by taking the sum of the minimum parking requirements for the two uses with the highest parking requirement based on Table 17.C.06.050-A (Minimum Required Number of Vehicle Parking Spaces) and multiplying that sum by the percentage in Table 17.C.06.060-A (Parking Reductions for Sites with Two Uses) for that combination of uses. The Review Authority may approve further reductions consistent with 17.C.06.060.H (Other Parking Reductions).

Table 17.C.06.060-A: Parking Reductions for Sites with Two Uses

First Use	Second Use					
	Multi-Family	Public, Institutional, or Civic	Food, Beverage, Lodging, Recreation, or Entertainment	Retail	Office	Other Commercial
Multi-Family	n/a					
Public, Institutional, or Civic	10%	n/a				
Food, Beverage, Lodging, Recreation, or Entertainment	10%	20%	n/a			
Retail	15%	25%	25%	n/a		
Office	30%	25%	30%	20%	n/a	
Other Commercial	20%	25%	25%	20%	20%	n/a

B. Off-Site Parking.

The required number of on-site parking spaces may be reduced through the provision of off-site parking in compliance with the following:

1. **Location.** Required parking must be located within one-quarter mile of the project site.
2. **Access.** Access between the on-site use(s) or the subject site and the off-site parking area must be provided through pedestrian, bicycle, and/or transit facility connections (e.g.,

sidewalks, multi-use paths, bicycle lanes, transit stops). Adequate signage must be installed to direct users to off-site parking areas as determined necessary by the Director. Off-site parking may also be shared parking.

3. **Agreement.** A parking agreement shall be provided in a form acceptable to the City Attorney which identifies the location of the off-site parking spaces, guarantees the continued availability of the off-site parking spaces, and sets forth the ongoing responsibilities of the parties involved. The parties to the agreement shall include the owners and lessees of the off-site parking spaces and the owners and lessees of the subject site, and a copy of any such agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in revocation of the on-site parking reduction approval by the City unless a new alternative parking arrangement is approved by the City within a reasonable timeframe, as determined by the Director.
- C. **Designated Car Sharing Parking.** Required parking spaces may be substituted with designated carshare vehicle parking spaces, and the required number of parking spaces may be reduced, consistent with the following:
1. **Carshare Parking Designation.** A maximum of 20 percent of the required parking spaces may be designated as carshare vehicle parking spaces.
 2. **Reduction Allowed.**
 - a. *Parking areas with 50 or fewer parking spaces.* A five percent reduction in the required parking shall be allowed where five percent of the required spaces are designated as carshare vehicle parking spaces.
 - b. *Parking areas with 51 or more parking spaces.* A 10 percent reduction in the required parking shall be allowed where 10 percent of the required spaces are designated as carshare vehicle parking spaces.
- D. **Electric Vehicle (EV) Charging Parking Spaces.** Each electric vehicle (EV) charging parking space exceeding the minimum requirement in Section 17.C.06.090 (Electric Vehicle Charging Spaces) shall count as two required parking spaces, for up to a maximum of five additional EV parking spaces corresponding to a parking requirement reduction of 10 spaces.
- E. **Bicycle Parking.** Bicycle parking exceeding the minimum requirements in this Chapter may reduce the number of required vehicle parking spaces by up to five percent, provided the bicycle parking complies with the following:
1. Three bicycle spaces may substitute for one vehicle space; and
 2. Bicycle spaces must comply with the standards in Section 17.C.06.100 (Bicycle Parking).
- F. **Motorcycle Parking.** Motorcycle parking may substitute for up to five percent of the required number of vehicle parking spaces. Each motorcycle space must be at least four feet wide and seven feet deep and be able to accommodate two-wheeled motorized vehicles, including scooters, mopeds, and similar vehicles.

- G. **Parking Reductions to Accommodate Enclosures or Recycling Receptacles for Existing Development.** To encourage recycling, the Director shall have the authority to reduce the number of required motor vehicle parking spaces provided for existing land uses in order to accommodate enclosures or recycling receptacles, provided that the enclosures meet the design specifications in Section 17.C.02.130.D (Enclosure Plans and Specifications). If there is insufficient space to construct a combined trash and recycling enclosure, the Director shall have the authority to allow recycling receptacles to be located adjacent to existing trash receptacles. Also see Section 17.C.02.130 (Refuse and Recycling Areas).
- H. **Other Parking Reductions.** Required parking for any use may be reduced at the discretion of the Review Authority, if any of the following findings are met:
1. The site is developed, and it would be infeasible or impractical to provide additional parking;
 2. Special conditions including, but not limited to the nature of the proposed operation; proximity to transit service; transportation characteristics of the persons residing, working, or visiting the site; or other circumstances will reduce parking demand at the site;
 3. The use will be adequately served by proposed on-site parking or other approved off-site parking;
 4. A parking use analysis is provided to support the proposed parking arrangement; or
 5. Parking demand generated by the project will not exceed the capacity of the supply of on-street parking.
- I. **Maximum Parking Reduction.** No development may be granted a cumulative parking reduction greater than 50 percent for nonresidential uses or greater than 15 percent for residential uses.

17.C.06.070 Transportation Demand Management

- A. **Applicability.**
1. **Residential.** This Section applies to single-family and multi-family projects with 20 or more units (excluding elderly and long-term care, emergency shelters, residential care facilities and similar uses, and affordable housing projects with greater than 50 percent of units below market rate).
 2. **Commercial and Industrial.** Beaumont Municipal Code Chapter 10.42 (Transportation Demand Management Requirements) applies to commercial and industrial projects as specified in that Chapter.
 3. **Other.** The Director may apply this Section to any other land use found to have a significant impact to vehicle miles traveled during environmental review.
- B. **TDM Plan Requirements.** The project applicant shall submit a Transportation Demand Management (TDM) Plan consistent with the procedures described in Beaumont Municipal Code Section 10.42.060 (Filing procedure and evaluation).

C. **Trip Reduction Measures.**

1. **Required Trip Reduction Measures.** The following trip reduction measures must be incorporated into all TDM plans.
 - a. Provide the following information to or residents on an annual basis:
 - (i) Carpooling/vanpooling information;
 - (ii) Transit schedules and route information;
 - (iii) Information on air pollution and alternatives to single-occupancy vehicle trips;
 - (iv) Bicycle route and facility information, including local bicycle maps, locations of nearest outdoor bicycle parking or enclosed bicycle storage, and bicycle safety information; and
 - (v) Information on walking and biking to work, pedestrian and bicycling safety, and all-weather walking shoes.
 - b. At least one measure from Subsection 17.C.06.070.C.2 (Supplemental Trip Reduction Measures).
2. **Supplemental Trip Reduction Measures.**
 - a. On-site bicycle repair station above that required by Section 17.C.06.100 (Bicycle Parking).
 - b. Active transportation gap closure (e.g., constructing segments of pedestrian paths or bicycle lanes to connect the project site to existing or planned pedestrian or bicycle infrastructure network).
 - c. Funding toward local transit, pedestrian, or bicycle facilities or infrastructure above that required through impact fees or mitigation requirements.
 - d. Transit pass subsidies for residents.
 - e. On-site car share.
 - f. On-site bicycle share or micromobility (e.g., bicycle, scooter, or other lightweight small/personal vehicle) program participation for residents.

- D. **Enforcement.** The City shall enforce this Section in the same manner as Beaumont Municipal Code Section 10.42.090 (Enforcement and penalties.).

17.C.06.080 Parking Area Development and Design Standards

- A. **Location of Parking.** Except as otherwise provided in this Chapter, all required parking spaces shall be located on the same site as the use they serve.
1. **Residential Parking.** Vehicles on private property used for residential purposes shall be parked only in paved parking spaces or in driveways that comply with the following:
 - a. The driveway must provide access to required parking spaces; and
 - b. The required spaces must not block access to parking for other residential units.

2. **Parking in Setbacks.** Front, side, and rear setbacks must not be used for off-street parking of vehicles or loading spaces unless on a surface approved by the Director or City Engineer.
- B. **Limitations on Reversing.** Each automobile parking stall shall be so located that no automobile is required to back onto any public street or sidewalk to leave the parking stall, parking bay, or driveway except from a lot in low density residential zones.
- C. **Size and Dimensions of Parking Spaces and Maneuvering Aisles.** Parking spaces shall meet the minimum size and dimensions established in Table 17.C.06.080-A (Parking Space Minimum Dimensions). Screening walls, roof support posts, columns, or other structural members shall not intrude into the required dimensions for parking spaces. Maneuvering aisles shall meet the minimum size and dimensions established in Table 17.C.06.080-B (Maneuvering Aisle Minimum Dimensions).

Table 17.C.06.080-A: Parking Space Minimum Dimensions

Type of Parking Space	Angle	Width (feet)	Length (feet)
Standard ¹	0°	9	18
	45°	19	12.75
	90°	19	9
Compact	0°	8	15
	45°	16	8
	90°	16	8
Parallel	n/a	10	22
Tandem	n/a	10	38
Motorcycle	Any	4	8
Accessible	Any	Compliant with California Building Code	

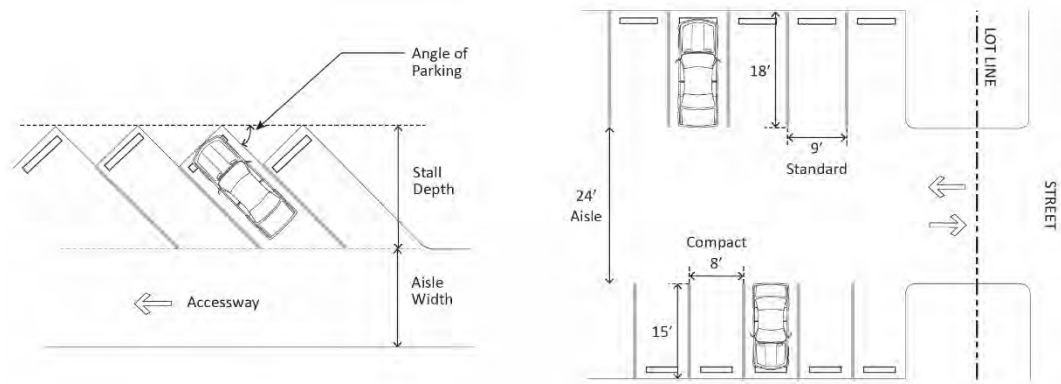
¹ A minimum width of 10 ft and a minimum length of 20 ft must be provided in a residential garage containing four or fewer parking spaces and where the individual garage does not include circulation elements, such as driveway aisles.

Table 17.C.06.080-B: Maneuvering Aisle Minimum Dimensions

Angle of Parking	Width (feet) ¹	
	One-Way	Two-Way
Parallel	12	16
0-45 degrees	12	22
46-60 degrees	18	22
61-90 degrees	24	24

¹ Modified dimensions may be approved by the City Engineer depending on the number of compact spaces present.

FIGURE 17.C.06.080-1: SIZE AND DIMENSIONS OF PARKING SPACES AND MANEUVERING AISLES



- D. **Required Improvements.** All parking areas and access driveways shall have a smoothly graded, stabilized, and dustless surface with adequate drainage consistent with Public Works Department specifications.
- E. **Striping and Marking.**
 1. **Space Outline.** All parking spaces shall be clearly outlined with striping consistent with Public Works Department specifications.
 2. **Maneuvering Areas.** All aisles, approach lanes, and turning areas shall be clearly marked with directional arrows and lines as necessary to provide for safe movement.
 3. **Compact Spaces.** All compact spaces shall be clearly marked as such.
 4. **Assigned Parking.** Lots developed with multiple uses and a shared parking area shall not assign parking spaces to individual tenant spaces or uses, except that parking spaces for residential uses in a mixed-use project shall be assigned to residential occupants.
- F. **Bumpers, Curbs, and Wheel Stops.** A permanent curb, bumper, wheel stop, or similar device at least six inches high and thick shall be installed along the front edge of each parking space to protect buildings and landscaping from vehicular damage. If such protection is provided by a wheel stop, the stopping edge shall be placed no closer than two feet from the edges of the required sidewalks, planter, or landscaped areas and from any building. The two feet beyond the wheel stop may be paved, landscaped with ground cover, or used as additional sidewalk width. No walkway used for a wheel stop may be less than six feet wide.
- G. **Circulation and Safety.**
 1. **Visibility.** Visibility shall be ensured for pedestrians, bicyclists, and motorists entering individual parking spaces, circulating within a parking facility, and entering or leaving a parking facility.
 2. **Public Service Vehicles.** Parking lots shall be designed so that sanitation, emergency, and other public service vehicles can provide service without backing up unreasonable distances or making other dangerous or hazardous turning movements.

3. **Review by Waste Management.** Waste Management shall review and approve the location of proposed trash enclosures in parking lots in accordance with Subsection 17.C.02.130.D.8 (Review by Waste Management).
- H. **Landscaping.** Parking area landscaping shall be provided consistent with Chapter 17.C.04 (Landscaping Standards).
- I. **Lighting.** Parking area lighting shall comply with Section 17.C.02.050 (Lighting and Illumination).
- J. **Alternative Parking Area Designs.** An applicant may submit an alternative parking area design to the Director. The City Engineer and Review Authority may approve the alternative design if the applicant demonstrates the alternative design achieves at least one of the following:
 1. Environmental design and green building objectives, including but not limited to achieving certification under the LEED Green Building Rating System or equivalent;
 2. Reduces or eliminates a public safety hazard; or
 3. Brings substandard parking spaces into greater compliance with current City standards.
- K. **Maintenance.** Parking lots, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall always be kept in good repair.

17.C.06.090 Electric Vehicle Charging Spaces

Electric vehicle (EV) charging stations and EV-capable parking spaces may be provided in any area designated for the parking or loading of vehicles and must be provided for all new buildings, additions or alterations of existing residential buildings, and in all new or renovated parking facilities serving existing multi-family or nonresidential buildings. All such spaces shall count toward the number of parking spaces required by this Chapter.

- A. **Required EV Charging Stations.** The total number of required EV charging spaces shall be provided in compliance with the California Green Building Code.
- B. **Exceptions.** Exceptions to the total number of EV charging spaces may be made on a case-by-case basis where the Director and the Building Official determine that EV charging infrastructure is not feasible based upon one or more of the following conditions:
 1. There is insufficient electrical supply;
 2. The project is for an accessory dwelling unit or junior accessory dwelling unit.
- C. **Size.** The size of EV charging station parking spaces and EV-capable parking spaces shall be as specified in Section 17.C.06.080 (Parking Area Development and Design Standards). EV supply equipment shall not reduce the size of the parking space.
- D. **EV Charging Station Standards.** EV charging stations shall be allowed within any zone subject to all applicable requirements of the Beaumont Municipal Code and California Green Building Code in addition to the following:
 1. The EV charging station shall be protected as necessary to prevent damage by automobiles.

2. Installation of mechanical equipment shall not conflict with existing infrastructure and will not result in pedestrian or vehicular traffic hazards.
3. The EV charging station shall have complete instructions and appropriate warnings posted in an unobstructed location next to each EV charging station.
4. **EV Stations for Public Use.** EV charging stations for public use must be visible from the right-of-way and illuminated during nighttime business hours.
 - a. The EV charging station may be on a timer that limits the use of the station to the normal business hours of the use(s) that it serves to preclude unauthorized use after business hours.
 - b. The following information shall be posted at a public EV charging station:
 - (i) Voltage and amperage levels;
 - (ii) Hour of operations if time limits or tow-away provisions are to be enforced by the property owner;
 - (iii) Usage fee;
 - (iv) Safety information; and
 - (v) Contact information for reporting when the equipment is not operating or other problems.
5. Existing parking spaces that must be removed to accommodate required EV charging spaces shall not be required to be replaced.

17.C.06.100 Bicycle Parking

- A. **Short-Term Bicycle Parking.** Bicycle parking must be provided consistent with this Section; however, if the California Green Building Code or other standards require additional bicycle parking or imposes more restrictive standards, the standard requiring the most bicycle parking and imposing the more restrictive standards shall control.
- B. **Number of Bicycle Spaces Required.** Bicycle parking shall be provided, consistent with this Table 17.C.06.100-A (Required Number of Bicycle Parking Spaces). Short-term parking spaces generally serve shoppers, customers, messengers, guests, and other visitors to a site who generally stay for a short time. Long-term bicycle parking spaces generally serve employees, students, residents, commuters, and others who generally stay at a site for four hours or longer.

Table 17.C.06.100-A: Required Number of Bicycle Parking Spaces

Use	Number of Bicycle Parking Spaces (min.)	Long-Term Spaces (min.)	Short-Term Spaces (min.)
Single-family residential uses	None		
Multi-family residential uses	1 per 2 units	85%	15%
Restaurant uses	1 per 1,500 sf of leasable floor area	25%	75%

Table 17.C.06.100-A: Required Number of Bicycle Parking Spaces			
Use	Number of Bicycle Parking Spaces (min.)	Long-Term Spaces (min.)	Short-Term Spaces (min.)
Single-family residential uses	None		
Retail, services, office, financial institution uses	1 per 5,000 sf of leasable floor area	25%	75%
Industrial and research and development uses	1 per 20,000 sf	75%	25%
Lodging uses	1 per 10 guest rooms	50%	50%
Parking structures	1 per 25 vehicle parking spaces	To be determined by the Review Authority	
All other uses	To be determined by the Review Authority		

C. Bicycle Parking Standards

1. **Size and Accessibility.** Each bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian walkways. Five feet of clearance shall be provided from vehicle parking spaces.
2. **Standards for Short-Term Bicycle Parking.**
 - a. **Location.** Short-term bicycle parking must be located outside of the public right-of-way and pedestrian walkways and within 50 feet of a main entrance to the building it serves. In the case of a commercial center, bicycle parking must be located within 50 feet of an entrance to each anchor store. Bicycle parking shall be visible from the street or from the main building entrance, or a sign must be posted at the main building entrance indicating the location of the parking.
 - b. **Anchoring and security.** For each bicycle parking space required, a stationary, securely anchored object shall be provided to which a bicycle frame and one wheel can be secured with a high-security U-shaped shackle lock if both wheels are left on the bicycle. One such object may serve multiple bicycle parking spaces.
 - c. **Large bicycles.** Five percent of the short-term parking spaces shall be at least three feet by 10 feet per parking space to accommodate large bicycles such as cargo, recumbent, tandem, and electric bicycles, and bicycles with trailers.
3. **Standards for Long-Term Bicycle Parking.**
 - a. **Location.** Long-term bicycle parking must be located on the same lot as the use it serves.
 - (i) In parking garages, long-term bicycle parking must be located near an entrance to the facility.

- (ii) If not located on the ground floor, long-term bicycle parking must be accessible by an elevator with interior dimensions of at least 80 inches by 54 inches.
- b. *Covered spaces.* 100 percent of the required long-term bicycle parking for multi-family residential uses shall be covered. At least 50 percent of the required long-term bicycle parking for other uses must be covered. Covered parking can be provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.
- c. *Security.* Long-term bicycle parking must be in at least one of the following facilities:
 - (i) An enclosed bicycle locker;
 - (ii) A fenced, covered, locked or guarded bicycle storage area;
 - (iii) A rack or stand inside a building that is within view of an attendant or security guard or visible from employee work areas, or within a secure/restricted bicycle storage room; or
 - (iv) Other secure area approved by the Director.
- d. *Electrical outlets.* Electrical outlets must be provided for electric bicycle charging.
- e. *Large bicycles.* Five percent of the long-term parking spaces shall be at least three feet by 10 feet per parking space to accommodate large bicycles such as cargo, recumbent, tandem, and electric bicycles, and bicycles with trailers.
- f. *Bike repair station.* When 10 or more long-term parking spaces are required, a bicycle repair station must also be provided adjacent to the long-term bicycle parking spaces. At minimum, the bicycle repair station must include tools to help fix minor maintenance issues, such as adding air to a tire, tightening a loose chain, or adjusting handlebars.

17.C.06.110 Off-Street Loading Requirements

All uses requiring the receipt or distribution by vehicles or trucks of material or merchandise shall provide off-street loading and unloading areas to handle the volume of truck traffic and loading requirements. The loading space(s) shall be maintained during the existence of the building or use it is required to serve. No loading space which is provided for the purpose of complying with the provisions of this Section shall be eliminated, reduced, or converted in any manner below the requirements established in this Section, unless equivalent facilities are provided elsewhere, conforming to this Title.

- A. **Number of Loading Spaces Required.** At a minimum, loading spaces shall be provided in compliance with Table 17.C.06.110-A (Required Loading Spaces).
 - 1. *Multi-tenant buildings.* The gross floor area of the entire building shall be used in determining spaces for multi-tenant buildings. A common loading area may be required, if each tenant space is not provided with a loading area. Drive-in roll-up doors for multi-tenant industrial projects may be substituted for required loading areas.

2. *Reduction to number of loading spaces required.* The Director may waive the loading space requirement upon finding that the applicant has satisfactorily demonstrated that, due to the specific nature of the use and building, such loading space will not be necessary.
3. *Additional loading spaces required.* Additional loading spaces may be required to ensure that trucks will not be loaded, unloaded, or stored on public streets. Such requirement shall be based on the anticipated frequency of truck deliveries.

Table 17.C.06.110-A: Required Loading Spaces

Total Square Feet of Building Space (Gross Floor Area)	Loading Spaces Required
Commercial and Industrial Buildings	
Less than 6,000	0
6,000 – 15,000	1
15,001 – 40,000	2
40,001 and over	3
Over 100,000	Adequate number as determined by the Director
Hospitals and Institutions	
Less than 10,000	0
10,000 – 50,000	1
50,001 – 100,000	2
100,001 and over	3
Other Uses	
Hotels/Motels	1

B. **Maneuvering Area.** Sufficient space shall be provided for turning and maneuvering vehicles such that vehicles may enter and exit the site in a forward direction.

C. **Location and Orientation.**

1. Off-street loading facilities shall be located on the same site with the use for which the loading spaces are required.
2. Off-street loading facilities shall be designed and located so that loading vehicles are not parked in required setbacks, driveways, or required parking spaces, and do not otherwise obstruct vehicular movement during loading activities.
3. No loading spaces shall be closer than 30 feet to any property in a residential zone unless completely enclosed within a build, or a uniformly solid fence or wall, or any combination thereof, not less than eight feet in height.
4. No permitted or required loading space shall be located within 25 feet of the nearest point of any street intersection.

5. Loading areas shall be located inside of buildings or on non-primary street frontages, alleys, parking areas, and/or at the rear or side of building.
 6. **Exceptions.** The location requirement may be modified or waived where the Review Authority finds that:
 - a. The intended use of the property or the location of or shape of the site and/or existing development warrant an adjustment to or waiver of these standards;
 - b. That street-facing loading areas will exhibit architectural treatment, or will be enhanced with landscaping, in such a way as to minimize visual and noise impacts; and
 - c. There are specific features of the site and design of the building such that strict application of the location requirement is impractical.
- D. **Size and Dimensions.** Each on-site loading space required by this Section shall meet the minimum dimensions established in Table 17.C.06.110-B (Truck/Loading Space Minimum Dimensions), excluding driveways and areas for maneuvering. On-site loading spaces shall also provide a minimum clearance of 14 feet in height. These minimum requirements may be modified if the Director finds that the applicant has satisfactorily demonstrated that due to the nature of the proposed use, such size will not be needed.
- | Angle | Width (feet) | Length (feet) |
|-------|--------------|---------------|
| 0° | 12 | 50 |
| 45° | 17 | 44 |
| 50° | 14 | 50 |
| 90° | 12 | 50 |
- E. **Screening.** All loading zones and truck parking areas shall be screened from view by a minimum of an eight-foot-high hedge, vine-covered fence, or wall and landscaping.
 - F. **Bumpers.** Bumper rails shall be provided in loading areas where needed for safety or to protect property.
 - G. **Paving.** Loading areas, aisles, and access driveways shall be paved so as to provide a durable, dustless surface and shall be graded and drained to dispose of surface water.
 - H. **Use of Required Loading Spaces.** Loading areas shall be accessible for their intended purpose during all hours of operation. No repair work or servicing of vehicles shall be conducted in a loading area. Space allocated to any off-street loading space shall not be used to satisfy the space requirements for any off-street parking facility.

Chapter 17.C.08 Signs

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17.C.08.010 Purpose

- A. **Purpose.** It is the purpose of this Chapter to make the City attractive to residents, visitors and commercial, industrial and professional businesses while maintaining economic stability and vitality through an attractive signing program.
- B. **Recognition of Needs; Goals.** The City recognizes the need for signs as a means to identify businesses and other necessary and beneficial activities within the community. The City finds that signage is an important design element of the physical environment. Provisions consistent with the goals and objectives of the community are necessary to ensure that the special character and image that the community is striving for can be attained while serving business and other needs in the community. The City is striving to provide an economically stable and visually attractive community through high quality site planning, building designs, landscaping and signage. As a planned architectural feature, a sign can be pleasing and can harmonize with the physical character of its environment. Proper controls can achieve this goal and will make the City a more attractive place to live, work and shop.
- C. **Interests Served.** The City enacts this Chapter to serve many important governmental, City and community interests, which include but are not limited to: community aesthetics and the promotion of the visual appeal of the City, promotion of economic activity, and the promotion of safety for motorists and pedestrians.

- D. **Authority.** The City enacts this Chapter in compliance with the authority granted by the State Legislature and codified as California Government Code §65850, and federal laws, including such provisions requiring the display of specified signs or information.
- E. **Objectives.** The objectives of this Chapter are:
1. To provide a reasonable system of controls for signs, to ensure the development of a high quality visual and functional environment;
 2. To encourage signs which are well designed and pleasing in appearance;
 3. To preclude potential traffic and safety hazards through good signing;
 4. To regulate signs in a manner consistent with the General Plan;
 5. To regulate signs in a manner consistent with the free speech rights guaranteed by the First Amendment to the United States Constitution and the liberty of speech and related provisions of the California Constitution; and
 6. Recognize that commercial and residential areas within the City have different regulatory needs due to their inherent characteristics and may require different sign regulations based on the respective land uses, and that aesthetic impacts based on sign size, illumination, and placement may create a greater public nuisance in residential neighborhood areas than in commercial areas.

17.C.08.020 **Applicability**

- A. **Purpose.** This Chapter applies to all signs within the City regardless of their nature or location, unless otherwise specifically exempted in Subsection 17.C.08.020.E (Signs Exempt from Sign Permits).
- B. **Message Neutrality.** It is the City's policy to regulate signs in a constitutional manner, which is content neutral as to noncommercial signs and viewpoint neutral as to commercial signs. Notwithstanding the remaining sections in this Chapter, this Chapter shall in all instances be administered and enforced to be consistent with the law established by the Supreme Court in *Reed v. Town of Gilbert (2015) 576 U.S. 155*. The Director is authorized to grant administrative variances as necessary to ensure that this chapter is administered in a manner consistent with *Reed v. Town of Gilbert*. Furthermore, no enforcement of this Chapter shall occur without the Director's review and approval that such enforcement would not be impermissibly content based and would be consistent with federal and state constitutions and laws.
- C. **Picketing and Protesting.** Nothing in this Chapter shall be construed to prohibit a person from holding a sign while picketing or protesting on public property that has been determined to be a traditional or designated public forum, so long as the person holding the sign does not block ingress and egress from buildings, create a safety hazard by impeding travel on sidewalks, in bike or vehicle lanes, or on trails, or violate any other reasonable time, place, and manner restrictions adopted by the City.
- D. **Preservation of Existing Rights and Duties.** This Chapter does not abrogate or supersede any easements, covenants, or other existing agreements that are more restrictive than the provisions of this Chapter.

- E. **Signs Exempt from Sign Permits.** Subject to the qualifications and conditions stated in this Section, the following signs are exempt from the application, permit, and fee requirements of this Chapter. However, the exemption from the sign permit requirement does not exempt the proposed sign from uniform code permitting in Beaumont Municipal Code Title 15 (Buildings and Construction), including but not limited to building, electrical, plumbing, and grading permits. The following the signs are exempt from sign permits:
1. **Temporary Signs.** Temporary signs in compliance with this Chapter, except for special event signs or other temporary signs where this Chapter specifically indicates that a permit is required.
 2. **Permanent Window Signs.** Permanent window signs not exceeding four square feet and limited to business identification, hours of operation, address and emergency information only.
 3. **On-site Directional Signs.** Directional signs, on-site, not to exceed three square feet in sign area.
 4. **Residential Identification Signs.** Residential building identification signs used to identify individual residences and not exceeding two square feet.
 5. **Official and Legal Notices.** Official and legal notices issued by the court, public body, person or officer in performance of his public duty or in giving any legal notice.
 6. **Authorized by Law or Authority.** Directional, warning, identification, or informational signs or structures required or authorized by law or by Federal, State, County or City authority.
 7. **Public Utility Signs.** Signs of public utility companies, indicating danger or which serve as an aid to public safety, or which show location of underground facilities or public telephones.
 8. **Construction Safety Signs.** Safety signs on construction sites.
 9. **Paper Signs.** Paper signs and similar signs which are rotated on a regular basis, shall have a fastening device for a more permanent look.
 10. **Public Right-of-Way.** Signs on the public right-of way as provided in Section 17.C.08.060.B (Signs on the Public Right-of-Way).
 11. **Signs Not Readable from the Public Right-of-Way.** Signs not readable from the public right-of-way, including:
 - a. Signs or displays located entirely inside of a building, within a courtyard, open-air pedestrian space or similar open area and not visible from the building's exterior; and
 - b. Signs intended to be readable from within a parking area or City park but not readable beyond the boundaries of the lot upon which they are located or from any public right-of-way.
 12. **Historic Signs.** Historic plaques, memorial signs, or tablets either attached to or cut into the surface of buildings, provided that no such sign exceeds two square feet in area.

- F. **Sign Permit Required.** A sign permit shall be required prior to the placing, erecting, moving or reconstructing of any sign in the City, unless the subject sign is expressly exempted from the permit requirement by this Chapter or other applicable law. Signs requiring a permit shall comply with the provisions of this Chapter and all other applicable laws and ordinances.

17.C.08.030 Permits and Administration

- A. **Enforcement Authority.** The Director is authorized and directed to enforce the provisions of this Chapter. The Director may designate one or more representatives of the Department to implement the provisions of this Chapter.
- B. **Permits When Required.** No sign may be constructed, mounted, or displayed in the City unless the same is duly permitted in compliance with this Chapter, or is exempt from permitting, either in accordance with this Chapter or by other applicable law. In addition to the requirements of this Chapter, all signs constructed, mounted or displayed within the City must also satisfy all applicable safety codes (building, electrical, plumbing, grading, etc.) and all applicable requirements of other bodies of law. All Sign Permits shall be filed and reviewed consistent with this Chapter and Division 17.D (Administration and Procedures).
- C. **Sign Programs.** Sign Programs may modify the rules stated herein as to sign size, height, illumination, spacing, orientation or other non-communicative aspects of signs, but may not override or modify any of these basic policies by more than 20 percent unless a Variance is approved consistent with Subsection 17.D.04.060 (Variances). All the provisions of this Chapter shall automatically apply to and be deemed a part of any Sign Program approved after the date on which this provision is initially adopted. All Sign Programs shall be filed and reviewed consistent with this Chapter and Division 17.D (Administration and Procedures).
- D. **Regulatory Interpretations.** All regulatory interpretations of this Chapter are to be exercised in light of the City's message neutrality policy and message substitution policy. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this Chapter, or whenever a sign does not qualify as a structure as defined in the California Building Code, then the Director shall approve, conditionally approve or disapprove the application based on the most similar sign type that is expressly regulated by this Chapter.
1. This Chapter is not intended to, and does not, restrict speech on the basis of its content, viewpoint, or message.
 2. Any classification of signs in this Chapter that permits speech by reason of the type of sign, identity of the sign owner, or otherwise, shall also be interpreted to allow noncommercial messages on the sign.
 3. No part of this Chapter may be construed to favor commercial messages over noncommercial messages.
 4. To the extent any provision of this Chapter is ambiguous, the terms shall be interpreted not to regulate on the basis of the content of the message. All regulatory interpretations of this Chapter are to be exercised in light of the City's message neutrality policy and message substitution policy.
 5. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this Chapter, or whenever a sign does not qualify as a structure as defined in the California Building Code, then the Director shall approve,

conditionally approve or disapprove the application based on the most similar sign type that is expressly regulated by this Chapter.

6. Whenever the application of this Chapter is uncertain, the Director may refer the matter to the Planning Commission for determination consistent with Section 17.A.04.020 (General Interpretation).
- E. **Variances.** Applications for a Variance from the terms of this Chapter shall be reviewed by the Planning Commission according to Section 17.D.04.060 (Variances); however, Variances shall be considered without reference to the proposed content, copy, or message of the proposed sign (other than the onsite/offsite distinction for commercial messages).

17.C.08.040 General Standards for All Signs

- A. **Rules for Non-Communicative Aspects of Signs.** All rules and regulations concerning the non-communicative aspects of signs, such as location, size, height, illumination, spacing, orientation, etc., stand enforceable independently of any permit or approval process.
- B. **Message Substitution Policy.** Subject to the landowner's consent, any noncommercial message may be substituted, in whole or in part, for any duly permitted or allowed commercial message or any duly permitted or allowed noncommercial message, provided that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Chapter. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or any favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a lot; it does not allow the substitution of an offsite commercial message in place of an onsite commercial message, and it does not affect the requirement that a sign structure or mounting device be properly permitted and maintained.
- C. **Prohibited Signs.** The signs described in this subsection are prohibited, unless some other more specific provision in this Chapter or other applicable law makes them allowable, either by permit or exemption from the permit requirement.
 1. **Sign Types.**
 - a. Roof signs;
 - b. Portable signs;
 - c. Light bulb strings and exposed tubing, except for temporary uses such as Christmas tree lots;
 - d. Any sign animated by any means, including fixed aerial displays, balloons, pennants, pennants, kites, spinners, including strings of flags, streamers, tubes, or other devices affected by the movement of the air or other atmospheric or mechanical means except as allowed under Section 17.C.08.050 (Temporary Signs) and Subsection 17.C.08.020.E (Signs Exempt from Sign Permits);
 - e. Stuffed, inflated, or air-activated animals or characters used as signs;
 - f. Exposed raceways; and

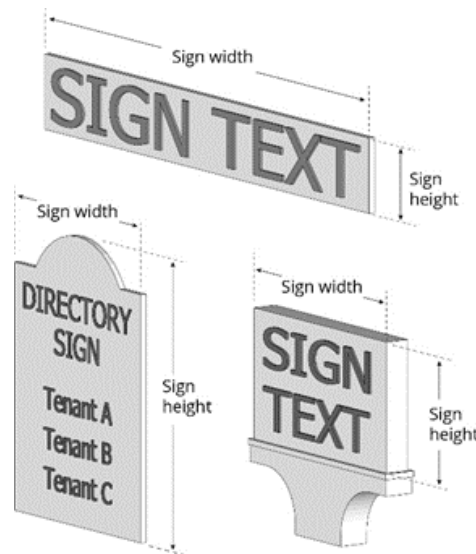
- g. Billboards, except for relocated billboards. See Subsection 17.C.08.040.C.2 (Location Restrictions).
- 2. **Location Restrictions.** Except where specifically authorized in this Chapter, signs must not be placed in the following locations or manner:
 - a. Within, on, or projecting over public property including City rights-of-way, except as specifically provided in this Chapter;
 - b. Off-site commercial signs on permanent structures;
 - c. Signs, posters and advertisements attached to any public utility pole, structure or streetlight, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, statue, memorial or other location on public property, except those signs approved as part of a special event permit on City property or banner signs permitted by the City on light poles within the City;
 - d. Tacked, painted, pasted, or otherwise affixed, to the walls of any building, barn or shed, accessory structure, or on trees, poles, posts, fences, ladders, or other structures that are visible from a public right-of-way;
 - e. Any location that obstructs the view of any authorized traffic sign, signal, or other traffic control device or which by reason of shape, color, or position interferes with or could be confused with any authorized traffic signal or device;
 - f. Any sign which is placed in a manner that would prevent or inhibit free ingress to or egress from any door, window, vent, or any exit way required by the Building Code, or by Fire Department regulations (currently in effect);
 - g. Signs mounted, attached, or painted on a trailer, boat, or motor vehicle when parked, stored, or displayed conspicuously on private premises in a manner intended to attract attention of the public for the purpose of advertising or identifying the business premises unless such vehicles are purposefully incorporated into the design of the sign and the sign has either been issued a permit by the Director or is nonconforming. . This provision excludes signs indicating the name of the owner or business that are permanently painted or wrapped on the surface of the vehicle, adhesive vinyl film affixed to the interior or exterior surface of a vehicle window, or signs magnetically attached to motor vehicles or rolling stock that are actively used in the daily conduct of the business; however, vehicles must be operable, legally registered, and parked in a lawful or authorized manner.
 - h. Painted, attached, or mounted on fuel tanks, storage containers, solid waste receptacles or their enclosures, and similar structures, except for a manufacturer's or installer's identification, appropriate warning signs and placards, and information required by law; and
 - i. Areas where a sign would cover the architectural features of a building, such as dormers, insignias, pilasters, soffits, transoms, trims, or another architectural feature.
 - j. Within the "limited use area" defined in the County of Riverside's "Intersection Sight Distance" Transportation Standard No. 821.

3. **Display Restrictions.** Signs with the following display features are prohibited:
- Any sign or lighting device, whether on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot, or from any public right-of-way, with intermittent, flashing, rotating, blinking, or strobe light illumination;
 - Any sign with an exposed light source (e.g., lightbulb) unless otherwise allowed by this Chapter;
 - Any sign which emits sound, odor, smoke, laser or hologram lights, or other visible matter, including any sign that uses motion picture projection; and
 - Any sign in which the sign body or any portion of the sign rotates and/or revolves, moves up and down, or any other type of action involving a change in position of the sign body or any portion of the sign, whether by mechanical or any other means. Barber poles no larger than three feet high and 10 inches in diameter, and clocks, are excepted from this restriction.

D. **Rules of Measurement for Signs.**

1. **Sign Area Measurement.** Sign area is measured as follows:
- Signs on background panel.* Where the sign copy is mounted, affixed, or painted on a background panel or distinctively painted, textured, or constructed surface, the sign area is measured as the sum of the smallest rectangle(s) that will enclose both the sign copy and the background, as shown in Figure 17.C.08.040-1 (Signs on Background Panel).

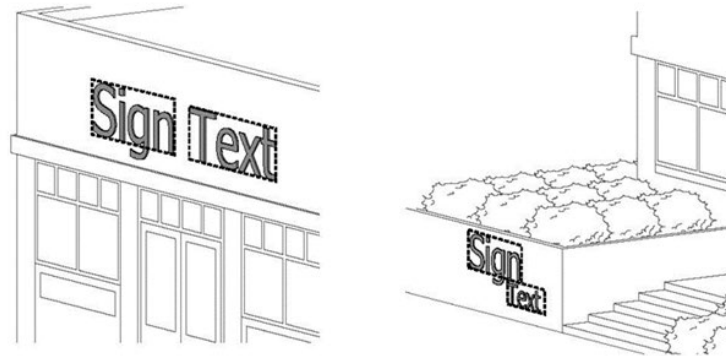
FIGURE 17.C.08.040-1: SIGNS ON BACKGROUND PANEL



- Signs with individual letters.* Where the sign has individual letters or graphics mounted against a wall, fascia, mansard, parapet, or other building surface that has not been distinctively painted, textured or constructed as a background panel, the sign area is measured as a sum of the smallest rectangle(s) that will

enclose each word and each graphic in the total sign except for the descending elements of lower case letters, as shown in Figure 17.C.08.040-2 (Signs with Individual Letters). Where any individual type letters or symbols are separated by more than 36 inches from each other, those letters or symbols shall be calculated separately. Sign area for individual letters or graphics shall be counted as 75 percent of the area enclosing the sign copy.

FIGURE 17.C.08.040-2: SIGNS WITH INDIVIDUAL LETTERS



- c. *Irregular shaped signs.* Sign area for irregular shaped signs is determined by dividing the sign into the smallest squares, rectangles, triangles, circles, or arcs that enclose each word or graphic in the sign, as shown in Figure 17.C.08.040-3 (Irregular Shaped Signs).

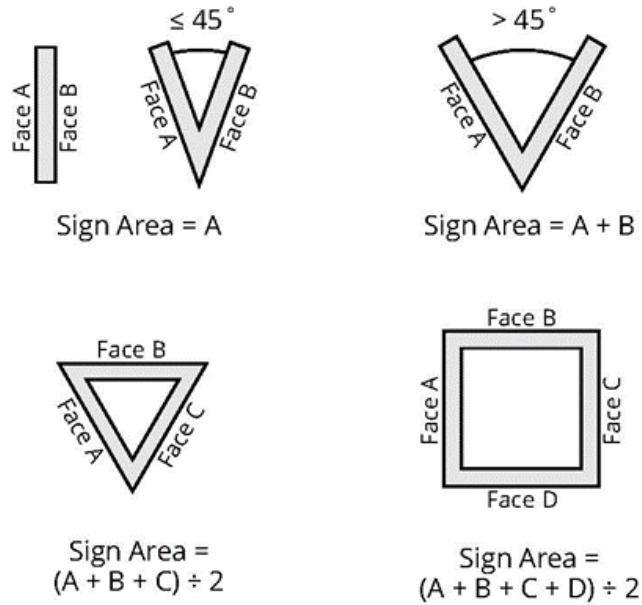
FIGURE 17.C.08.040-3: IRREGULAR SHAPED SIGNS



- d. *Multi-face signs.* The sign area for multi-face signs, as shown in Figure 17.C.08.040-4 (Multi-Face Signs), are measured as follows:
- (i) *Two-face signs.* Where the interior angle between the two sign faces is 45 degrees or less and the sign faces are less than 42 inches apart, the sign area is measured as the area of one sign face only. Where the angle between the two sign faces is greater than 45 degrees, the sign area is the sum of the areas of the two sign faces.

- (ii) *Three- or four-face signs.* The allowable sign area is measured as 50 percent of the sum of the areas of all sign faces.

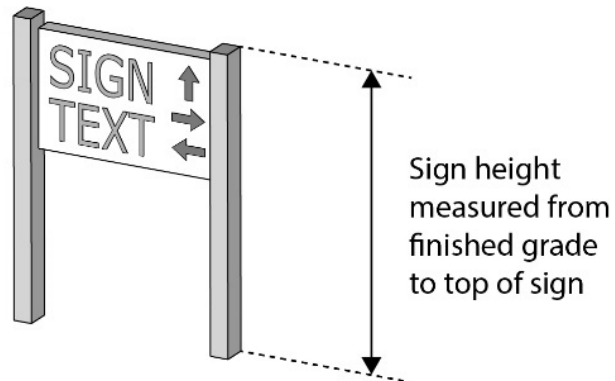
FIGURE 17.C.08.040-4: MULTI-FACE SIGNS



2. **Sign Height Measurement.**

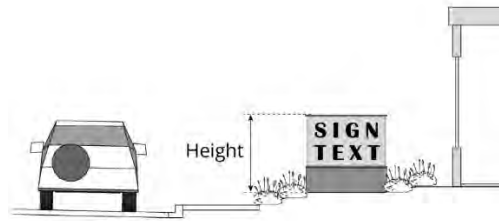
- a. *Freestanding signs.* Sign height for freestanding signs is measured as the vertical distance from the finished grade to the top of the sign.

FIGURE 17.C.08.040-5: FREESTANDING SIGN HEIGHT



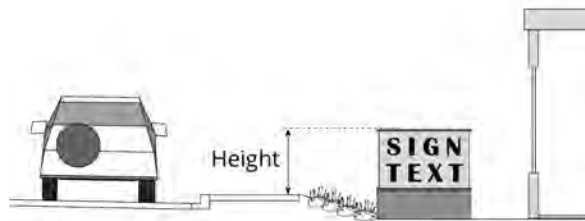
- (i) *Higher than adjacent grade.* Where the grade at the base of a sign is higher than the grade of the adjacent road right-of-way, sign height is measured from the base of the sign, as shown in Figure 17.C.08.040-6 (Freestanding Sign Height, Higher Than Adjacent Grade).

FIGURE 17.C.08.040-6: FREESTANDING SIGN HEIGHT, HIGHER THAN ADJACENT GRADE



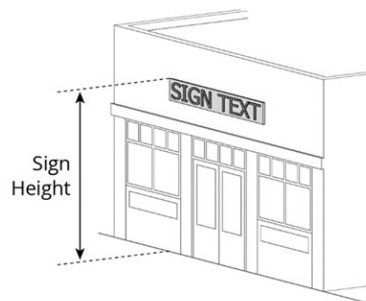
- (ii) *Lower than adjacent grade.* Where the grade at the base of a sign is lower than the grade of an adjacent road right-of-way, the height of the sign is measured from the top of curb elevation, as shown in Figure 17.C.08.040-7 (Freestanding Sign Height, Lower Than Adjacent Grade). The portion of the sign below the grade at the edge of the right of way shall not be included in determining the sign's overall height.

FIGURE 17.C.08.040-7: FREESTANDING SIGN HEIGHT, LOWER THAN ADJACENT GRADE



- b. *Wall signs.* The height of building-mounted signs is the vertical distance measured from the base of the wall on which the sign is located to the top of the sign or sign structure, as shown in Figure 17.C.08.040-8 (Wall Sign Height).

FIGURE 17.C.08.040-8: WALL SIGN HEIGHT

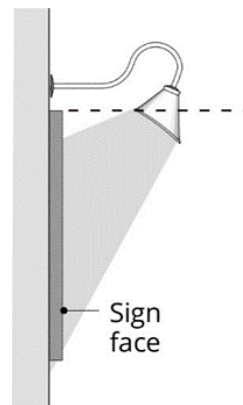


3. **Building Frontage.** Projections and recesses on a building wall may not exceed 10 feet for a continuous building frontage.

E. **Sign Illumination.**

1. **Internal Illumination.** Internally illuminated signs include single- or two-color LED signs, signs constructed with pan channel letters, or indirect halo illuminated channel letters (i.e. a reverse panel channel letter sign) on an unlit or otherwise indistinguishable background on a freestanding sign or building wall.
2. **External Illumination.**
 - a. Externally illuminated signs shall be illuminated only with steady, stationary, fully shielded light sources directed solely onto the sign without causing glare.
 - b. The light source for externally illuminated signs shall be arranged and shielded to substantially confine all direct light rays to the sign face and away from streets and adjacent properties as illustrated in Figure 17.C.08.040-9 (External Illumination).

FIGURE 17.C.08.040-9: EXTERNAL ILLUMINATION



3. **Single-Color or Two-Color LED Signs.**
 - a. Single-color or two-color LED signs are exempt from the sign area limitations for wall signs and window signs established in this Chapter.
 - b. Any individual single-color or two-color LED sign must not exceed four square feet in area.
 - c. Single color or two-color LED signs are not allowed in residential zones.
 - d. Single-color or two-color LED signs must be turned daily at the close of business or 10:00 p.m., whichever occurs last.
4. **Electronic Message Signs.**
 - a. Each display shall appear for a period of at least eight seconds. Displays shall not be animated, appear in incremental stages or move across the changeable copy sign face. The sign shall remain blank (no message or display) for at least one second between separate images.

- b. Electronic message signs must not flash, blink, flutter, include intermittent or chasing lights, or display video messages (i.e., any illumination or message that is in motion or appears to be in motion).
- c. *Night-time brightness.*
 - (i) *Automatic control.* Electronic message signs must be equipped with photocell technology to control and vary the intensity of light output depending on the amount of ambient light that is present to prevent overly bright luminance at night. Automatic controls must limit night luminance to a maximum of 100 nits when the display is set to show maximum brightness in 100 percent full white mode.
 - (ii) *Manufacturer certification.* The applicant shall include with the Building Permit application a written certification from the sign manufacturer that the nighttime luminance has been factory pre-set not to exceed the standard in Subsection 17.C.08.040.E.4.c.i (Automatic Control), and that this setting is protected from end-user modification by password-protected software or other method as deemed appropriate by the Building Official.
- d. Electronic message signs must be set to a maximum lighting intensity of 0.6 foot-candles as measured using a foot-candle meter placed 100 feet from the sign. Each sign shall have a redundant system for controlling sign brightness, including an automatic light sensing device or photocell that will adjust the brightness as ambient light conditions change, and a backup system based on local sunrise and sunset times.

F. Changeable Copy Signs.

- 1. Changeable copy signs shall only be allowed as an integrated component of marquee signs, wall signs, and monument signs consistent with this Chapter. This does not apply to any signs required by law.
- 2. Changeable copy signs may be non-illuminated or internally illuminated.

G. Legal Nature of Signage Rights and Duties. As to all signs attached to property, real or personal, the signage rights, duties and obligations arising from this Chapter attach to and run with the land or other property on which a sign is mounted or displayed. This provision does not modify or affect the law of fixtures, sign-related provisions in private leases regarding signs (so long as they are not in conflict with this Chapter unless stricter than this Chapter), or the ownership of sign structures.

H. Owner's Consent. No sign may be displayed without the consent of the legal owner of the property on which the sign is constructed, mounted or displayed. For purposes of this policy, owner means the holder of the legal title to the property and all parties and persons holding a present right to possession, control or use of the property.

I. Signs Related to Inoperative Establishments. Signs promoting activities or establishments which are no longer in operation shall be removed from the premises or the sign copy shall be removed or obliterated within 45 days after the premises has been vacated or the use abandoned. Any such sign not removed within the specified time shall constitute a nuisance and shall be subject to removal under the provisions of this Code.

J. Construction and Maintenance of Signs.

1. Every sign and all parts, portions, and materials shall be manufactured, assembled and erected in compliance with all applicable state, federal, and city laws and regulations, including but not limited to the permitting requirements contained in Beaumont Municipal Code Title 15 (Buildings and Construction) relating to buildings and construction.
2. Every sign and all parts, portions and materials shall be maintained and kept in a first-class condition. The display surface of all signs shall be kept clean, neatly painted and free from rust, corrosion and graffiti. Any cracked, broken surfaces, malfunctioning lights, missing sign copy or other unmentioned or damaged portion of a sign shall be repaired or replaced within 30 days following notification by the City. Noncompliance with such a request will constitute a zoning violation and may be enforced as such by the City.

K. Motorists' Line of Sight. All sign locations shall be safe for traffic sight purposes. A sight distance study may be required with each monument or pylon sign being proposed when located next to any right-of-way, sidewalk, driveway, or as designated by the Director.

L. Roof Signs. Roof signs may be used only in the event no other signing alternatives are available. Roof signs may be issued a permit by the Director if architecturally designed and built into the roof structure. Such design shall be compatible in design and materials with the building.

M. Billboard Policy.

1. **Prohibition.** The Council finds that the City already has a sufficient number of billboards to satisfy the community's needs for offsite commercial messages, and that any new or additional billboards, which by their very nature cause serious aesthetic harm, would negatively impact the appearance of Beaumont. For these reasons, the City completely prohibits the construction, erection or use of any billboards, other than those which legally exist in the City, or for which a valid permit has been issued and has not expired, as of the date on which this provision is first adopted, except for the relocation of existing billboards in compliance with this Section.
2. **Relocated Billboards.** Notwithstanding any other provision of this Chapter, upon entry into a relocation agreement with the City in compliance with California Business and Professions Code §5412, the owner of an existing billboard within the City may convert a static copy billboard to an electronic billboard, subject to approval of a permit application in compliance with Section 17.D.04 (Permits and Approvals) and subject to the requirements of Chapter 8.50 (Outdoor Lighting) of the Beaumont Municipal Code. Such agreements may be approved by resolution of the Council upon terms that are agreeable to the City, in compliance with administrative guidelines, as adopted by a Council resolution. The execution of a relocation agreement shall not operate to change the status of any billboard as a nonconforming use for the purpose of this Code.

N. Maintenance.

1. All signs shall be maintained by any property owner, lessor, lessee, manager, agent, or other person having lawful possession or control over a sign, building, structure, or lot of land, in a condition or state of equivalent quality to which it was approved or required by the City.

2. All signs together with their supports and appurtenances must be maintained in good structural condition, in compliance with applicable Building Codes, and in conformance with this Chapter. Maintenance of a sign includes annual cleaning; replacement of flickering, burned out or broken light bulbs or fixtures; repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign; replacement of broken or removed components of the sign; and any other activity necessary to restore the sign so that it complies with the requirements and contents of the Sign Permit issued for its installation and the provisions of this Chapter.
3. Required landscaped areas contained by a fixed border, curbed area, wall, or other perimeter structure must receive regular repair and maintenance. Plant materials that do not survive after installation in required landscape areas are required to be replaced within three months.
4. The Building Official is authorized to order the repair, maintenance, or removal of any sign or sign structure that has not been maintained and is dangerous or in disrepair, or which is erected or maintained contrary to the requirements of this Section.
5. Failure to maintain a sign constitutes a violation of this Chapter and will be subject to enforcement action, in which case the Building Official may order the removal of any sign that is determined to be in disrepair or dangerous.
6. Any owner of a sign victimized by graffiti shall remove, repair, or repaint sign(s) within 10 days of the graffiti being applied or within 10 days of notification by the Director, whichever event comes first.

17.C.08.050 Temporary Signs

- A. **Purpose.** The Council finds that the proliferation of temporary signs is a distraction to the traveling public and creates aesthetic blight and litter that threatens the public's health, safety, and welfare. In addition to the purpose provisions of Section 17.C.08.040 (General Standards for All Signs), these regulations ensure that temporary signs do not create a distraction to the traveling public by eliminating the aesthetic blight and litter caused by temporary signs. These standards and requirements ensure that temporary signs do not create aesthetic clutter or a distraction to the traveling public.
- B. **General Standards.**
1. **Permits.** No permits are required for the installation and placement of any temporary signs.
 2. **Design and Construction.** Temporary signs must be of sufficient weight and durability to withstand wind gusts, storms, etc. and must be professionally crafted.

- C. **Noncommercial Temporary Signs.** Noncommercial temporary signs are not considered either on-site and off-site and are subject to the following regulations:

Table 17.C.08.050-A: Noncommercial Temporary Signs

Signs	Sign Quantity	Maximum Size of Any One Side ¹	Maximum Area of All Signs Combined	Maximum Height	Placement	Time Limitations
Residential Zones and Legal Residential Uses	Not Limited	10 sf	20 sf	6 feet	At least 5 ft from edge of curb or street pavement if no curb exists and shall not obstruct pedestrian traffic or line of sight for vehicle traffic	Period not to exceed 60 days Any time a temporary noncommercial sign is removed, it shall not be replaced by the same or other temporary sign for a period of not less than 90 consecutive days
Commercial Zones and Legal Commercial Uses						
Industrial Zones and Legal Industrial Uses						
Commercial Zones and Legal Commercial Uses	Not limited	16 sf	64 sf	8 ft	At least 5 ft from edge of curb or street pavement if no curb exists and shall not obstruct pedestrian traffic or line of sight for vehicle traffic	Period not to exceed 60 days. Any time a temporary noncommercial sign is removed, it shall not be replaced by the same or other temporary sign for a period of not less than 90 consecutive days
Industrial Zones and Legal Industrial Uses						

Table Notes:

¹ Measured one side only.

- D. **Commercial Temporary Signs.** Commercial temporary signs distinguish between on-site and off-site and are subject to the following regulations:

Table 17.C.08.050-B: Commercial Temporary Signs

Signs	Max. Sign Quantity	Max. Area ¹	Max. Height	Placement	Time Limitations	Additional Regulations
Real Estate Signs for Sale, Lease, or Rent (On residential properties)	1 sign per lot	8 sf	5 ft	At least 5 ft from the property line	Shall be removed within 15 days of the sale,	Total display faces allowed: 2

Table 17.C.08.050-B: Commercial Temporary Signs

Signs	Max. Sign Quantity	Max. Area ¹	Max. Height	Placement	Time Limitations	Additional Regulations
Real Estate Signs for Sale, Lease, or Rent (On industrial, commercial or agricultural properties)	1 sign per street frontage ²	32 sf	8 ft	At least 10 ft from the property line; may be displayed in a window	rental, or lease of the property	n/a
On-Site Temporary Window Signs Displaying a Commercial Message (In commercial zones, and for commercial uses in industrial zones when approved as part of a Sign Program)	n/a	30%, but in no event shall window signs exceed 150 sf per street frontage ³	20 ft in height above finished grade on one-story buildings	First floor only on multi-story buildings	45 days	n/a
Garage and Yard Sale Signs	3	3 sf	n/a	Placed on private property, and not in the public right-of-way or on utility poles	Erected on the day of the event as permitted and removed at sunset of each such day	n/a
Construction Signs (In any zone)	1 sign per project	32 sf ⁴	8 feet	Set back a minimum of 10 ft from any property line	Removed at the earliest of issuance of certificate of occupancy, certificate of completion, or final inspection check off, or their functional equivalent or upon abandonment of project	n/a
Future Tenant Identification Signs (Lots ≤ 10 acres)	1 per street frontage	32 sf	8 ft	Placed at least 10 ft from any property line	Removed upon completion of project	n/a

Table 17.C.08.050-B: Commercial Temporary Signs

Signs	Max. Sign Quantity	Max. Area ¹	Max. Height	Placement	Time Limitations	Additional Regulations
Future Tenant Identification Signs (Lots > 10 acres)	1 sign for every 600 ft of street frontage	64 sf ¹	15 ft	Placed at least 10 ft from any property line; placed along the freeway at 1,000-ft min. intervals		n/a
Commercial Flags and Banners (For real estate sales and leasing with an approved residential subdivision sales office or a commercial sales or leasing office, or an industrial sales or leasing office)	6	15 sf	15 ft	Displayed in the immediate vicinity of the sales/leasing office; not permitted within the public right-of-way	Flags shall be maintained in good condition; torn or worn flags shall be replaced	<i>Residential subdivision office:</i> Flags may be maintained as long as a valid operating permit for the sales office remains in effect; <i>Commercial office or industrial sales or leasing office:</i> Flags may be maintained until 75% of the spaces have been leased
Commercial Flags (On commercial, industrial, or agricultural properties < 1 acre)	3	60 sf ¹	30 ft	n/a	n/a	n/a
Commercial Flags (On commercial, industrial, or agricultural properties ≥ 1 acre)	6	60 sf ¹	30 ft	n/a	n/a	n/a

Table 17.C.08.050-B: Commercial Temporary Signs						
Signs	Max. Sign Quantity	Max. Area ¹	Max. Height	Placement	Time Limitations	Additional Regulations
On-site Subdivision Commercial Signs ⁵	2 ⁶	32 sf ¹	15 ft	On each primary street frontage of the property being subdivided ⁷	Must be removed within 10 days from the date of final sale of the land and/or residences	\$500.00 cash deposit per sign must be deposited with the City prior to sign placement ⁸
On-site Temporary Subdivision Commercial Directional Signs ⁵	6	600 sq in	15 ft	Must be located at least 600 ft from an existing sign or previously approved sign site The placement of each sign structure shall be reviewed and approved by the Director	Must be removed within 10 days from the date of final sale of the land and/or residences	Signs must be grouped on a two-sided sign structure May only contain the name of the subdivision and a directional arrow Signs approved for a particular subdivision shall not be changed to advertise another subdivision \$500.00 cash deposit per sign must be deposited with the City prior to sign placement ⁸

Table Notes:¹ Per display face.² Exception: Where a property has more than 600 linear ft of street frontage, 1 additional sign is permitted for each 600 linear ft of street frontage.³ On multi-story buildings, only the windows on the first floor may be counted.⁴ Unless a larger sign is required by another body of law, in which case the smallest sign conforming to the law shall be used.⁵ A sign permit is required.⁶ Cannot exceed 2 signs for all phases of any subdivision.⁷ Interior streets of the subdivision are not recognized as a primary street frontage.

⁸ If the City is forced to remove any signs, then the cost of removal shall be deducted from the deposit. Additional costs incurred by the City resulting from the removal of illegal signs shall be charged to the developer.

E. Temporary Signs for Special Events.

1. A special event sign is a sign associated with a single event or series of events that occur on an infrequent or sporadic basis, and takes place at a specific location in which the public is encouraged or invited to watch, listen, participate, or purchase goods and/or services, including, but not limited to, the following:
 - a. Commercial sales, including grand openings and pre- and post-holiday sales;
 - b. Arts and craft shows, trade shows, antique shows, and other similar events;
 - c. Carnivals, fairs, festivals, circuses, and similar activities;
 - d. Outdoor shows, concerts, and exhibitions;
 - e. Community events; and
 - f. Annual events.
2. Special event signs shall be permitted when they comply with this Subsection. Applicants for a special event sign shall submit a letter to the Director that describes the proposed event by location, area and time duration. The application shall be processed in the same manner, and subject to the same appellate procedures, as an application for a Sign Permit. Special event Sign Permits are subject to the following regulations:

Table 17.C.08.050-C: Temporary Signs for Special Events

Sign Criteria	Limitation
Sign Quantity	1 (may be in the form of a banner or pennant)
Max. Area	50 sf in area (measured one side)
Max. Height	10 ft
Zone	Any zone
Time Limitation	Taken down with 7 days of the event
Sign Permit Required	Yes

17.C.08.060 Signs Permitted in All Zones

- A. **Special Event Signs.** See Section 17.C.08.050.E (Temporary Signs for Special Events) for applicable standards.
- B. **Signs on the Public Right-of-Way.**
 1. Signs on the public right-of-way are limited to noncommercial messages. Temporary noncommercial signs may be displayed for a period not to exceed 60 days. Any time a temporary noncommercial sign is removed in the public right-of-way, it shall not be replaced by the same or other temporary sign for a period of not less than 90 consecutive days.

2. Signs shall be placed a minimum of three feet from edge of curb or street pavement if no curb exists and shall not obstruct pedestrian traffic or line of sight for vehicle traffic; no signs shall be placed in lawn areas, parks, medians, civic center, Community Recreation Center, or other government buildings; signs shall not be attached to fences, traffic control posts, utility poles, or bus shelters; no signs shall be placed in grassy areas that are to be mowed or landscaped. Signs shall only be placed in areas identified in the map below.

FIGURE 17.C.08.060-1: SIGNS ON THE PUBLIC RIGHT-OF-WAY



17.C.08.070 Signs in Residential Zones

- A. **All Residential Zones.** The following signs shall be permitted in all residential zones:
 1. Commercial temporary signs in compliance with Section 17.C.08.050.D (Commercial Temporary Signs); and
 2. Noncommercial temporary signs per Section 17.C.08.050.C (Noncommercial Temporary Signs).
- B. **Rural Residential (R-R) Zone.** The following signs shall be permitted in the Rural Residential (R-R) Zone:

1. Signs for produce sales, subject to approval of a Sign Program in compliance with Section 17.D.04.080 (Sign Programs); and
 2. Identification signs in compliance with Subsection 17.C.08.020.E.4 (Residential Identification Signs).
- C. **Single-Family Residential Zone (R-SF).** Identification signs in compliance with Subsection 17.C.08.020.E.4 (Residential Identification Signs) shall be permitted in the Single-Family Residential (R-SF) Zone.
- D. **Multi-Family Residential Zone (R-MF).** The following signs shall be permitted in the Multi-Family Residential (R-MF) Zone:
1. A maximum of two signs indicating the name of the multiple-family dwelling, apartment or dwelling group.
 - a. *Height.* Such signs may include monument signs not exceeding six feet in height and/or wall-mounted signs.
 - b. *Area.* The total area of each sign shall not exceed four square feet for less than 12 units, or 12 square feet for 12 or more units.
 - c. *Roof or eave line.* Signs attached to the wall of the building shall not extend above the roof or eave line.
 - d. *Projection.* Such sign may project 12 inches maximum from the building face.
 - e. *Illumination.* Identification signs may be illuminated, either internally or externally; provided, that all lights are directed away from public rights-of-way and adjacent properties.
 2. An illuminated directory sign shall be provided at each entrance of all multi-family complexes with more than 12 dwelling units. Directory signs shall provide a diagrammatic representation of the complex in compliance with the requirements of the Fire Department.
- E. **Traditional Neighborhood Residential (R-TN) Zone.** The R-SF Zone sign standards shall apply to single-family dwellings, and the R-MF Zone sign standards shall apply to multiple-family dwellings.

17.C.08.080 Signs in Commercial Zones

The standards and provisions contained in this Section shall be applicable to all commercial zones.

- A. **Commercial Zones, Commercial Complex.** Permitted signs in commercial zones within a commercial complex shall include:

Table 17.C.08.080-A: Commercial Zones, Commercial Complex

Sign Type	Sign Quantity	Max. Area	Max. Height	Additional Regulations
Wall Signs	1 per wall face of the establishment ^{1, 2}	1 sf per each linear foot of the unit or building's primary frontage Max 100 sf per sign	Shall not project any portion above the roof eave line or parapet of the wall upon which it is mounted	Signs shall not occupy more than 70% of the storefront/unit width If the sign contains a logo, the logo shall be max 3 ft in height
Monument Signs	1 Additional signs may be permitted on lots having more than one frontage and the signs are located at least 300 ft apart	30 sf ³	6 ft	Signs shall be placed in a landscaped area or planter of at least 250 sf Signs shall be located a min. of 5 ft from any right-of-way, sidewalk or driveway
Pylon Signs	1 ¹ 1 additional sign permitted for each secondary street frontage with at least 300 ft of length (up to a max. of 3 signs)	100 sf ³	20 ft	Where pylon signs are placed on both major and secondary street frontages, each such sign shall be placed as near to the middle of the street frontage as practical or at a major driveway entrance to the commercial complex from the street frontage Signs shall be placed in a landscaped area or planter of at least 250 sf. Signs shall be a min. of 5 ft from any right-of-way, sidewalk, or driveway.
Service and Delivery Signs	1 per use or occupancy	2 sf	n/a	Unlighted Sign placed on the rear of the building for service and delivery purposes
Commercial Directional Signs, On-Site	2 per drive approach	10 sf per sign	4 ft	n/a
Window Signs	See Subsection 17.C.08.020.E.2 (Permanent Window Signs)			
Under Canopy Signs	1 per frontage for each use or occupancy	4 sf	n/a	Min. 8 ft from the bottom of the sign to the nearest grade or sidewalk.
Freeway-facing Signs	See Table 17.C.08.080-B (Commercial Zones, Freeway-facing Signs for Shopping Center of Commercial Complex)			

Table Notes:¹ If used to display a commercial message, the sign must qualify as on-site.² Provided there are not more than four wall signs for any one establishment.

³ May identify separate establishments/businesses or uses in the commercial complex.

- B. **Freeway-facing Signs.** Freeway-facing signs are permitted for a shopping center or commercial complex in commercial zones subject to the following requirements:

Table 17.C.08.080-B: Commercial Zones, Freeway-facing Signs for Shopping Center or Commercial Complex

Gross Floor Area ¹	Max. Area	Max. Height
More than 250,000 sf ²	300 sf	60 ft
Less than or equal to 250,000 sf	150 sf	60 ft
Additional Regulations	<p>Freeway-facing signs, including freeway-facing electronic message center signs, are subject to Planning Commission approval.</p> <p>If the sign is a billboard or relocated billboard, the sign shall be subject to the requirements of Section 17.C.08.040.M (Billboard Policy).</p> <p>Freeway-facing signs will be permitted when they satisfy all of these criteria:</p> <ul style="list-style-type: none"> The proposed sign is located upon the property upon which the use identified is located; The proposed sign is located in the vicinity of a freeway interchange and within 300 feet of the freeway right-of-way and 600 feet of the intersecting street right-of-way; The following findings must be made, without consideration of message content of the proposed sign: <ul style="list-style-type: none"> The elevation of the freeway in relation to the elevation of the abutting properties justifies the height requested, and is the minimum necessary. The number and spacing of freeway signs will not cause unnecessary confusion, clutter, or other unsightliness in the general location. The use identified, as well as its type, size and intensity, justifies the size, design and location of the sign requested. The needs of the traveling public for identification and directional information justifies the sign requested. 	

Table Notes:

¹ Gross floor area of a shopping center or commercial complex.

² When the sign display area is used for commercial speech, the copy must qualify as onsite as to the shopping center or commercial complex.

- C. **Commercial Zones, Not Commercial Complex.** Permitted signs in commercial zones for uses not part of a commercial complex shall include:

Table 17.C.08.080-C: Commercial Zones, Not Commercial Complex

Sign Type	Sign Quantity	Max. Area	Max. Height	Additional Regulations
Wall Signs	1 per wall face of the establishment ^{1, 2}	1 sf for each linear ft of the unit or building's primary frontage Max 100 sf per sign	Shall not project any portion above the roof eave line or parapet of the wall upon which it is mounted	Signs shall not occupy more than 70% of the storefront/unit width

Table 17.C.08.080-C: Commercial Zones, Not Commercial Complex

Sign Type	Sign Quantity	Max. Area	Max. Height	Additional Regulations
Service and Delivery Signs	1 sign per use or occupancy	2 sf	n/a	Unlighted Sign placed on the rear of the building for service and delivery purposes
Directional Signs, On-Site	2 per drive approach	10 sf per sign	4 ft	n/a
Window Signs	See Subsection 17.C.08.020.E.2 (Permanent Window Signs)			
Under Canopy Signs	1 per frontage for each use or occupancy	4 sf	n/a	Min. 8 ft from the bottom of the sign to the nearest grade or sidewalk.
Exceptions	<p>Certain exceptions to the sign standards applicable to commercial uses not located within a commercial complex may be approved by the Planning Commission including the allowance for a freestanding sign(s) when the following findings can be made by the Planning Commission, without consideration of proposed message content (other than the onsite/offsite distinction in the case of commercial messages):</p> <ul style="list-style-type: none"> The site is subject to limited visibility and additional signing is necessary for a reasonable level of advertising exposure; and The type of establishment or the configuration of the site necessitates additional signage. 			

Table Notes:¹ If used to display a commercial message, the sign must qualify as on-site.² Provided there are not more than four wall signs for any one establishment.

- D. **Automobile Service Station Signs.** Automobile service station signs shall be permitted in commercial zones subject to the following requirements:

Table 17.C.08.080-D: Commercial Zones, Automobile Service Station Signs

Sign Type	Sign Quantity	Max. Area	Max. Height	Additional Regulations
Identification / Price Monument Sign	1 per service station	30 sf	6 ft	Must include all price advertising as required by state law Elevated signs may be used subject to Planning Commission approval (without consideration of message content) where vision impairments exist; however, elevated signs shall be designed with appropriate vision spaces and shall not exceed 15 ft in overall height
Identification Pylon Sign	1 per service station ¹	100 sf	40 ft	Must be situated so as to be directed toward and permanently viewable from the freeway
Special Service Sign	2 per pump island	4 sf per sign	n/a	Special service signs shall be limited to such items as self-serve, full serve, air, water, cashier Must be non-illuminated Must be permanently affixed to the pump island they identify

Table 17.C.08.080-D: Commercial Zones, Automobile Service Station Signs

Sign Type	Sign Quantity	Max. Area	Max. Height	Additional Regulations
Wall Signs	Wall signs for automobile service stations shall be permitted subject to the provisions set forth in Section 17.C.08.100 (Signs in Industrial Zones).			
Commercial Directional Signs, On-Site	2 per drive approach	10 sf per sign	4 ft	n/a
Window Signs	See Subsection 17.C.08.020.E.2 (Permanent Window Signs)			

Table Notes:

¹ Located contiguous to a freeway and where a freeway exit serves the street from which the service station takes direct access.

E. Theater Marquee Signs. Theater marquee signs shall be permitted in commercial zones subject to the following requirements:

1. **Size.** The size of a theater marquee sign shall be determined by the number of screens. Each screen shall be permitted a maximum of 10 square feet for each sign face area. A theater marquee sign may not total more than 100 square feet of sign face area.
2. **Sign Quantity.**
 - a. Part of an integrated shopping center. A maximum of one theater marquee sign shall be permitted per street frontage, exclusive of any freeway, for a theater that is part of an integrated shopping center.
 - b. Not part of an integrated shopping center. A maximum of one theater marquee sign shall be permitted for a theater not considered to be part of an integrated shopping center.
3. **Height.** Theater marquee signs shall not exceed 25 feet in height.
4. A maximum of one wall-mounted theater marquee sign shall be permitted at the main entrance to the theater.

F. Electronic Message Signs. In addition to the sign illumination standards of Subsection 17.C.08.040.E.4 (Electronic Message Signs), electronic message center signs shall be permitted in commercial zones subject to the following requirements:

1. One electronic message center sign may be permitted in a commercial complex with a minimum of 25,000 square feet of floor area. No electronic message center sign shall be located closer than 2,500 feet to another electronic message center sign. A Conditional Use Permit shall be required whereby the Planning Commission will determine the size and height of the sign.
2. The sign may display only noncommercial messages or onsite commercial messages, related to those establishments that are part of the complex or the merchandise or activities available on the lots which are part of the commercial complex. The sign shall not be used as a billboard.

3. The sign shall be reviewed for traffic safety purposes by the Public Works Director and shall comply with any and all safety standards as prescribed by the State of California. Such reviews shall not consider message content.

17.C.08.090 Signs in Mixed Use and Downtown Zones

- A. **Mixed or Multiple Use Zones.** In any zone where both residential and nonresidential uses are allowed, whether such zones are now existing or created in the future, the signage rights and responsibilities applicable to any particular use shall be determined as follows: residential uses shall be treated as if they were located in the residential zone where that type of use would be allowed as a matter of right, and nonresidential uses shall be treated as if they were located in a zone where that particular use would be allowed, either as a matter of right or subject to a conditional use permit or similar discretionary process.
- B. **Downtown Mixed Use Zone Supplemental Sign Standards.** In addition to Subsection 17.C.08.090.A (Mixed or Multiple Use Zones) above, the following sign standards apply to properties in the Downtown Mixed Use Zone that front Sixth Street between Veile Avenue and Palm Avenue, and that front Beaumont Avenue between Fifth Street and Seventh Street, as described in the Downtown Revitalization Plan.
 1. **Wall Signs.**
 - a. A wall sign shall not exceed 60 percent of the width of the leased frontage with a maximum size of 75 square feet.
 - b. One wall sign is allowed for each wall face of the establishment, with up to a maximum of four wall signs per establishment.
 - c. A wall sign shall not project above the roof, eave line, or parapet of the wall upon which it is mounted.
 2. **Awning Signs.** Awning signs shall be placed on the awning flap, and the flap must be at least eight inches in height.
 3. **Under Awning or Under Canopy Signs.** One under awning or under canopy sign is allowed on each frontage for each use or occupancy.
 4. **Projecting Signs.**
 - a. Projecting signs shall not exceed 10 square feet.
 - b. Project signs must be hung perpendicular to and project no more than six feet from the face of the building.
 5. **Monument Signs.**
 - a. One monument sign may be allowed per establishment or commercial complex.
 - b. Monument signs shall not exceed 30 square feet in size or six feet in height.
 6. **Blade Signs.**
 - a. Blade signs shall not exceed five feet in width.

- b. Blade signs may not exceed roof height by more than the height of the first level for multi-story buildings, or no more than twice the building's height for single-story buildings.
- 7. **Pylon Signs.** Pylon signs shall not exceed 75 square feet and shall be approved by the Planning Commission.
- 8. **Additional Signs.** Additional signs as described in the Downtown Revitalization Plan may be allowed.

17.C.08.100 Signs in Industrial Zones

The following signs shall be permitted in industrial zones:

- A. **Wall Signs.** One wall sign is permitted for each wall face of the establishment, up to a maximum of four wall signs. If said signs display commercial images or messages, they shall qualify as on-site commercial messages. In no case shall the total sign area of any unit or building exceed one square foot of sign area for each linear foot of the unit's or building's primary frontage. In no event shall the area of any one wall sign exceed 100 square feet. Wall signs shall not occupy more than 70 percent of the storefront or unit width. A wall sign may not project any of its height above the roof, eave line, or parapet of the wall upon which it is mounted.
- B. **Monument Signs.** One monument sign not to exceed 30 square feet in sign area may be permitted. The monument sign structure shall not exceed six feet in height. Additional monument signs may be permitted on lots having more than one frontage if the signs are located at least 300 feet apart. Monument signs shall be placed in a landscaped area or planter of not less than 250 square feet and shall be located a minimum of five feet from any right-of-way, sidewalk, or driveway.
- C. **Pylon Sign.** One pylon sign not to exceed 100 square feet in sign area will be permitted to identify separate business or uses in an industrial complex. The pylon sign structure shall not exceed 20 feet in height. Pylon signs shall be placed in a landscaped area or planter of not less than 250 square feet. Pylon signs shall be a minimum of five feet from any right-of-way, sidewalk, or driveway.
- D. **Commercial Directional Signs, On-site.** A maximum of two on-site directional signs per drive approach each not to exceed a total of 10 square feet in area and four feet in height.

17.C.08.110 Signs in Other Zones

- A. **R-C (Recreation-Conservation) Zone.** Signs in the R-C Zone shall be limited to commercial temporary signs in compliance with Section 17.C.08.050.D (Commercial Temporary Signs) and the following signs for commercial recreation uses.
 - 1. One monument sign for each street frontage, limited to five feet in height and 32 square feet in size.
 - 2. Building mounted signage not exceeding 10 percent for any building wall.

B. **Specific Plan Zone.**

1. **Permitted Signs in the Specific Plan Area (SPA) Zone—Exempt Signs.** The SPA Zone permits a variety of residential and supporting commercial and other supporting land uses. Signs which may be erected without permits as provided for in Subsection 17.C.08.020.E (Signs Exempt from Sign Permits) are permitted in the SPA Zone consistent with the respective land use.
2. **Signs Subject to Permits.** Provisions and standards for signs shall be established within a specific plan for land uses contained therein. The specific plan shall establish a project-wide sign program and shall make provisions for the development and review of Sign Programs consistent with Section 17.D.04.080 (Sign Programs) for each nonresidential land use component of the specific plan.

17.C.08.120 Sign Design Standards

The design standards set forth in this section apply to all signs in the City of Beaumont.

A. **Sign Design Standards for All Signs.**

1. **Applicability.** The standards established in this Section apply to all permanent signs. These standards complement the mandatory sign regulations established in Section 17.D.04.070 (Sign Permits).
2. **Use a Brief Message.** Signs must be designed with a brief message because the fewer words used, the more effective the sign. A sign with a brief message is quicker and easier to read, looks cleaner, is more effective in conveying its message, and is more attractive.
3. **Avoid Overly Intricate or Unusual Fonts.** Simple, easy-to-read fonts must be utilized in signs to enhance their readability. Signs that include very intricate font styles are generally difficult to read and reduce a sign's ability to communicate effectively. Signs with unusual fonts may look good today, but soon go out of style, and the image conveyed may quickly become that of a dated and unfashionable business.

FIGURE 17.C.08.120-1: EXAMPLES OF SIGNS WITH A BRIEF MESSAGE AND SIMPLE FONT STYLE



4. **Emphasize One Line of Text.** Signs with more than one line of text must emphasize one line over the others to enhance the message conveyed.

5. **Limit the Number of Fonts to Two.** The number of fonts used in a sign must be limited because the use of more than two font styles makes the sign harder to read. The primary purpose of a sign is to quickly convey information to motorists and pedestrians.
6. **Provide Contrast between Background and Letters/Symbols.** Signs must be designed with high contrast between the sign's letter/symbol color and its background color to be most effective. Signs with little contrast in the hue (shade or tint) and/or intensity (brightness) between the background and letter/symbol colors are difficult to read.

FIGURE 17.C.08.120-2: EXAMPLES OF SIGNS WITH A SIMPLE COLOR PALETTE, LIMITED FONTS, AND GOOD CONTRAST



7. **Sign Color.** Sign colors should be compatible with the building architecture. Within shopping centers, sign color should complement the color scheme for the center. Too many different colors compete with the sign's content for a viewer's attention and makes the sign less effective.
8. **Sign Materials.** Sign materials must be durable and weather resistant.

9. **Graphic Relief.** Signs must utilize individual lettered business and logo design, or where appropriate, sign copy, logo, and/or decorative embellishments in relief on the face of the sign to enhance readability and project a positive image of the business or use. Signs must be designed to provide three-dimensional relief, i.e., be raised above, or set below the sign background.

FIGURE 17.C.08.120-3: EXAMPLES OF RAISED LETTERS



10. **Proportion, Scale, and Rhythm of Sign Placement.** Signs must be placed consistent with the proportions and scale of building elements within a building's facade:
- A large sign may fit well on a large, plain wall area, but could overpower the finer scale and proportion of if placed above a small storefront.
 - Signs must establish rhythm, scale, and proportion on a facade where these elements are weak in the building design. On buildings with plain facade, signs must establish or continue appropriate design rhythm, proportion, and scale.
 - The proportion of letter area to sign background area must be carefully considered. Letters must not appear to occupy more than 70 percent of the sign's background area. Signs where the letters take up too much of the background area are harder to read. Generally, large letters are not necessarily more legible than smaller ones.

FIGURE 17.C.08.120-4: EXAMPLES OF SIGNS WITH GOOD PROPORTION, SCALE, AND RHYTHM



11. **Complementary Sign Design.** Where there is more than one sign for a business (e.g., single tenant buildings) or group of businesses (e.g., multiple tenant buildings, commercial centers, or business or industrial parks), all signs must be designed to ensure consistency of sign design and be complementary to one another in the following ways:
 - a. Type of construction materials used in the sign body, sign copy, sign base, supports, etc.);
 - b. Letter size and style of copy;
 - c. Method and design of sign support (wall mounting or monument base);
 - d. Configuration of sign area; and
 - e. Proportion of sign copy area to background.
12. **Artistry and Innovation.** The use of artistry and innovation in sign design will make the sign stand out and draw attention to the use or activity it is advertising. It can also improve the overall appearance of a building or neighborhood.
13. **Sign Scale.** Signs must be designed and placed relative to who the intended viewer will be. Signs intended to be read by pedestrians (i.e., usually read from a distance of 15 to 20 feet) must be smaller in scale than a vehicle-oriented sign which is designed to be viewed from a much greater distance. In general, the closer the sign's viewing distance, the smaller the sign needs to be.
14. **Freestanding Signs.** Freestanding signs must incorporate the materials and architectural features used in the building(s) they serve. Freestanding signs are most effective when placed perpendicular to approaching vehicular traffic.

B. Monument Sign Design Standards.

1. **Applicability.** Monument signs must comply with the standards provided in this Subsection.
2. **Relationship to Other Signs.** Where there is more than one monument sign located upon a lot, all such signs shall have designs which are well related to each other by the similar treatment or incorporated of not less than four of the following six design elements:
 - a. Type of construction materials as used in the several sign components (such as cabinet, sign copy, supports);
 - b. Letter style of sign copy;
 - c. Illumination;
 - d. Type or method used for supports, uprights or structure on which sign is supported;
 - e. Sign cabinet or other configuration of sign area; and
 - f. Shape of entire sign and its several components.
3. **Landscaping.** Each monument sign shall be located in a planted landscaped area which is of a shape, design, and size (equal to at least the sign area) that will provide a compatible setting and ground definition to the sign. The planted landscaped area shall be maintained on a reasonable and regular basis.

4. ***Illumination and Motion.*** Monument signs shall be non-moving stationary structures (in all components) and illumination, if any, shall be maintained by artificial light which is stationary and constant in intensity and color at all times (non-flashing).

17.C.08.130 Nonconforming Signs

- A. **Purpose.** This Section establishes regulations for nonconforming signs that were lawful before the adoption or amendment of this Chapter, but which would be prohibited, regulated, or restricted differently in compliance with the current regulations. These provisions provide for the orderly termination of nonconforming signs to promote the public health, safety, and general welfare, and to bring nonconforming signs into conformity with the goals and policies of the City's adopted General Plan. In recognition of these declarations, it is the intent of this Chapter to:
 1. Prevent the expansion of nonconforming signs to the maximum extent feasible;
 2. Establish criteria under which nonconforming signs may be continued or modified; and
 3. Provide for the correction or removal of nonconforming signs in an equitable, reasonable, and timely manner.
- B. **Applicability.** Nonconforming signs may be maintained and modified only in compliance with the provisions of this Section. Illegal signs, such as signs installed without a required building permit, are not considered to be nonconforming signs.
- C. **Modification.**
 1. No nonconforming sign shall be altered in any manner, reconstructed, or moved without being made to comply in all respects with the provisions of this Chapter. Nothing in this Section shall prohibit the normal upkeep or repair of any sign, nor the painting or repainting of the face of the sign, during its lawful existence.
 2. In no event will the degree of nonconformity of any sign or type of signage on any lot be increased.
- D. **Removal or Replacement of a Nonconforming Sign.**
 1. Removal of a nonconforming sign, or replacement of a nonconforming sign with a conforming sign, is required when:
 - a. The use of the sign and/or the property on which the sign is located has been abandoned, ceased operations, become vacant, or been unoccupied for a period of one year or more. For the purposes of this Section, rental payments or lease payments and taxes shall not be considered as a continued use.
 - b. A nonconforming sign has been damaged to the extent of more than 50 percent of the appraised value of the sign structure or is temporarily or permanently removed by any means, including a natural disaster.
 2. It shall be the duty of the owner of any nonconforming sign and the duty of the owner of any premises upon which a nonconforming sign is located, to remove the sign or to bring sign into conformance, in accordance with the provisions of this Chapter.

3. A legal nonconforming sign that has been damaged to the extent of more than 50 percent of the appraised value of the sign structure or is temporarily or permanently removed by any means, including a natural disaster, shall be removed or rebuilt, repaired, or replaced only in compliance with the provisions of this Chapter.
- E. **Maintenance.** Nonconforming signs are required to be maintained in good condition in compliance with the sign maintenance provisions of Subsection 17.C.08.040.J (Construction and Maintenance of Signs). Maintenance of nonconforming signs shall be consistent with applicable state law. Nothing in this Chapter affects an existing sign or the right to its continued use for the purpose used at the time this Chapter takes effect, nor the right to make any reasonable repairs or alterations within the existing sign envelope.

17.C.08.140 Sign Enforcement

- A. Any violation of this Chapter shall be deemed to be a continuing violation until the violation has been corrected.
- B. Violation of any of the provisions of this Chapter shall constitute a nuisance and a Code violation.
- C. Notwithstanding any other provision of this Chapter, the City Attorney, upon the direction of the Council, may commence an action in a court of competent jurisdiction to obtain an injunction prohibiting the construction, erection, maintenance or display, or requiring the removal, of any sign that is in violation of any of the provisions of this Chapter. In any such action, the City shall be entitled to recover its costs and its reasonable attorney's fees.
- D. The owner or other person entitled to possession of a sign which is removed, stored, and/or destroyed in compliance with any provision of this Chapter shall be liable to the City for the cost of the removal, storage, and/or destruction of the sign, and the City may recover the same through an action commenced in a court of competent jurisdiction together with the City's court costs and reasonable attorney's fees.
- E. Any illegal sign within the public right-of-way is found and declared to be a public nuisance, and such sign may be abated by the City as follows:
 1. If the address of the owner or other person entitled to possession of the sign is known, notice of the City's intention to remove and destroy the sign, stating the date after which sign will be removed and destroyed, shall be mailed to the owner or other person entitled to possession by certified mail, return receipt requested at least 10 days before the date. If the address of the owner or other person entitled to possession is not known, the notice shall be affixed in a conspicuous place on said sign at least 10 days before the date. The notice shall also set forth the provisions of this Section.
 2. The owner or other person entitled to possession of the sign may, before the removal date stated in the notice, file a written request for hearing with the Department. The request shall identify the sign and its location, state the name and address of the owner or other person entitled to possession and set forth in detail the legal basis as to why the sign should not be removed and destroyed. If such a request for hearing is filed, the Planning Commission shall hear the matter at a regularly scheduled meeting held not more than 30 days thereafter. After the hearing, the Planning Commission shall determine whether or not the sign is an illegal sign within the public right-of-way. The written decision of the Planning Commission shall be rendered within 10 days after the

hearing and a copy of the decision shall be mailed to the owner or other person entitled to possession within seven days thereafter. Unless a notice of appeal is filed as provided for in this Chapter, the decision of the Planning Commission shall become final ten days after mailing.

3. The owner or other person entitled to possession may file a notice of appeal with the City Clerk within 10 days after the date of mailing of the Planning Commission's decision. If a timely notice of appeal is filed, the matter shall be heard by the Council at a regular meeting scheduled not more than 30 days thereafter. After hearing, the Council shall determine whether or not the sign is an illegal sign within the public right-of-way. The written decision of the Council shall be rendered within 10 days after the hearing and a copy of the decision shall be mailed to the owner or other person entitled to possession within seven days thereafter. The decision of the Council becomes final 10 days after mailing.
4. Unless the owner or other person entitled to possession of the sign, on or before the removal date stated in the notice described in this Section, files a written request for hearing with the Department, the City may, at any time after said date, remove and destroy the sign. If a written request for hearing is filed then upon any final decision of the Planning Commission or the Council determining that the sign is an illegal sign within the public right-of-way, the City may remove and destroy the sign.
5. Notwithstanding any provision of this Chapter to the contrary, any illegal sign within the public right-of-way which constitutes a hazard to pedestrian or vehicular traffic may be removed immediately and stored by the City, at the expense of the owner, or other person entitled to possession, pending completion of the notification and hearing procedures set forth in this Section.

17.C.08.150 Severability

If any section, sentence, clause, phrase, word, portion, or provision of this Chapter is held invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such holding shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this Chapter which can be given effect without the invalid portion. In adopting this Chapter, the Council affirmatively declares that it would have approved and adopted this Chapter even without any portion, which may be held invalid or unenforceable.

Chapter 17.C.10 Specific to Uses

Sections:

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17.C.10.040	Adult-Oriented Businesses	17.C-102
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17.C.10.080	Drive-Through Facilities.....	17.C-112
17.C.10.090	Emergency Shelters	17.C-113
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17.C.10.110	Farmers' Markets	17.C-117
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17.C.10.180	Multi-Family Dwellings	17.C-128
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17.C.10.230	Temporary Uses	17.C-148
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17.C.10.250	Two-Unit Projects.....	17.C-153
17.C.10.260	Wind Energy Conversion Systems.....	17.C-154
17.C.10.270	Wireless Telecommunication Facilities	17.C-156

17.C.10.010 Purpose

The purpose of this Chapter is to establish standards for specific uses and activities that are permitted or conditionally permitted in several or all zones. These provisions are supplemental standards and

requirements to minimize the impacts of these uses and activities on surrounding properties and to protect the health, safety, and welfare of their occupants and of the public.

17.C.10.020 Applicability

Each land use and activity covered by this Chapter shall comply with the requirements of the section applicable to the specific use or activity, in addition to any applicable standard this Title requires in the zone where the use or activity is proposed and all other applicable provisions of this Title.

- A. The uses that are subject to the standards in this Chapter shall be located only where allowed by the zone, specific plan, and/or overlay zone use regulations.
- B. The uses that are subject to the standards in this Chapter are allowed only when authorized by the planning permit required by Division 17.B (Zone Regulations) except where this Chapter establishes a different planning permit requirement for a specific use.

17.C.10.030 Accessory Dwelling Units and Junior Accessory Dwelling Units

- A. **Purpose.** The purpose of this Chapter is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code §66310 et seq.
- B. **Applicability.**
 - 1. This Chapter establishes standards for ADUs and JADUs where allowed by Division 17.B (Zone Regulations)
 - 2. Where this Chapter does not contain a particular standard or procedure, applicable standards and procedures in this Title shall apply unless otherwise stated.
 - 3. An ADU or JADU that conforms to the development standards in this Chapter is deemed to be an accessory use and shall not count towards the overall density for the lot on which it is located.
- C. **Number of Unit Types Allowed.**
 - 1. **Single-Family Dwellings.** On lots with an existing or proposed single-family dwelling, up to one attached ADU, one detached ADU, and one JADU shall be allowed.
 - 2. **Multi-Family Dwellings.** On lots with existing or proposed attached multi-family dwellings, the following shall be allowed:
 - a. On a lot with an existing multi-family dwelling, up to eight detached ADUs, provided the total number of ADUs do not exceed the number of existing units on the lot; or
 - b. On a lot with a proposed multi-family dwelling, up to two detached ADUs; and
 - c. Livable space, as defined by California Government Code §66313(e), within the existing main structure may be converted to one or more ADUs provided that the maximum number of such ADUs shall not exceed 25 percent of the number of multi-family units, and each ADU complies with Building Code standards.

D. **Permit Process, Timing, and Fees.**

1. **Permits Required.** ADUs and JADUs shall require a Building Permit only, except an ADU that does not comply with the standards of this Subsection maybe allowed with the approval of a Minor Plot Plan subject to the finding that the ADU or JADU complies with this Title and California Government Code §66310 et seq.
2. **Ministerial Review Required.** When an ADU or JADU only requires a Building Permit consistent with Subsection D.1, the following ministerial review shall apply.
 - a. The City shall act on an application to create an ADU or JADU, either by approving the application or sending a notice of deficiency, within 60 days of receipt of a complete application, unless the ADU application uses plans preapproved by the City in accordance with Subsection 17.C.10.030.D.2.c below. Applications resubmitted in response to a notice of deficiency shall be approved or a notice of deficiency sent within 60 days.
 - b. When an application to create an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU shall be considered ministerially without discretionary review or a hearing.
 - c. The City shall act on an application to create a detached ADU within 30 days if the ADU uses building plans that have been preapproved by the City.
3. **Impact and Utility Fees.** Prior to issuance of a Building Permit for an ADU or JADU, the applicant shall pay all applicable fees.
 - a. Impact fees shall not be imposed on a JADU or an ADU less than 750 square feet in size.
 - b. Impact fees charged for ADUs greater than or equal to 750 square feet shall be charged proportionately in relation to the square footage of the primary unit (e.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling).
 - c. For the purposes of this Section, "impact fee" means a "fee" as defined in California Government Code §66000(b) and a fee specified in California Government Code §66477. Impact fees do not include any connection fee or capacity charge for water or sewer service.
 - d. If an ADU or JADU is constructed with a new single-family home, a separate utility connection directly between the ADU or JADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling shall be required.
 - e. Installation of a separate direct connection between an ADU or JADU contained within an existing structure and the utility shall not be required. ADUs not within an existing structure shall be required to install a new or separate utility connection and be charged a connection fee and/or capacity charge. These charges shall be proportionate to the burden imposed by the ADU on the water or sewer system based upon either its size or number of plumbing fixtures as determined by the City.

E. **General ADU and JADU Standards.**

1. **Separate Conveyance.** An ADU or JADU may be rented, but an ADU and JADU may not be sold or otherwise conveyed separately from the primary dwelling unit, nor shall the lot containing the ADU or JADU be subdivided, unless the property was built or developed by a qualified nonprofit corporation and all provisions of California Government Code §66340 et seq. are met.
2. **Short-Term Rental Use Prohibited.** No ADU or JADU may be rented for a term that is shorter than 30 days.
3. **No Minimum Parcel Size.** There is no minimum parcel size required to establish an ADU or JADU.
4. **Minimum Unit Size.** The minimum size of an ADU or JADU is 150 square feet ("efficiency unit" per California Health and Safety Code §17958.1).
5. **Design.** The following standards may only apply to the extent allowed by state law.
 - a. **Entrances.** The main entrance to an attached ADU or the exterior entry of a JADU may not be located on the front of the primary unit.
 - b. **Second story units.** New second-story windows in an ADU or JADU that are 25 feet or less from a property line must incorporate at least one of the following:
 - (i) The proposed second-story window of the ADU or JADU shall be positioned so that the window sill is at least five feet above finished floor; or
 - (ii) The proposed second-story window of the ADU or JADU must utilize frosted or obscured glass in the glazing portion of the window (i.e., glass that is patterned or textured so that objects, shapes, and patterns beyond the glass are not easily distinguishable).
 - c. **Colors and materials.** An ADUs colors and materials must match the primary dwelling unit (i.e., use of the same wall and trim material or wall and trim material that visually appears the same as the primary dwelling unit, including color and texture).
6. **Fire Sprinkler Requirements.** ADUs and JADUs shall not be required to include fire sprinklers if they are not required for the primary residence.
7. **Existing Nonconforming Conditions.** An ADU or JADU shall not be required to correct a nonconforming zoning condition. This does not prevent the City from enforcing compliance with applicable building standards in accordance with California Health and Safety Code §17980.12.
8. **Rental Data.** The owner of the lot on which an ADU or JADU is located will be requested to participate in the City's monitoring program to determine rent levels of ADUs and JADUs for the City's Regional Housing Needs Allocation reporting.
9. **Deed Restriction.** A deed restriction must be recorded against the lot containing the ADU or JADU with the Riverside County recorder's office prior to issuance of any Certificate of Occupancy for the ADU or JADU. The deed restriction shall run with the land and may be enforced against future property owners. Among other requirements, the deed

restriction must state that the ADU or JADU may not be transferred or sold separately from the primary dwelling. The form of the deed restriction shall be provided by the City.

10. **ADU Removal.** If an ADU or JADU is removed or converted to another use after a Certificate of Occupancy has been issued for the ADU or JADU, any deviations from development standards (e.g., setbacks, parking) or exemptions granted specific to the ADU or JADU use (e.g., reduced or exempt fees) must be brought into compliance with the standards and regulations in effect at the time. Upon approval of the reversion request by the City, the deed restriction applicable to the ADU or JADU shall be rescinded from title.

F. Additional Accessory Dwelling Unit (ADU) Standards.

1. Maximum Size.

- a. The maximum size of a detached or attached ADU is 850 square feet for a studio or one-bedroom unit and 1,200 square feet for an ADU with two or more bedrooms, except as specified in Subsection 17.C.10.030.F.1.b.
 - (i) ADUs created from the conversion of existing space may exceed these size limits.
 - (ii) An addition of up to 150 square feet to accommodate ingress and egress for an ADU created from the conversion of an existing accessory structure is exempt from the maximum size standard.
- b. The total floor area of an attached ADU shall not exceed 50 percent of the existing primary dwelling; however, this standard shall not prevent an attached ADU from being less than 800 square feet.

2. Setbacks.

- a. Front setbacks shall be those established by the applicable zone.
- b. Minimum side and rear setbacks shall be four feet or the setback for the applicable zone, whichever is less.
- c. If a detached ADU would be constructed in the same location and to the same dimensions as an existing structure, the ADU may maintain the same setbacks as the existing structure.

3. Maximum Allowed Height.

- a. *Generally.* 16 feet.
- b. *Within ½ mile walking distance of a major transit stop or high-quality transit corridor as defined in California Public Resources Code §21155.* 18 feet.
- c. *Attached to the primary dwelling.* 25 feet or the height limitation of the zone, whichever is lower.
- d. *Accessory to a multi-story multi-family dwelling.* Up to 18 feet if the ADU(s) are accessory to an existing or proposed multi-story multi-family dwelling.
- e. *Roof pitch.* In addition to the maximum allowed height, an additional two feet in height is allowed to accommodate a roof pitch that is aligned with that of the primary dwelling unit.

4. **Parking.**

- a. One off-street parking space must be provided for each ADU, except as provided by Subsections 17.C.10.030.F.4.b and 17.C.10.030.F.4.c below. The parking space may be provided as tandem parking and may be located in setbacks, but not in the front setback unless on the driveway.
- b. When a garage, carport, covered, or uncovered parking space is demolished in conjunction with construction of an ADU or is converted to an ADU, those off-street parking spaces shall not be required to be replaced.
- c. Parking for an ADU shall not be required in the following situations:
 - (i) The ADU is located within one-half mile walking distance of public transit.
 - (ii) The ADU is located within an architecturally and historically significant historic zone.
 - (iii) The ADU is part of the proposed or existing primary residence or an existing accessory structure.
 - (iv) When on-street parking permits are required but not offered to the occupant of the ADU.
 - (v) When there is an established car share vehicle stop located within one block of the ADU.

5. **Design.** The following standards may only apply to the extent allowed by state law.

- a. A newly constructed detached ADU must be located behind the street-facing façade of the primary unit.
- b. When a garage is converted to an ADU, the garage door must be removed and replaced with either windows or a door (provided the door does not face the street if it is an attached ADU). Windows and doors must be of the same size, proportion, and spacing as the primary dwelling unit.
- c. A solid fence six feet in height or vegetative screening/plantings of species with a mature height of at least 10 feet must be located or constructed along interior side and rear property lines adjacent to the ADU if the ADU is located less than 10 feet from respective property lines.

6. **Other Standards.** Lot coverage, open space, floor area ratio, minimum lot size, and front yard setback limitations and design standards, where applicable, shall not preclude the development of an ADU of up to 800 square feet and 16 feet in height with a minimum of four-foot side and rear setbacks.

G. **Additional Junior Accessory Dwelling Unit (JADU) Standards.**

- 1. **Owner-Occupancy.** JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property shall reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, this owner-occupancy requirement does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

2. **Interior and Exterior Access.** JADUs must have an entrance that is separate from the main entrance to the single-family dwelling unit. If the JADU does not have a separate bathroom, the JADU shall have an interior entry to the main living area of the single-family dwelling unit.
3. **Parking Not Required.** Parking shall not be required for a JADU.

17.C.10.040 Adult-Oriented Businesses

- A. **Purpose.** The purpose of this Section is to establish reasonable and uniform regulations regarding the location of adult-oriented businesses, which will permit the location of adult-oriented businesses in certain areas but which will also reduce or prevent neighborhood blight, maintain property values, and reduce the incidence of unlawful activity by preventing the concentration of adult-oriented businesses or their close proximity to incompatible uses.
- B. **Applicability.** This Section applies to:
 1. New adult-oriented businesses;
 2. The conversion of an existing use to an adult-oriented business;
 3. The expansion of any adult-oriented business;
 4. The relocation of any adult-oriented business; and
 5. The substantial expansion of an adult-oriented business, meaning a 25 percent increase in the floor area occupied by the adult-oriented business as such floor area existed on the effective date of this Section.
- C. **Location and Distance Regulations.**
 1. An adult-oriented business or its substantial expansion shall not be allowed:
 - a. Within 1,000 feet of any school, public park or recreation area, religious institution, or other adult-oriented business; or
 - b. Within 600 feet of any residential zone or use; or
 - c. Within 300 feet of any commercial zone.
 2. The distance between any two adult-oriented business premises shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of each business.
 3. The distance between any adult-oriented business premises and any school, public park or recreation area, residential use, residential or commercial zone, or religious institution shall also be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the adult-oriented business premises to the closest property line of a school, public park or recreation area, residential use, residential or commercial zone, or religious institution.

- D. **Signs.** In addition to the sign regulations contained in Chapter 17.C.08 (Signs), the following restrictions shall apply to all premises used for an adult arcade, adult bookstore, adult cabaret, adult motel, adult motion picture theater, or sexual encounter establishment:
1. Except as provided in this Section, only one sign shall be allowed on the premises. The sign shall be flush with the building and shall not extend above the height of the doorway of the main entrance of the business.
 2. Additional signs or signs not in conformity with the above restrictions shall be allowed only upon the approval of the Planning Commission or the Council.
- E. **Other Regulations.** Adult-oriented businesses must comply with Beaumont Municipal Code Chapter 5.60 (Adult-Oriented Businesses).

17.C.10.050 Alcohol-Serving and Restaurant Uses

- A. **Purpose.** The purpose of this Section is to provide regulations for eating and drinking establishments to expand dining area into outdoor spaces in a safe, well designed, and attractive manner.
- B. **Outdoor Dining.**
1. **Review and Approval Procedures.**
 - a. New or modified outdoor dining areas on private property may be approved with a Minor Plot Plan in accordance with Section 17.D.04.020 (Plot Plans).
 - b. In cases where a Conditional Use Permit is required for an eating and drinking establishment, an existing establishment with an approved Conditional Use Permit may add or modify an outdoor dining area with approval of a Minor Plot Plan. No amendment to the approved Conditional Use Permit shall be required.
 - c. Written permission from the owner of the subject property shall be required as part of the application for outdoor dining.
 - d. Applications for new or modified outdoor dining areas are also subject to review and approval by the Fire Department.
 2. **Location and Siting Requirements.** Outdoor dining and seating may be conducted as part of a legally established eating and drinking establishment that is located on the same lot subject to the following standards:
 - a. Dining areas may be located within outdoor areas adjacent to an enclosed restaurant, such as existing private sidewalks and walkways, patios, etc.
 - b. A minimum five-foot wide path of travel shall be maintained along all pedestrian walkways from parking areas and public sidewalks to all public building entrances.
 - c. A minimum two-foot setback shall be required between an outdoor dining area barrier and any adjacent parking space(s).
 - d. An outdoor dining area shall not be separated from the restaurant by any vehicular drive aisle.
 - e. Outdoor dining areas may be located within, and may replace, existing off-street parking spaces that abut the restaurant establishment and are located on

privately owned parcels; however, no existing accessible parking spaces required per Title 24 of the California Building Standards Code and the Americans with Disabilities Act may be removed to accommodate outdoor dining areas. The required number of parking spaces must be provided consistent with allowed reductions in Subsection 17.C.10.050.B.3 (Allowed Reductions to Required Parking Spaces).

- f. Outdoor dining areas shall not be located within required loading zones or stormwater treatment areas and shall not obstruct access to utilities.
 - g. Outdoor dining areas, including permanent canopies, pergolas, or similar shade structures are subject to the setback standards of the applicable zone, with encroachments allowed consistent with Section 17.C.02.150 (Setbacks and Encroachments into Required Setbacks).
 - h. Outdoor dining areas shall be subject to all emergency access regulations of the California Fire Code.
- 3. ***Allowed Reductions to Required Parking Spaces.*** The required number of parking spaces may be reduced by up to 15 percent to accommodate new or expanded outdoor dining areas in existing parking areas, provided that the size of the outdoor dining area is 800 square feet or less. Exceptions include:
 - a. *Mixed use zones and commercial zones.* The total required parking as specified in Section 17.C.06.050 (Number of Parking Spaces Required) may be reduced by up to 30 percent to accommodate new or expanded outdoor dining areas in existing parking areas.
 - b. *Multi-tenant commercial properties with shared parking.* Allowed reductions to required parking to accommodate outdoor dining shall be based on the total parking requirement for all uses and establishments on the subject property, not solely on the parking requirement for the restaurant(s) proposing to add or expand outdoor dining areas.
- 4. ***Design Standards.***
 - a. *Barriers.* Outdoor dining areas shall be delineated by a substantial and durable barrier that separates the dining area from vehicular drive aisles and parking spaces. The following standards apply:
 - (i) *Materials.* Barriers should be made from high-quality materials such as wood or iron railings and fencing, planter boxes, and decorative concrete barriers.
 - (a) Materials and design of barriers and associated amenities should be consistent with the design and appearance of the restaurant and complementary to the character and design of the surrounding district.
 - (b) Barrier materials must be painted or covered in siding or other finished materials approved by the Department.

- (c) Chain link fencing, corrugated metal, unfinished wood materials, stanchions, retractable belts, screens, and small landscape planters are prohibited.
 - (ii) *Barrier height.* Solid portions of barriers for outdoor dining areas shall be no more than three feet in height.
 - (a) Transparent, shatterproof glass (e.g., plexiglass) may be placed above a three-foot solid barrier, up to a total maximum height of six feet.
 - (b) If the outdoor dining area has a permanent shade or roof structure, plexiglass or other transparent materials may extend to the height of the ceiling.
 - (iii) If barriers are movable, they must be well secured and designed to support weight leaning against them.
 - (iv) Barriers must have one opening for emergency access, with a minimum width of 36 inches, for every 20 linear feet of barrier.
 - (v) Barriers adjacent to parking spaces shall be marked with reflective material, such as tape or plastic reflective strips.
- b. *Shade structures, tables, chairs, and other amenities.* Permanent overhead shade structures may be allowed for outdoor dining areas. The design and location of any permanent overhead shade structure shall complement the main restaurant and shall be subject to review and approval by the Department. All permanent overhead shade structures require a Building Permit and must comply with the following standards.
- (i) *Materials.* Permanent overhead shade structures shall be durable and made from high-quality materials such as wood or metal. Plywood, corrugated metal, and corrugated polycarbonate are prohibited as materials for roofing or shade structures. Tables and chairs should be of a high-quality and visually appealing material such as wood or metal.
 - (ii) *Height.* The maximum height for all overhead shade structures for outdoor dining areas shall be 12 feet.
 - (iii) *Non-permanent shade equipment.*
 - (a) Non-permanent shade equipment, such as umbrellas, fabric canopies, or retractable awnings, are permitted provided they are made from high-quality materials and closed or stored when the outdoor dining area is not in use.
 - (b) For retractable awnings projecting from buildings, the minimum vertical clearance shall be eight feet and the maximum extension from the face of a building shall be seven feet.
 - (iv) *Landscaping.* Outdoor dining areas should incorporate landscape planters with decorative plants and flowers.

- c. **Accessibility Requirements.**
 - (i) **Surfaces.** Outdoor dining areas shall have hard, non-slip surfaces, including, but not limited to concrete, tile, stone, or wood/composite decking. Soft surfaces such as dirt, gravel, and lawn are not permitted.
 - (ii) **Ramps.** If an outdoor dining area is located on a raised platform or in a sunken area, a ramp that meets the requirements of the California Building Code and the Americans with Disabilities Act must be provided.
- 4. **Lighting.** No electrical wires for lighting elements shall cross the required clear path of travel along a public sidewalk or private pedestrian walkway. Solar lighting is encouraged for outdoor dining areas.
- 5. **Signage.** All restaurant signage shall comply with Chapter 17.C.08 (Signs). No additional signage shall be permitted in outdoor dining areas.
- 6. **Operational Standards.**
 - a. **Hours of operation.** The hours of operation for outdoor dining areas shall be limited to the hours of operation of the associated eating and drinking establishment. In no case shall outdoor dining be permitted before 7:00 a.m., and not after 10:00 p.m. Sunday through Thursday and after 11:00 p.m. Friday and Saturday.
 - b. **Alcoholic beverages.** All necessary California Department of Alcoholic Beverage Control permits shall be obtained by the eating and drinking establishment operator.
 - c. **Smoking and vaping.** No smoking or vaping shall be permitted within outdoor dining areas.
 - d. **Performance standards.** All performance standards in Subsection 17.C.02.120 (Performance Standards) shall be complied with.
- 7. **Maintenance Requirements.**
 - a. Outdoor dining areas shall be kept clean and free of litter and debris at all times.
 - b. All plants and landscaping shall be maintained in good health.
 - c. All plexiglass or other transparent materials used as part of an outdoor seating barrier shall be regularly cleaned and provide a clear view from the outdoor seating area. Cracked, broken, or discolored materials are prohibited and shall be replaced immediately.

17.C.10.060 Animal Keeping

- A. **Purpose.** This Chapter establishes provisions for the regulation of animal keeping within the City. It is the intent of this Section to accomplish the following:
 - 1. To ensure that animal keeping within the City does not result in an adverse impact related to a health and safety violation;
 - 2. To eliminate conditions that contribute to environmental degradation and pollution; and

3. To ensure that the keeping of animals does not create a nuisance.
- B. **Applicability.** This Chapter is applicable to all zones in the City.
- C. **Number and Types of Domestic Animals Allowed.** Domestic and non-dangerous wild animals may be kept or maintained as pets or for the non-commercial use of members of the family residing on the premises subject to the following restrictions and in conformance with Title 6 (Animals), and all other federal, state, and local laws.
1. **Dogs and Cats.** Domesticated dogs and cats are limited to a maximum of four dogs and four cats over the age of four months for each developed residential lot in compliance with Beaumont Municipal Code Title 6 (Animals).
 2. **Small Animals.** Small animals permitted in all residential zones shall include birds, chickens, peafowl, duck and other fowl, monkeys, rabbits, and similar species which do not constitute a public nuisance. Other similar small animals that in the opinion of the Director are neither more obnoxious nor detrimental to the public welfare than the animals enumerated in this Subsection are allowed. Animals must be kept or maintained at a place where the keeping of domestic animals is allowed and must be maintained in full compliance with Riverside County Health Department standards. The number of small animals is limited to no more than 10 per household. No more than four birds, chickens, or other fowl shall be allowed in compliance with Section 6.02.160 (Roosters, Peacocks, and Flocks Prohibited).
 3. **Large Animals.** Lots or parcels of land within the Rural Residential (R-R) zone having a minimum area of 20,000 square feet per dwelling unit may keep or maintain the large animals listed in Table 17.C.10.060-A (Requirements for Large Animals) in the numbers specified, not to exceed one animal per 20,000 square feet. Other large animals that, in the opinion of the Director are neither more obnoxious nor detrimental to the public welfare than the animals enumerated in this subsection are allowed with the same numerical limitations. Animals must be kept or maintained in full compliance with applicable Riverside County Health Department standards.

Table 17.C.10.060-A: Requirements for Large Animals

Type of Animal	Number of Animals Permitted
Horses, donkeys, mules, and other equines, pigs, and cows	One over nine months of age for each 20,000 square feet of lot area
Sheep and goats	One over six months of age for each 20,000 square feet of lot area

4. **Other.** Other animals as provided for by Beaumont Municipal Code Title 6 (Animals).
- D. **Performance Standards for Animal Keeping.** Accessory structures and other improvements related to the keeping of animals must conform to the following performance standards and consistent with Beaumont Municipal Code Title 6 (Animals).
1. **Fencing Required.** All persons owning or having care, custody, or control of any animal must maintain adequate fencing to keep the animal from wandering or flying upon the property of another.
 2. **Animal Keeping Improvements Must Not Create a Nuisance.** The use of animal keeping improvements and accessory structures will not be allowed to create a nuisance for

neighboring properties. Nuisances may include, but not be limited to, noise, light and glare, odors, or fugitive dust.

3. ***Maintenance and Cleaning.*** Animal keeping facilities and accessory uses must be maintained at all times and kept free of debris, trash, and animal waste, and must comply with other provisions outlined in Subsection 17.C.10.060.F (Environmental Management).
 4. ***Enjoyment of Adjoining Property.*** The use of animal keeping improvements and accessory structures shall not be allowed to unduly interfere with the free and unencumbered enjoyment and use of adjoining or nearby residential lots or otherwise be detrimental to the public health, safety, or welfare.
 5. ***Portable Facilities.*** The construction, placement, and use of portable facilities, including but not limited to portable fences, structures used for the storage of animal feed, and animal shelters, must be in conformance with all of the provisions outlined in Subsection 17.C.10.060.F (Environmental Management).
- E. **Standards For Dog Shelters, Enclosures, Pens, and Stables.** Accessory structures and other improvements related to the keeping of animals must comply with the following standards:
1. ***Dog-keeping Standards.***
 - a. ***Dog shelter.*** Any person owning or keeping a dog confined outside shall provide the dog with access to clean water, food, and an appropriate dog shelter. The shelter must be sanitary, of sound construction, and provide adequate protection from the elements (wind, rain, and sun). It must have at least three sides, a weather-proof roof, a solid sanitary floor, and be adequately ventilated. The shelter must be large enough for the dog to stand, lie down, and turn around. Suitable drainage must be provided so that water is not standing in or around the shelter.
 - b. ***Tethering.*** A person shall not tether (fasten, chain, tie, or restrain) a dog to a doghouse, tree, fence, or any other stationary object except in compliance with this Subsection:
 - (i) A person may tether a dog no longer than is necessary for the person to complete a temporary task that requires a dog to be restrained for a reasonable period of three hours in a 24-hour period.
 - (ii) A person may attach a dog to a running line, pulley, or trolley system in compliance with the following standards:
 - (a) Only one dog may be tethered to each running line, pulley, or trolley system.
 - (b) The tether must be attached to a properly fitting collar or harness worn by the dog with enough room between the collar and the dog's throat through which two adult fingers may fit. Choke collars, pinch collars, and chain collars are prohibited for the purpose of tethering a dog to a running line, pulley, or trolley system.
 - (c) There must be a swivel on each end of the tether to minimize tangling of the tether. The tether and the running line, pulley, or

trolley system must be at least 10 feet in length and must allow continuous access to clean water, food, and shelter.

- (d) The running line, pulley, or trolley system and tether must be of appropriate configuration to confine the dog to the owner's or keeper's property to prevent the tether from extending over an object that could result in injury or strangulation and to prevent the tether from becoming tangled with other objects or animals.
- c. The dog's owner or keeper must reside on the residential property that the dog is kept, whether on a running line, pulley, or trolley system or in a fenced yard.
- 2. **Enclosures for Small Animals.** Any pen, coop, or enclosure for the keeping of domestic animals identified under Section 17.C.10.060.C.2 (Small Animals) must be located at least 100 feet from any street and not less than 50 feet from any lot line.
- 3. **Stables, Pens, and Enclosures for Large Animals.** Stables, pens, and other enclosures for large animals are subject to the standards in Table 17.C.10.060-B (Development Standards for Stables, Pens, and Enclosures for Large Animals).

Table 17.C.10.060-B: Development Standards for Stables, Pens, and Enclosures for Large Animals

Type	Setback from Street	Setback from Adjacent Property	Minimum Lot Size
Equestrian Stables	50 feet	50 feet	20,000 square feet
Equestrian Rings	50 feet	150 feet	One acre
Sheep and Goat Pens	50 feet	50 feet	20,000 square feet
Pig Pens ¹	50 feet	50 feet	20,000 square feet
Cattle	50 feet	50 feet	15,000 square feet

Table Notes:

¹ Pig(s) must be confined in a pen or other enclosure. If the pig(s) are kept year-round and all or a portion of the pen or enclosure is uncovered, the uncovered portion of the enclosure shall have an impervious floor. Pens and enclosures for pigs are allowed only on lots containing a residential unit.

- 4. **Modifications.** Requests for modifications from the setback requirements of this Section may be requested through a Minor Modification or Variance application, as appropriate (see Subsections 17.D.04.050 (Minor Modifications) and 17.D.04.060 (Variances)).
- F. **Environmental Management.** This Section outlines the standards governing the maintenance and upkeep of animal keeping facilities that includes, but may not be limited to, stables, pens, corrals, equestrian rings, and other structures used for the housing of animals.
 - 1. **Water Runoff.** All animal-keeping facilities must be designed in a manner so that water runoff is contained and disposed of in a manner so that the runoff does not contribute to the pollution of local groundwater or the flooding of adjacent properties.
 - 2. **Open Water Containers or Standing Water.** Open watering containers must be designed so that they do not become attractants for mosquito larvae. Standing water is not allowed.

3. **Waste and Debris Containers.** Animal keeping facilities and accessory uses must be maintained at all times and kept free of debris, trash, and animal waste. Storage containers for debris, trash, and animal waste must be kept closed at all times.
4. **Odors.** Animal keeping facilities and accessory uses must be designed and maintained to prevent odors from affecting adjacent properties.
5. **Feed Storage.** Buildings, containers, or any other improvement used for the storage of feed must be constructed of materials to ensure that feed is not an attractant to insects, rodents, and other vectors and to control odors.
6. **Pest Control.** All animal-keeping facilities must be kept free of vectors through periodic pest control inspections.
7. **Chemicals.** The storage, handling, and disposal of any potentially hazardous chemicals or commercial products used in the routine maintenance of animal control facilities or in the care of the animals, must adhere to all pertinent federal, state, or Riverside County Health Department standards.
8. **Fugitive Dust and Particulates.** All animal keeping facilities and accessory uses must be designed and maintained to prevent fugitive dust and particulates from affecting off-site locations.
9. **Noise.** All keeping of animals allowed by this Chapter shall be conducted in a manner which does not result in nuisance noise detrimental to residential living. Animals shall be kept and maintained in manner which contains animal sounds and noise consistent with applicable laws and standards.
10. **Manure.** Refuse excrement and manure from animals, poultry, fowl or any livestock shall not be allowed to accumulate on any premises in the City for a period in excess of 14 days and must be removed from the premises at not less than 14-day intervals unless spread upon and buried in the earth. Pending its removal from the premises, refuse excrement or manure must be piled in a well-drained area on a base at least four inches above the surrounding levels, to the end that storm or surface waters will flow away from, rather than into the pile.
11. **Dead Animals.** Dead animals, fowl or poultry, and offal, pending removal from the premises must be in fly tight containers.
12. **Flies.** Upon inspection, should the Animals Services Officer discover flies in unreasonably excessive numbers, the officer shall require further controls through the use of insecticides, chemicals, or other means.

17.C.10.070 Construction Yard and Equipment Rental, and Vehicle Storage

- A. **Purpose.** The purpose of this Section is to establish standards for vehicle storage and construction yard and equipment rental uses.
- B. **Applicability.** This Section applies to vehicle storage and construction yard and equipment rental uses. This Section does not apply to legally existing vehicle storage and construction yard and equipment rental uses as of the effective date of this Section, August 19, 2021, which are nonconforming. See Chapter 17.C.16 (Nonconforming Buildings, Uses, and Lots).

C. **Standards.** The following shall apply to all vehicle storage and construction yard and equipment rental uses:

1. ***Location.***

- a. Vehicle storage and construction yard and equipment rental uses shall not be located adjacent to or across a street or intersection from residentially zoned land, public or private schools, public parks, and open space intended for public park and recreational use.
- b. Storage uses should be limited to occupying parcels not suitable for valuable commercial or industrial, job producing uses.

2. ***Site Design Standards.***

- a. All buildings and structures shall incorporate enhanced architectural treatments on all sides visible from public view. Enhanced architectural treatments include combinations of accent building materials, windows/spandrel glass, reveals, metal eyebrow accents, cornices, etc.
- b. Parking shall be provided for the primary use associated with a storage use in compliance with Chapter 17.C.06 (Parking Requirements) or an applicable specific plan. Sufficient space, including additional overflow areas, shall be provided to accommodate all maneuvering, queuing, stacking, loading, unloading, and parking of vehicles on-site and to avoid queuing, stacking, loading, unloading, and parking of vehicles off-site on adjacent streets.
- c. All vehicle storage and construction yard and equipment rental shall be paved with asphalt or concrete; no areas shall remain unfinished and all areas of a developed site shall be finished with a permanent surface or permanent landscaping materials and irrigation. See Chapter 17.C.04 (Landscaping Standards).
- d. Signage for directional guidance to vehicles entering and exiting the facility shall be provided on-site consistent with Chapter 17.C.08 (Signs).

3. ***Screening Standards.***

- a. Screening shall be provided for industrial uses as required by Section 17.C.02.140 (Screening Standards).
- b. Anti-graffiti coating or equivalent measure to prevent graffiti shall be provided for all solid screen walls.

4. ***Security Standards.***

- a. All storage uses shall be secured and incorporate security cameras which maintain recordings to the satisfaction of the Police Chief or their designee.
- b. All outdoor storage uses shall be illuminated entirely every night, from dusk until dawn, in compliance with Beaumont Municipal Code Chapter 8.50 (Outdoor Lighting).

5. **Operational Standards.**
 - a. Storage uses are subject to all applicable fire, health, safety, and building standards.
 - b. Storage is not permitted in required front or street side setback areas.
 6. **Performance Measures and Standard Conditions of Approval.** The following measures shall be included as performance measures and standard conditions of approval for all storage uses:
 - a. The queuing of trucks on streets or elsewhere outside of the facility shall be prohibited. All queuing, stacking, loading, unloading, and parking shall occur exclusively on-site.
 - b. Facilities shall not store any products, goods, materials, or containers outside of any building on-site, except for trucks and trailers associated with the facility, unless the storage is allowed through the entitlement process in compliance with this Section.
 - c. Operators shall address any parking, traffic, noise, or safety issues within 48 hours of being notified by the City that an issue exists.
 - d. Prior to the issuance of a Certificate of Occupancy or Business License, any new tenant or operator of a storage facility shall sign a statement acknowledging acceptance of all operational conditions of approval associated with the approved entitlements for the facility.
- H. **Exempt Uses.** The following uses are exempt from this Section:
1. Vehicle rental and vehicle sales and leasing;
 2. Temporary uses (see Section 17.C.10.230 (Temporary Uses)); and
 3. Ancillary or outdoor display by indoor retailers approved as an accessory use. See Subsection 17.C.02.100.C (Permanent or Ongoing Outdoor Display and Sales).

17.C.10.080 Drive-Through Facilities

- A. **Purpose.** The purpose of this Section is to establish reasonable and uniform regulations regarding the location, development, and design of drive-through facilities.
- B. **Circulation Plan.** A pedestrian and vehicular circulation plan shall be submitted for approval by the Review Authority. The circulation plan shall indicate how drive-through, pedestrian, and vehicular circulation will be designed to allow safe, unimpeded movement of vehicles at street access points and within the travel aisles and parking space areas and provide for pedestrian safety. The plan shall also indicate how vehicles will circulate to and through the drive-through or use drive-up facilities, including vehicle queuing, in a manner that will not impede traffic flow on any public right-of-way.

- C. **Standards.** Drive-through facilities shall be located, developed, and operated in accordance with the following standards:
1. ***Drive-Through Aisles.*** Drive-through aisles shall be designed to allow safe, unimpeded movement of vehicles at street access points and within the travel aisles and parking space areas.
 - a. Drive aisles are prohibited between the building and street unless no alternative exists.
 - b. A minimum 15-foot interior radius at curves and a minimum 12-foot width is required.
 - c. Each drive-through entrance and exit shall be at least 100 feet from an intersection of public rights-of-way, measured at the closest intersecting curbs, and at least 25 feet from the nearest curb cut on an adjacent property.
 - d. Each entrance to an aisle and the direction of flow shall be clearly designated by signs and/or pavement markings or raised curbs outside of the public right-of-way.
 2. ***Landscaping.*** Each drive-through aisle shall be screened with a combination of decorative walls and landscape to a height of at least four feet to prevent headlight glare and direct visibility of vehicles from adjacent streets and parking lots.
 3. ***Pedestrian Walkways.*** Pedestrian walkways shall not intersect drive-through aisles, unless no alternative exists. In such cases, pedestrian walkways shall have clear visibility, emphasized by enhanced paving or markings.
 4. ***Separation Requirement.*** Drive-through facilities that are part of fast food restaurants should not be located within 1,000 feet of one another.

17.C.10.090 Emergency Shelters

- A. **Purpose.** The purpose of this Section is to establish objective standards specific to emergency shelters in compliance with California Government Code §65583(a)(4).
- B. **Applicability.** The standards for emergency shelters in this Section apply to all emergency shelters as allowed by Division 17.B (Zone Regulations).
- C. **Minimum Standards.**
1. ***Outdoor Waiting Areas.*** The size of outdoor waiting areas on private property shall accommodate the expected number of clients without encroaching upon the public right-of-way.
 2. ***On-site Management.*** On-site management shall be provided during the hours that the emergency shelter is in operation.
 3. ***Length of Stay.*** The length of stay for each individual at any emergency shelter shall not exceed 180 days.
 4. ***Lighting.*** Exterior lighting must comply with Section 17.C.02.050 (Lighting and Illumination).

5. **Security.** Security shall be provided during the hours that the emergency shelter is in operation. Security plans shall be submitted to the City for review and approval prior to issuance of a Certificate of Occupancy permit.
- D. **Additional Standards.** The Director may adopt additional written objective minimum standards consistent with California Government Code §65583(a)(4)(A), as may be amended. Any such administrative standards adopted by the Director shall be published on the Department’s website.

17.C.10.100 Energy Storage Facilities

- A. **Purpose.** Energy storage facility standards are adopted with the intent of advancing and protecting the health, welfare, safety, and quality of life for the general public, to ensure compatible land uses in the areas affected by energy storage facilities and to mitigate the impacts of energy storage facilities on the environment.
- B. **Applicability.** The standards of this Section apply to all energy storage systems allowed, installed, or modified on or after November 18, 2021, excluding general maintenance and repair. Energy storage systems constructed or installed prior to November 18, 2021, are not subject to this Section. The continuation of legally established existing energy storage systems is subject to Chapter 17.C.16 (Nonconforming Buildings, Uses, and Lots).
- C. **Development Standards.** The following standards shall apply to all energy storage facilities:
 1. Energy storage facilities must meet all applicable standards of the adopted Building and Safety Codes and of the adopted Fire Codes.
 2. Energy storage facilities must comply with the following site design standards:
 - a. *Screening.*
 - (i) The site must be fully enclosed by a minimum eight-foot, non-scalable solid wall. Walls must consist of either decorative concrete masonry block or decorative concrete tilt-up walls.
 - (ii) Solid walls surrounding facilities which are below grade of an adjacent street or property shall incorporate a berm/slope along the entire length of the wall to ensure facilities are not visible from public view.
 - (iii) Anti-graffiti coating or equivalent measure to prevent graffiti shall be provided for all solid screen walls.
 - b. *Height.*
 - (i) Except as set forth in Subsection 17.C.10.100.C.2.b.ii below, equipment or appurtenances that are not in an enclosed structure shall not exceed the screen wall height described in Subsection 17.C.10.100.C.2.a.i, above. Enclosures for batteries and other systems must not exceed 15 feet in height. Buildings shall be subject to the height standards of the Manufacturing Zone.

- (ii) Accessory structures such as utility poles or utility connection equipment, substation switchyard, and similar equipment, necessary for the operation of the facility may exceed the height standards of the Manufacturing Zone subject to a Minor Modification, or Variance, as appropriate.
- c. *Placement.* All structures/appurtenances must be placed on a paved surface.
- d. *Parking.* On-site parking must be provided as specified below:
 - (i) For sites occupied daily by employees or contractors during operation of the energy storage facility, one parking space per employee or contractor on a regular work shift must be provided.
 - (ii) For unoccupied sites, one on-site parking space must be provided.
 - (iii) All parking and drive aisles shall be paved with asphalt or concrete.
- e. *Lighting, landscaping, and signage.*
 - (i) All outdoor facilities must comply with Section 17.C.02.050 (Lighting and Illumination).
 - (ii) All site landscaping must comply with Section 17.C.04 (Landscaping Standards).
 - (iii) All facilities must have an approved signage plan including safety signage to be posted at the site. See Chapter 17.C.08 (Signs).

D. Decommissioning.

1. ***Decommissioning Plan.*** Prior to approval of a Building Permit, the applicant shall submit a decommissioning plan containing a narrative description of the activities to be accomplished for removing the energy storage system from service. The decommissioning plan must include:
 - a. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the site;
 - b. Disposal of all solid and hazardous waste in accordance with federal, state, and local waste disposal standards;
 - c. The anticipated life of the battery energy storage system;
 - d. The estimated decommissioning costs and how the estimate was determined;
 - e. The method of ensuring that funds will be available for decommissioning and restoration;
 - f. The method that the decommissioning cost will be kept current;
 - g. The manner in which the battery energy storage system will be decommissioned, and the site restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, including, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be

- protected during decommissioning and confirmed as being acceptable after the system is removed; and
 - h. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
2. ***Decommissioning Fund.*** The applicant, or successors, shall continuously maintain a fund or bond payable to the City, in a form approved by the City for the removal of the battery energy storage system, in an amount to be determined by the City, for the period of the life of the facility. This fund may consist of a letter of credit from a licensed-financial institution. All costs of the financial security must be borne by the applicant.
3. ***Ownership Changes.*** If the owner of the battery energy storage facility changes or the owner of the property changes, the project approvals shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the project, applicant's requirements associated with the City's approval of the project, and decommissioning plan. A new owner or operator of the battery energy storage facility shall notify the Department of a change in ownership or operator within 30 days of the ownership change. A new owner or operator shall provide the notification to the Department in writing. The project and all approvals for the battery energy storage facilities would be void if a new owner or operator fails to provide written notification to the Department in the required timeframe. Reinstatement of a void project or approvals will be subject to the same review and approval processes for new applications under this Chapter.

E. Operational Requirements.

1. Energy storage facilities are subject to the following operational requirements:
 - a. Facilities must not store any products, goods, materials, or containers outside of any building on-site.
 - b. Facilities must comply with Beaumont Municipal Code Chapter 9.02 (Noise Control)
 - c. Operators shall address any nuisance, safety issues, or violations of conditions of approval within 48 hours of being notified by the City that an issue exists.
2. The following must occur prior to the issuance of a Certificate of Occupancy or business license for an energy storage facility:
 - a. Any operator of an energy storage facility shall sign a statement acknowledging acceptance of all operational requirements and any conditions of approval associated with the approval for the facility; and
 - b. The decommissioning plan shall be recorded at the applicant's cost as a restriction running with the land.

17.C.10.110 Farmers' Markets

- A. **Purpose.** The purpose of this Section is to establish reasonable and uniform regulations for the operation of farmers' markets. The standards that follow are minimum performance standards to ensure compatibility with surrounding uses and to promote public health, safety and general welfare.
- B. **Required Permits.** The market operator and vendors shall obtain a special event permit in compliance with Beaumont Municipal Code Chapter 9.03 (Regulation of Special Events) and secure all necessary licenses, certificates, and health permits; this includes a business license with the City for participating farmers and other vendors. All permits shall be in the possession of the farmers' market manager or the vendor, as applicable, on site during all market hours of operation.
- C. **Application.** An application for a farmers' market shall be submitted to the City on a prescribed City application form and shall include all the information that is necessary for review of the application, such as a site plan and a management plan.
- D. **Management Plan.** A management plan shall be prepared and provided to the Director. The management plan shall include the following:
1. Identification of a market manager or managers, who shall be present during all hours of operation.
 2. A set of operating rules addressing the governance structure of the market, the method of assigning booths and registering vendors, hours of operation, maintenance, security, refuse collection, and parking.
- E. **Hours of Operation.** Market activities may be conducted between the hours of 7:00 a.m. and 10:00 p.m. with specific hours and duration to be approved by the City. Set up of market operations may not begin more than two hours prior to the operational hours of the market and take down shall be completed within two hours of the close of the market.
- F. **Waste Management.** Adequate composting, recycling, and trash containers shall be provided during hours of operation and shall be removed from site for appropriate disposal. The site shall be cleaned at the end of each day of operations, including the removal of all stalls and debris.
- G. **Music and Events.** Music, performances, or special event activities conducted as part of the farmers' market shall not be allowed within 200 feet of any residentially zoned property unless specifically approved by the Director.
- H. **Indemnification.** The market operator shall enter into an indemnification agreement by which it agrees to defend, indemnify, and hold harmless the City, its officers, agents, and employees from any and all claims, damages, cost, and other expense, including attorney fees, arising out of the City's approval or as a result of any actions by the market operator in compliance with the City's approval.

17.C.10.120 Gas/Service Stations

- A. **Purpose.** The purpose of this Section is to establish reasonable and uniform regulations regarding the location, development, and design of gas/service stations.

B. Minimum Standards.

1. **Minimum Separation between Gas/Service Stations.** Gas/service stations proposed in any downtown zone shall be separated from other gas/service stations, whether in a downtown or other zone, by a minimum 1,000 feet.
 2. **Setbacks for Pump Islands.** Pump islands shall be located a minimum of 15 feet from any property line to the nearest edge of the pump island. A canopy or roof structure over a pump island may encroach up to 10 feet within this distance.
 3. **Landscaping.** At least 10 percent of the site shall be landscaped. All landscaped areas shall be maintained in compliance with Section 17.C.04 (Landscaping Standards), and the following standards:
 - a. A minimum six-foot wide inside dimension and a 0.5-foot high curbed landscaped planter area shall be provided along the front and street property lines, except for vehicular circulation openings. A three-foot wide landscaping buffer shall be provided along all other property lines.
 - b. A 600-square-foot planter with a minimum dimension of 20 feet shall be provided at the corner of intersecting streets unless a building is located at the corner.
 - c. Additional landscaping may be required where necessary to prevent visual impacts on adjacent properties.
 3. **Lighting.** In addition to the lighting standards required in Section 17.C.02.050 (Lighting and Illumination), all exterior light sources, including canopy, perimeter, and flood, shall be energy-efficient, stationary, and shielded or recessed within the roof canopy to ensure that all light is directed away from adjacent properties and public rights-of-way. Lighting shall not be of a high intensity so as to cause a traffic hazard, be used as an advertising element, or adversely affect adjacent properties.
 4. **Screening.** Mechanical equipment shall be screened in accordance with Subsection 17.C.02.140.F (Equipment Screening).
- C. **Abandonment.** In the case of abandonment or non-operation of the primary use, a gas/service station must be dismantled and the site cleared and remediated as required by federal and state law within 12 months subsequent to the close of the last business day.

17.C.10.130 Home Occupations

- A. **Purpose.** The purpose of this Section is to provide for the conduct of home occupations in residential zones or buildings in such a manner as to be compatible with, and not disruptive to, residential neighborhoods. The use must be clearly incidental and secondary to the principal use of a residential dwelling as a dwelling.
- B. **Applications.** An applicant for a home occupation shall secure a Home Occupation Permit in compliance with Section 17.D.04.090 (Home Occupation Permits).
- C. **Prohibited Uses.** A home shall not be used for the following (see these uses defined in Division 17.E (Definitions), except as allowed by Division 17.B (Zoning Regulations):
1. Adult-oriented businesses;
 2. Animal care and services;

3. Custom and artisan manufacturing;
4. Eating and drinking establishments;
5. Firearms manufacture, sales, or repair;
6. General services, small;
7. Food and beverage processing and preparation, except cottage food preparation or microenterprise home kitchens (see Subsections 17.C.10.130.E (Cottage Food Operations) and 17.C.10.130.F (Microenterprise Home Kitchens));
8. Hotels or motels;
9. Massage establishments, (see Beaumont Municipal Code Chapter 5.44 (Massage Establishments));
10. Medical offices/clinics;
11. Personal services, except that a single station is allowed with visits made by appointment with a technician certified by the State of California who meets all applicable licensing requirements;
12. Retail, except for the sale of produce (fruit or vegetables) grown on the subject property;
13. Vehicle-related uses; or
14. Other uses the Director determines to be similar to those listed above, or which by operation or nature are not incidental to or compatible with residential activities.

D. **Standards.** Home occupations may be allowed in compliance with this Section and subject to the following standards:

1. **Business License.** A valid Business License from the City shall be obtained.
2. **Location.** All home occupation activities shall be conducted entirely within the residential unit, or within a garage that is reserved for the residential unit. When conducted within a garage, the doors thereof shall be closed, and the area occupied shall not preclude the use of required parking spaces.
3. **Maximum Size Per Residence.** The home occupation may be conducted in the principal dwelling or accessory structures on the subject property; provided, that the area does not exceed 25 percent of the total livable area or 500 square feet (including inside storage areas), whichever is less.
4. **Client Visitation and Client Vehicle Limit.** A maximum of two clients is allowed on the premises at any time. Only one vehicle at a time for client(s) visiting a home occupation may be parked on a public street.
5. **No Direct Sales.** There shall be no direct sales of products or merchandise from the dwelling, except as authorized by this Section. Produce sales may be allowed subject to sales being limited to three days per week. A structure or stand of a permanent nature shall not be erected on the subject property.
6. **Residents Only.** Employment shall be limited to residents of the dwelling only.
7. **Owner Approval.** Renters must obtain written approval of the property owner prior to operating a home occupation. This written approval shall be submitted with the business

license application. The home occupation shall terminate upon withdrawal of said approval by the property owner.

8. **Advertising on Vehicles.** Not more than one vehicle advertising a home occupation shall be permitted.
 9. **Commercial Vehicles.** The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises other than a vehicle not to exceed 8,500 pounds gross vehicle weight, owned by the business owner, which must be stored on the property where the home occupation is conducted, in a driveway or an enclosed garage.
 10. **Number of Home Occupations.** In no case shall more than two home occupations be conducted on a single site, and where there are two permitted, the standards of this section apply to each residence and not separately to each home occupation (e.g., only one vehicle related to the home occupations will be permitted on site and the maximum size per residence shall not be increased).
 11. **Residential Character.** No alteration of any kind will be allowed to the principal building which changes its residential character. This includes, but is not limited to, the enlargement of public utility services or the installation of special equipment attached to walls, floors, or ceilings.
 12. **Traffic Generation.** The home occupation use shall not generate pedestrian or vehicular traffic beyond that normal/customary to the zone in which it is located.
 13. **Hazardous Materials and Storage of Equipment.** Material or equipment used in connection with home occupations shall be limited to that normally found in a dwelling and recognized as being part of the normal uses and practices in the zone in which the use is a part. The exterior storage of materials, supplies, and/or equipment and use of hazardous materials of a type or quantity not normally associated with residential uses is not allowed.
 14. **Other.** All operations of home occupation shall be conducted so as to prevent the emanation of any dust, gas, smoke, noise, fumes, odors, vibrations, or electrical disturbances which are or may be detrimental to the welfare of the occupants of surrounding properties.
 15. **Access for Inspection Purposes.** The City may, at all reasonable times during regular business hours, enter the premises for the purpose of inspection to determine whether the home occupation is in compliance with the conditions of this Section. The activities of the home occupation shall not be conducted in a manner that negatively impacts the residential area. Determinations of the City may include, but not be limited to, consideration of color of the building, construction, lighting, signs, sounds, noises, and vibrations.
- E. **Cottage Food Operations.** The following standards shall also apply to cottage food occupations, as defined in California Health and Safety Code §113758:
1. The permit applicant shall be the individual who conducts the cottage food operation from his or her private residential dwelling and is the owner of the cottage food operation. The permit shall not be transferable to another operator nor transferable to another site.

2. The cottage food operation shall be registered or permitted as a "Class A" or "Class B" operation by the Riverside County Department of Environmental Health in accordance with California Health and Safety Code §114365. Cottage food operations shall comply with all California Health and Safety Code standards;
 3. Any applicant for a permit under this Subsection shall provide to the City, as part of the home occupation application:
 - a. A copy of the operation's registration or permit to operate as a "Class A" or "Class B" operation, as required under California Health and Safety Code §114365, and
 - b. A copy of the self-certification checklist submitted to and approved by the County.
 4. The permit shall be granted if the application is complete and the cottage food operation complies with the standards in this Section, and all other code sections regarding spacing and concentration, traffic control, parking, and noise control.
 5. A permit issued under this Section may be revoked for any violation of this Section or of California Health and Safety Code §114365 et seq.
 6. The City may, for inspection purposes, access the permitted area of a private home where a cottage food operation is located if the City has, on the basis of a consumer complaint, reason to suspect that adulterated or otherwise unsafe food has been produced by the cottage food operation, or that the cottage food operation has violated this Section and/or California Health and Safety Code §114365 et seq.
 7. Gross annual sales must not exceed the amount specified in California Health and Safety Code §113758.
- F. **Microenterprise Home Kitchens.** A Microenterprise Home Kitchen as defined at California Health and Safety Code §113825 is allowed in compliance with this Section and in accordance with the requirements of the Riverside County Department of Environmental Health.
- G. **Exemptions.** Activities exempt from the home occupation requirements include temporary sales stands with nominal sales such as children's lemonade stands and hostess parties, not more than three in any 12-month period. A structure or stand of a permanent nature must not be erected onsite for these exempt sales. Also see Section 17.C.10.230 (Temporary Uses).

17.C.10.140 Live-Work Units

- A. **Purpose.** The purpose of this Section is to control and regulate land use activities for live-work units. The intent of a live-work unit is to allow small-scale business activities with residential unit, beyond those activities allowed in home occupations, which meet certain standards.
- B. **Applicability.** The provisions of this Subsection apply to the design, development, and operation of live-work units, including new live-work units, conversions of existing residential and nonresidential buildings to live-work buildings, and any change of use or occupancy in a live-work unit.
- C. **Establishment.**
 1. Live-work units may be established through the conversion of existing commercial, industrial, or other buildings or by new construction.

2. Uses permitted or conditionally permitted within the zone are allowed as the nonresidential use, unless prohibited in Subsection 17.C.10.140.G (Prohibited Uses).
 3. Uses that may, depending on how they are operated, have the potential to generate impacts or would constitute a change in occupancy under the Building Code shall not be approved as a nonresidential use within a live-work unit unless the Review Authority finds that as proposed to be conducted, or as modified by conditions of approval, they would not conflict with or adversely affect others living or working in or nearby the live-work development.
- D. **Minimum Standards.** All live-work units must meet the following standards:
1. ***Commercial Component.***
 - a. *First floor and street entry.* The commercial component of a live-work unit shall be located on the first floor with the main entry facing the street or common pedestrian space. The main commercial entry facing the street shall have a commercial, storefront appearance.
 - b. *Restricted to the unit.* The commercial component shall be restricted to the unit and shall not be conducted in the yard, garage, or any accessory structure. Commercial outdoor storage is not allowed.
 - c. *Commercial space.* Commercial space must occupy a minimum of 40 percent of the total floor area of the unit.
 2. ***Residential Component.***
 - a. *Interior access.* The residential component shall have direct interior access to the commercial unit.
 - b. *Exterior access.* The residential component shall have exterior access that is not through the commercial component.
 3. ***Signs.*** Sign size, location, illumination and materials, shall be consistent with the architectural building design and approved through a Sign Program. See Chapter 17.C.08 (Signs).
 4. ***Hazardous Materials.*** Business shall not involve the use of hazardous materials or produce medical or hazardous waste, except those that are below permitted amounts in accordance with the California Fire Code and as amended by Beaumont Municipal Code Chapter 15.20 (Fire Code).
 5. ***Food Operations.*** All foods must be produced, prepared, packaged, stored, transported, and marketed in compliance with the County of Riverside Department of Environmental Health standards.
 6. ***Nuisance.*** The live-work unit shall not create external noise, odor, glare, vibration, or electrical interference detectable to the normal sensory perception by adjacent neighbors.

7. **Nonresident Employees.** Up to two persons who do not reside in the live-work unit may work in the unit. The employment of three or more persons who do not reside in the live-work unit may be permitted subject to a Conditional Use Permit based on additional findings that such employment will not adversely affect traffic, parking, or other conditions in the area where the live-work unit is located.
 8. **On-Premise Sales.** On-premises sales of goods is limited to those produced within the live-work unit. Sales of goods produced within the live-work unit shall be incidental to the primary work use in any building used exclusively for live-work occupancy. These provisions shall permit participation in occasional open studio programs and gallery shows.
- E. **Business License.** A Business License shall be obtained for every commercial space within the live-work units.
- F. **No Separate Sale or Rental of Portions of Unit.** No portion of a live-work unit may be separately rented or sold as a commercial space for a person or persons not living in the premises or as a residential space for a person or persons not working in the same unit.
- G. **Prohibited Uses.** Any use not permitted within the underlying zone is prohibited along with the following:
1. Adult-oriented businesses;
 2. Massage establishments;
 3. All vehicle-related uses;
 4. Places of assembly; and
 5. Any other use determined by the Review Authority to be contrary to the standards of this Section.

17.C.10.150 Logistics Uses

- A. **Purpose.** The purpose of this Section is to regulate logistic uses in compliance with California Government Code §65098 et seq., (i.e., AB 98).
- B. **Applicability.** This Section applies to all logistic uses as defined in California Government Code §65098.
- C. **Definitions.** Terms used in this Section are defined in California Government Code §65098.
- D. **General Standards.** Logistics uses shall comply with the relevant standards of California Government Code §65098 et seq.
- E. **Buffer Required Near Sensitive Receptors.** Logistics uses within 900 feet of a sensitive receptor, as defined in California Government Code §65098(e), shall comply with the standards of California Government Code §65098.2(a).
- F. **Additional Standards.**
1. **Logistics Uses Under 250,000 Square Feet.** Logistics uses under 250,000 square feet in size shall comply with the relevant standards of California Government Code §65098.1(c) and 65098.1(d).

2. **Logistics Uses 250,000 Square Feet Or More.** Logistics uses 250,000 square feet or more in size shall comply with the relevant standards of California Government Code §65098.1(a), 65098.1(b), and 65098.1(c).
- H. **Policy on Land Use and Sensitive Receptors (PLUS).** Logistics uses and other similar uses larger than 100,000 square feet in size are subject to the City's Policy on Land Use and Sensitive Receptors (PLUS). Also see Section 17.B.12.040 (Industrial Zones Supplemental Standards) for additional standards related to industrial zones.

17.C.10.160 Mini-Storage or Self-Storage

- A. **Purpose.** This Section regulates mini-storages and self-storages.
- B. **Standards.** The following shall apply to mini-storages and self-storages:
 1. **Site Design Standards.**
 - a. Mini-storage or self-storage shall be limited to occupying parcels of irregular shape not suitable for valuable commercial or industrial job producing uses.
 - b. All buildings and structures shall incorporate enhanced architectural treatments on all sides visible from public view, including combinations of accent building materials, windows/spandrel glass, reveals, metal eyebrow accents, cornices, etc.
 - c. Parking shall be provided in compliance with 17.C.06 (Parking Requirements) or an applicable specific plan. All parking lots, drive-aisles, and truck parking areas or truck courts shall be paved with asphalt or concrete; Sufficient space, including additional overflow areas, shall be provided to accommodate all maneuvering, queuing, stacking, loading, unloading, and parking of vehicles on-site and to avoid queuing, stacking, loading, unloading, and parking of vehicles off-site on adjacent streets.
 - d. Landscaping shall be provided in compliance with Chapter 17.C.04 (Landscaping Standards).
 - e. Signage for directional guidance to vehicles entering and exiting the facility shall be provided on-site. See Chapter 17.C.08 (Signs).
 2. **Screening Standards.**
 - a. Screening shall be provided for industrial uses as required by Section 17.C.02.140 (Screening Standards).
 - b. Anti-graffiti coating or equivalent measure to prevent graffiti shall be provided for all solid screen walls.
 3. **Security Standards.**
 - a. All storage buildings and storage areas shall be secured and incorporate security cameras which maintain recordings to the satisfaction of the Police Chief or their designee.
 - b. All outdoor storage uses shall be illuminated entirely every night, from dusk until dawn, in compliance with the Beaumont Municipal Code Chapter 8.50 (Outdoor Lighting).

4. **Operational Standards.**

- a. A property maintenance plan shall be included as part of the Conditional Use Permit or Plot Plan application. The program shall provide for the regular maintenance of building structures, landscaping, and paved surfaces in good physical condition and appearance. The methods and maximum intervals for maintenance of each component shall be specified in the program.
- b. Storage uses are subject to all applicable fire, health, safety, and building standards.
- c. Storage is allowed in required side and rear setbacks. Storage is not allowed in required front or street side setbacks.
- d. Caretaking units shall be permitted, provided parking is accommodated on-site.

5. **Performance Measures and Standard Conditions of Approval.** The following measures shall be included as performance measures and standard conditions of approval for all mini-storages or self-storages:

- a. Facilities shall not store any products, goods, materials, or containers outside of any building on-site, except for trucks, trailers, or recreational vehicles associated with the facility.
- b. Facilities shall not be used for temporary or permanent residential purposes. No person may sleep or reside within any structure or vehicle on-site overnight or for any other extended duration of time.
- c. Operators shall address any parking, traffic, noise, or safety issues within 48 hours of being notified by the City that an issue exists.
- d. Prior to the issuance of a Certificate of Occupancy or Business License, any new tenant or operator of a storage facility shall sign a statement acknowledging acceptance of all operational conditions of approval associated with the approved entitlements for the facility.

17.C.10.170 Mobilehome Parks

A. **Purpose.** The purpose of this Section is to establish standards for mobilehome parks.

B. **Types of Mobilehome Parks.**

- 1. **Pre-Existing Mobilehome Parks.** A pre-existing mobilehome park shall not be deemed nonconforming by reason of failure to meet the minimum requirements prescribed by this Section, except that this Section applies to the enlargement or expansion of a mobilehome park. Pre-existing mobilehome parks on a site less than 10 acres shall not be further reduced in area.
- 2. **Planned Residential Mobilehome Parks.** A Planned Residential Mobilehome Park is a mobilehome park that includes recreation and other accessory facilities (including trailer and boat storage areas).

3. ***Integrated Mobilehome Parks.*** An Integrated Mobilehome Park is a site intended for mobilehomes exclusively, not including recreation and accessory facilities. Integrated Mobilehome Parks are subject to the same development standards as single-family dwellings in Section 17.B.04.030 (Residential Zones Development Standards) and manufactured homes in Section 17.C.02.070 (Manufactured Homes).

C. **Development Standards for Planned Residential Mobilehome Parks.**

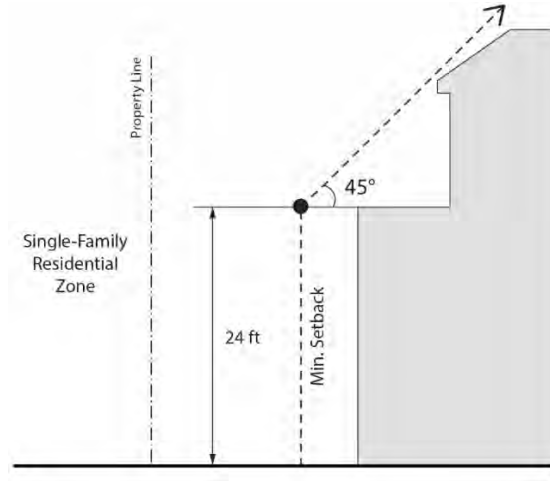
1. ***Site Standards.*** The following site standards apply to Planned Residential Mobilehome Parks. Additional standards may be specified through a Conditional Use Permit.
 - a. *Minimum Gross Area:* 10 acres.
 - b. *Minimum Access Frontage:* 250 feet continuous frontage on a dedicated public street.
 - c. *Minimum Park Perimeter Setbacks:* Five feet adjacent to a public street.
 - d. *Maximum Height:* 35 feet for mobilehomes and accessory structures.
2. ***Interior Site Development.*** The following standards apply to development of mobilehome spaces and to facilities within a mobilehome park. Additional standards may be specified through a Conditional Use Permit.
 - a. *Mobilehome Space.* Each space shall contain a minimum of 4,000 square feet for exclusive use by the occupants of the space. Each space shall have dimensions capable of accommodating a rectangle with minimum dimensions of 46 feet by 75 feet, and 75 percent of the spaces shall have a minimum depth of 90 feet.
 - b. *Setbacks.*
 - (i) *Front:* 20 feet. The 20-foot front setback may be reduced on interior streets to 10 feet if an attached garage is located in front of the mobilehome and at least 65 percent of the front setback area is landscaped with live plant material.
 - (ii) *Side:* Five feet.
 - (iii) *Rear:* 10 feet.
 - c. *Access Drive.* All mobilehome access drives within a mobilehome park shall be privately owned and shall be at least 30 feet wide exclusive of adjoining parking areas and sidewalks. The mobilehome park shall be developed in a manner that allows adequate circulation to and within the proposed development for emergency and protective services, including police and fire equipment. Main access drives must have standard class A curbs and gutters. Other interior access drives must have rolled curbs and gutters.
 - d. *Sidewalks.* Concrete sidewalks at least five feet in width shall be provided to serve all central or common facilities within the mobilehome park. Access drives shall be provided with sidewalks on at least one side.
 - e. *Accessory Building and Uses.* Accessory buildings and uses serving the entire mobilehome park, including recreation facilities, laundry areas, mobilehome park offices, maintenance and storage buildings or storage areas shall be located at least 50 feet from the boundary of the mobilehome park site.

- f. *Landscaping.* At least 20 percent of each mobilehome space shall be landscaped with live plants, including at least one tree on each space.
 - g. *Community Recreation.* A minimum 500 square-foot community recreation area, (exclusive of any mobilehome space) shall be provided within the mobilehome park. The community recreation areas must contain a clubhouse and a recreational area for outdoor games and activities such as shuffleboard, horseshoes, putting green, or a swimming pool. The community recreation and service areas together with the identification of activities planned for the areas, must be shown on the plans and specifications in detail as required by the Director. The location and size of all facilities indicated in this Subsection shall be subject to the approval of the Planning Commission. The clubhouse must have a floor area of not less than 25 square feet for each residential lot, and must contain adequate kitchen, restroom, and storage facilities. The community area for any mobilehome park must not be less than two acres.
 - h. *Improvements.* The following improvements shall be installed on all lots used for residential purposes:
 - (i) A concrete slab or other metal or wood deck containing at least 200 square feet.
 - (ii) The area between the ground level and the floor of a mobilehome shall be screened from view by an opaque skirt entirely around the mobilehome.
 - i. *Trailer storage.* Common area for storage of camp and boat trailers shall be allowed unless is designated on the site plan.
 - j. *Mobilehomes per lot.* Up to one mobilehome shall be allowed on each lot.
 - k. *Retaining wall.* Whenever the soil is excavated below a mobilehome, a retaining wall must be installed extending 0.5 feet above grade. Plans for the retaining wall shall be approved by the Department of Building and Safety.
 - l. *Electrical and television service.* The applicant must install all electrical, telephone, C.A.T.V. and similar cables underground (see Section 17.C.02.180 (Underground Utilities)), except that risers on poles and buildings are allowed and utility service poles may be placed on the rear of the property for the purpose of terminating underground facilities.
 - m. *Exemption.* The Planning Commission may modify or waive the improvement and setback standards contained in this subsection if it finds that these standards are impractical and will not serve to protect the present or future welfare of the public due to topographical conditions or property ownership patterns.
3. ***Screening and Landscaping.***
- a. *Perimeter wall required.* Masonry walls six feet high shall be erected along all exterior boundary lines, except that along all street boundaries the wall shall be erected five feet from the right-of-way line.

- b. *Landscaping.* The area between the wall and the street shall be planted in ground cover. Trees or shrubs shall be planted within the ten-foot strip adjacent to the inside of all boundary walls. All trees and shrubs planted shall be of a variety that will grow to a height of not less than 15 feet and shall be planted at intervals so that at maturity the trees or shrubs will provide a screening of the mobilehome park. All plantings shall be maintained in a growing condition.
- 4. **Improvement Requirements.** The applicant shall construct and maintain all on-site improvements in compliance with the mobilehome park improvement standards as approved by the Review Authority. Standards may include, but are not limited to, the design, construction, and maintenance of the following:
 - a. Access drives, sidewalks, and parking spaces;
 - b. Walls and fences;
 - c. Lighting, signs;
 - d. Curb and gutter, drainage, and sanitary sewer facilities;
 - e. Electrical and water services; and
 - f. Fire protection facilities.
- 5. **Signs.** The standards of Chapter 17.C.08 (Signs) shall apply.

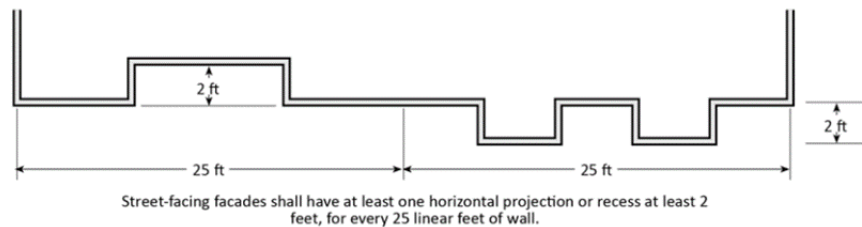
17.C.10.180 Multi-Family Dwellings

- A. **Purpose.** The purpose of this Section is to provide objective design standards for multi-family dwellings.
- B. **Applicability.** This section applies to all multi-family developments, including attached single unit developments, in any zone. Existing multi-family dwellings are not required to comply with these standards or deemed nonconforming because the dwelling does not comply with these standards.
- C. **Multi-Family Design Standards.**
 - 1. **Building Scale and Massing.**
 - a. *Street-facing Facades.* Along the front and street side façade, the fourth story must be stepped back a minimum six feet from the ground floor façade.
 - b. *Interior Side and Rear Facades.* Along the interior side and rear façade, when abutting a single-family residential zone, building massing is limited by a 45-degree plane beginning at 24 feet above the interior or rear minimum setback line.

FIGURE 17.C.10.180-1: REQUIRED 45-DEGREE PLANE IMAGE

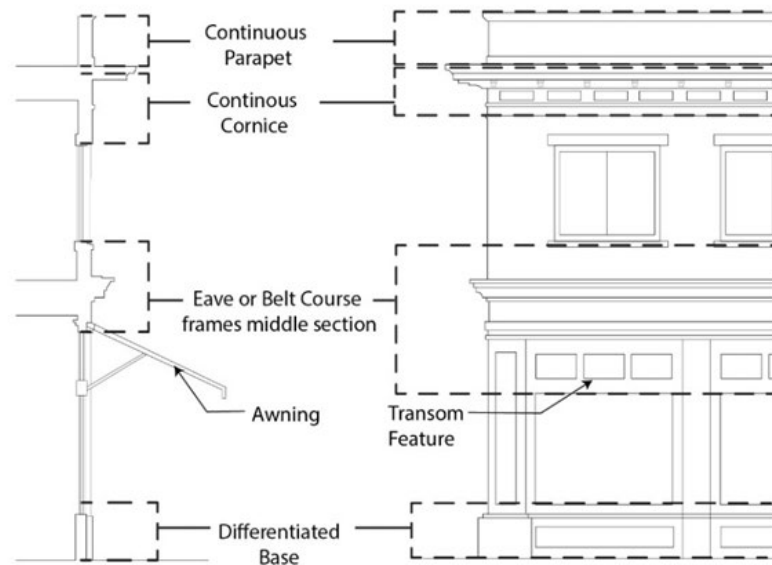
2. **Building Design.**

- a. All street-facing façades shall have at least one horizontal or vertical projection or recess at least two feet in depth, for every 25 horizontal feet of wall. Building entrances and front porches may count towards meeting this requirement.

FIGURE 17.C.10.180-2: FAÇADE ARTICULATION, MULTI-FAMILY DEVELOPMENT REQUIREMENTS

- b. Horizontal articulation must include a differentiated base, a roof cornice line or parapet, and an eave, awning, overhang, transom feature, belt course, or other architectural element that frames the middle section of the building.
- c. Buildings or portions of buildings over two stories must include articulation for the top story of the building. This may be accomplished through two or more of the following:
 - (i) Change in color;
 - (ii) Change in material;
 - (iii) Cornice/belt course at the bottom of the uppermost floor; and/or
 - (iv) Change in roof pitch, such as a gable, or an upper-story step-back.

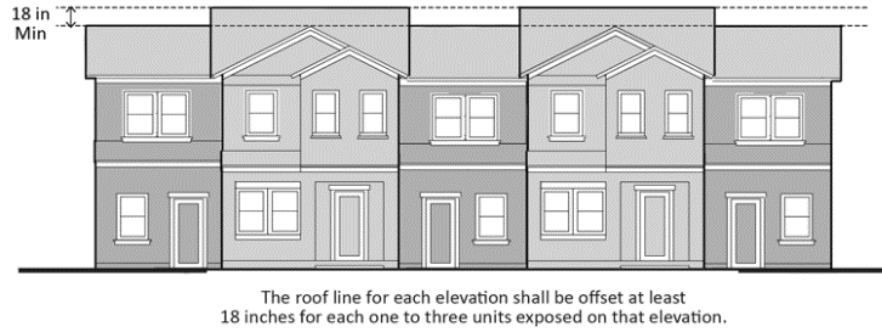
FIGURE 17.C.10.180-3: BUILDING FAÇADE ELEMENTS



- d. *Staggering of Attached Units.* For attached townhouse and rowhouse development, facades of adjacent attached units must be staggered a minimum of one foot in plan view to avoid monotony in design.
- e. *Privacy.*
 - (i) Upper-story balconies, roof decks, and other habitable outdoor space must maintain a minimum 10 feet clear from the property line abutting a lower-intensity residential zone and must include an opaque wall at least four feet in height as measured from the floor of the open space.
 - (ii) Floor-to-ceiling windows are not allowed on upper-story facades within 10 feet of a property line abutting a lower-intensity residential zone.
- f. *Wrap-around balconies and decks.*
 - (i) All balconies and decks that turn the corner of a building must be fully covered.
 - (ii) Required coverings must be architecturally consistent with the design features of the ground floor.
- g. *Roof design.* Allowed roof forms are limited to hipped, gabled, shed, or flat roofs with parapets.
 - (i) When pitched roofs are used, the slope must be 3:12 to 5:12 ratio.
 - (ii) Eaves must not exceed two feet in depth, or as allowed by the California Fire Code, Chapter 7.
 - (iii) Street-facing eaves and overhangs that exceed 1.5 feet in depth must be either fully stuccoed on the underside or must incorporate a visible pattern of exterior brackets or beams.

- (iv) Parapet segments may not exceed 25 feet in length without a change in height of at least two feet or a change in form.
- (v) The roof line at each elevation of attached units shall demonstrate an offset of at least two feet for each one to three units exposed on that elevation, but in no case shall a roof line be more than 50 feet in length without a minimum 18-inch offset.

FIGURE 17.C.10.180-4: ROOF LINE, MULTI-FAMILY DEVELOPMENT REQUIREMENTS



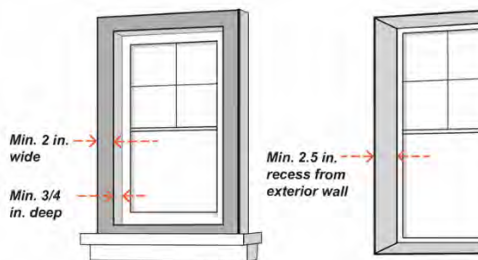
- h. *Transparency and blank walls.*
 - (i) At least 75 percent of the façade of each building adjacent to a street shall be occupied by habitable space with windows.
 - (ii) Each street-facing building façade shall have at least one pedestrian entry into the structure.
 - (iii) No wall on any level may run in a continuous plane of more than 12 feet without a projection, offset, or recess of the building wall at least 1.5 feet in depth.

FIGURE 17.C.10.180-5: REQUIRED FAÇADE ARTICULATION



- i. **Building materials.** Primary and secondary cladding materials are limited to:
 - (i) Three-coat stucco in accordance with the CBC (synthetic stucco or Exterior Insulation and Finish Systems [EIFS] are not allowed);
 - (ii) Wood, composite wood, cement fiberboard, painted aluminum, or vinyl siding;
 - (iii) All siding must be lap, vertical, or shingle;
 - (iv) Wood siding must be painted or stained and sealed;
 - (v) Stone (natural or manufactured);
 - (vi) Metal;
 - (vii) Brick/masonry; and/or
 - (viii) Tile.
 - j. **Prohibited building materials.** Plywood, corrugated metal, sheet metal, and unfinished aluminum are prohibited.
 - k. **Changes in exterior material.** When there is a change in exterior building material, the material change must occur at the inside corner of a building form, or a minimum of two feet beyond an outside corner.
 - l. **Material durability/protection.**
 - (i) Exterior finish materials must have an expected lifespan of no less than 30 years.
 - (ii) Exterior timber must be protected from decay by stain and sealant.
 - (iii) Exterior ferrous metals must be protected from corrosion either through the use of galvanized, stainless, weathering steel, or powder coating.
 - m. **Colors.** Reflective or bright colors that contrast dramatically with the colors of the surrounding land, structures, and vegetation may be used for trim or for accents only.
3. **Windows.**
- a. **Window recess or trim.** Trim at least two inches in width and $\frac{3}{4}$ -inch in depth must be provided around all windows, or windows must be recessed at least 2.5 inches from the plane of the surrounding exterior wall.

FIGURE 17.C.10.180-6: WINDOW DESIGN

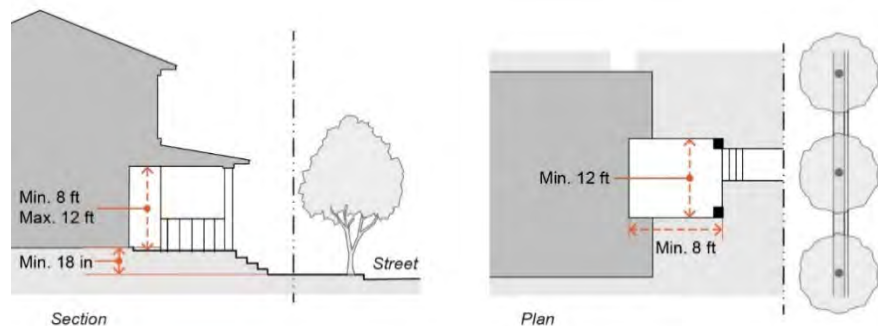


- b. Reflective or opaque tinting of glazing is prohibited.

4. **Building Entrances.**

- a. All dwelling units located along streets shall have the primary entrance facing the street. Exceptions to this requirement may be approved where the site is located on a major arterial carrying high traffic volumes.
- b. Dwelling units located in the interior of a multi-family development shall be designed so that the primary entryway is visible from a pedestrian pathway that is connected to a street.
- c. Building entrances shall have a roofed projection (such as a porch) or recess with a minimum depth of at least five feet and a minimum horizontal area of 30 square feet.
- d. Multi-family building frontages must take one of the following forms:
 - (i) *Porch.* Individual covered porch frontages with dimensions as indicated below:
 - (a) *Porch clear width:* Minimum 12 feet.
 - (b) *Porch clear depth (excluding stairs):* Minimum eight feet.
 - (c) *Porch finish level above sidewalk:* Minimum 18 inches.
 - (d) *Porch clear height:* Minimum 8 feet, maximum 12 feet.

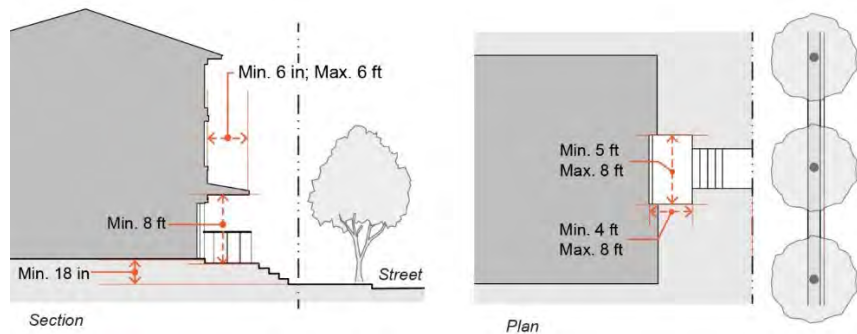
FIGURE 17.C.10.180-7: PORCH FRONTAGE



- (ii) *Stoop.* Individual covered stoop frontages with dimensions as indicated below:
 - (a) *Stoop width:* Minimum five feet, maximum eight feet.
 - (b) *Stoop depth:* Minimum four feet, maximum eight feet.
 - (c) *Stoop height above sidewalk:* Minimum 18 inches.
 - (d) *Stoop entry recession:* Minimum six inches, maximum six feet.

- (e) *Stoop clear height:* Minimum eight feet.

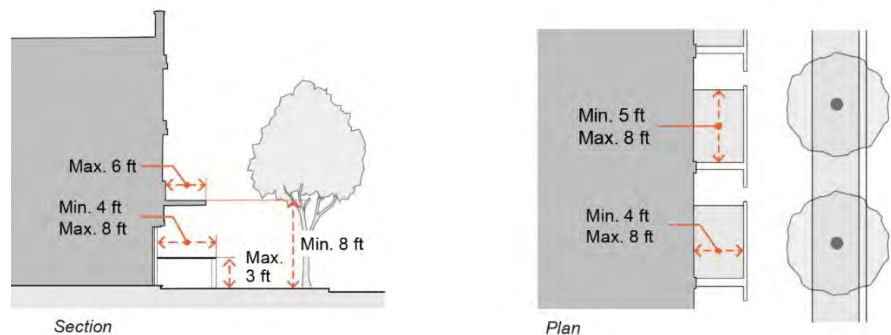
FIGURE 17.C.10.180-8: STOOP FRONTAGE



- (iii) *Dooryard.* Individual covered dooryard frontages with dimensions as indicated below:

- (a) *Dooryard width:* Minimum five feet, maximum eight feet.
- (b) *Dooryard depth:* Minimum four feet, maximum eight feet.
- (c) *Dooryard overhead projection depth:* Maximum six feet.
- (d) *Dooryard clear height:* Minimum six feet.
- (e) *Dooryard wall/planter/fence height:* Maximum three feet.

FIGURE 17.C.10.180-9: DOORYARD FRONTAGE

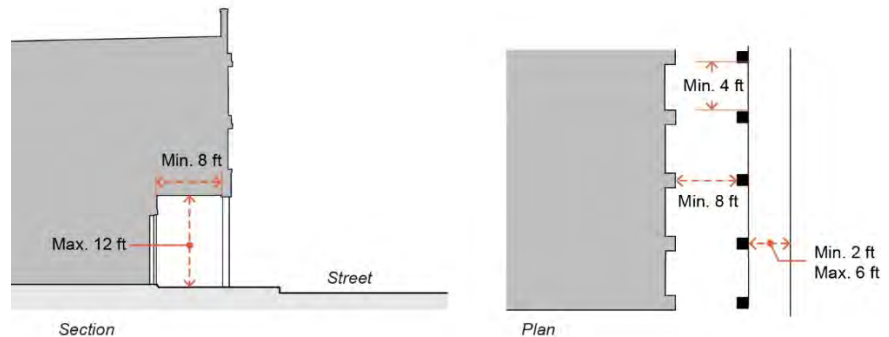


- (iv) *Arcade.* Individual covered arcade frontages with dimensions as indicated below:

- (a) *Arcade depth:* Minimum eight feet, must be consistent for the length of the arcade.
- (b) *Arcade clear height:* Maximum 12 feet.
- (c) *Arcade column spacing:* Minimum four feet clear between columns.

- (d) *Arcade distance from curb (encroachment permit may be required):* Minimum two feet, maximum six feet.

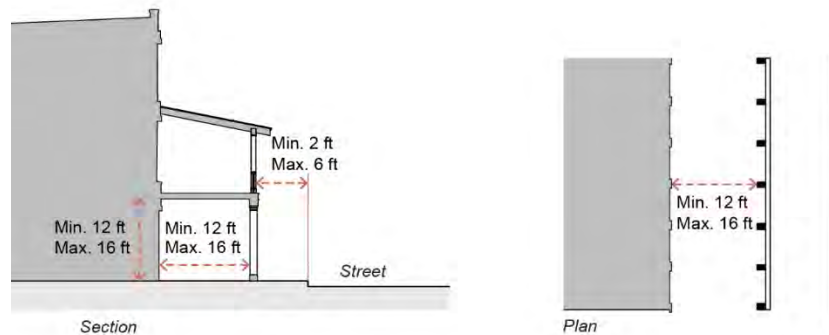
FIGURE 17.C.10.180-10: ARCADE FRONTAGE



- (v) *Gallery.* Individual covered gallery frontages with dimensions as indicated below:

- (a) *Gallery depth:* Minimum 12 feet, maximum 16 feet, must be consistent for the length of the gallery.
- (b) *Gallery clear height:* Minimum 12 feet, maximum 16 feet.
- (c) *Gallery distance from curb (encroachment permit may be required):* Minimum two feet, maximum six feet.

FIGURE 17.C.10.180-11: GALLERY FRONTAGE



- (vi) *ADA accessibility.* All frontages must comply with ADA accessibility requirements.

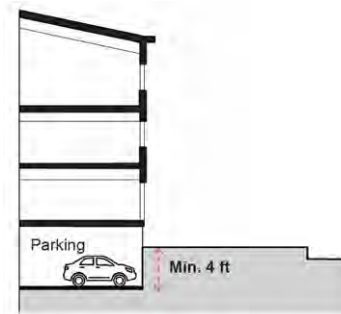
5. **Private Storage Space.** Each unit shall have at least 200 cubic feet of enclosed, weather-proofed, and lockable private storage space with a minimum horizontal dimension of four feet.
6. **360-Degree Design.** All buildings must be designed with "360-degree design" where each exterior wall is designed equivalent to the primary facade in the extent of building articulation, level of detail, and quality of exterior materials, and consistent with the color scheme of the primary facade. Details include but are not limited to window and door

trim, window and door recesses, cornices, belt courses, columns/piers, posts/beams, brackets, columns/arches, and roof forms.

7. **Additions/Remodels.** Notwithstanding the design standards of this Section, additions to and remodels of existing buildings, including porches, balconies and decks, must match the architectural design and detail of the existing building.
8. **Usable Open Space Design.**
 - a. *Required private open space design.*
 - (i) Required private open space must take the form of balconies, decks, patios, fenced yards, or other similar areas outside the residence.
 - (ii) Required private open space must be accessible only to the occupants of the dwelling unit by a doorway to a habitable room or hallway.
 - b. *Required common open space design.*
 - (i) Required common areas must include landscaped areas, walks, patios, swimming pools, barbeque areas, playgrounds, turf, or other such improvements that enhance the outdoor environment of the development.
 - (ii) Required common open space must be accessible to occupants of all dwelling units in the development site.
 - (iii) Common open spaces may be at-grade, elevated, on parking podiums, or on rooftops. See Subsection 17.C.10.180.C.2.e.i for additional limitations on elevated open space.
 - (iv) A surface must be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any combination of lawn, garden, flagstone, wood planking, concrete, or other dust-free surfacing.
 - (v) The slope of required common open space may not exceed 10 percent.
9. **Parking Design and Access.**
 - a. *Surface Parking Area Design.* Surface parking areas must be separated from on-site buildings by a minimum distance of five feet that is either paved or landscaped.
 - b. *Parking in the Front Setback.* Any driveways or other paved parking areas located in the front setback must be a minimum 18 feet in length.
 - c. *Garages.*
 - (i) Garage doors must be recessed a minimum of six inches from the face of the garage.
 - (ii) All two-car garages must have a minimum free and clear interior dimension of 24 feet by 24 feet, while one-car garages must have a minimum dimension of 14 feet by 24 feet.

- d. *Structured Parking Levels Facing the Right-of-Way.* Where ground level structured parking occupies more than 30 percent of a building facade facing a right-of-way or pedestrian walkway, the finished floor of the parking level must be a minimum four vertical feet below the finished grade at the building facade.

FIGURE 17.C.10.180-12: STRUCTURED PARKING LEVELS FACING THE RIGHT-OF-WAY



- e. *Tandem Parking.* Tandem parking may be permitted to satisfy the off-street parking requirement in accordance with the following.
- (i) No more than two vehicles may be placed one behind the other.
 - (ii) Both spaces must be assigned to a single dwelling unit or to employees of the same non-residential establishment.
 - (iii) The tandem parking bay must be a minimum 40 feet by 10 feet in dimension.
 - (iv) Tandem parking to meet required parking for multi-unit development must be located within an enclosed structure and the number of tandem parking spaces may not exceed 50 percent of the total number of spaces provided.
 - (v) Tandem parking may not be used to satisfy the parking requirement for guest parking.
- f. *Driveway width.* Driveways to shared garages may not exceed 24 feet in width.
- g. *Parking visibility.* Visible structured parking must be screened from view from the right-of-way by architectural features in addition to landscaping or living walls.
- h. *Parking separation.* Parking for residential units must be separated from parking for non-residential uses through a controlled fence, gate, or other barrier.
- i. *Curb cut frequency.*
- (i) A maximum of one curb cut for driveway access may be permitted per street frontage per building.
 - (ii) On corner lots, curb cuts must be located on the street frontage with the least pedestrian activity whenever feasible.

- j. *Shared garage doors.*
 - (i) All garage doors must be motorized.
 - (ii) Controlled entrances to shared parking facilities (gates, doors, etc.) may not exceed 20 feet in width.

17.C.10.190 Parolee/Probationer Home

- A. **Applicability.** This Section establishes standards for the regulation of parolee/probationer homes.
- B. **Development Regulations.** Parolee/probationer homes must comply with the development, locational, and all other applicable regulations of the zone in which the use is located, in addition to the standards in this Section.
 - 1. **Locational Standards.** A parolee/probationer home must be located:
 - a. A minimum of 660 feet away from any existing or proposed school, university, college, student housing, childcare facility, public park, religious institution, hospital, youth facility, or other similar uses, as reasonably determined by the Director. The distance between the parolee/probationer home and school, university, college, student housing, child care facility, public park, religious institution, hospital, youth facility, or other similar use shall be measured from the closest exterior wall of the parolee/probationer home and the nearest property line included within the school, university, college, student housing, child care facility, public park, religious institution, hospital, youth facility, or other similar use, along a straight line extended between the two points, without regard to intervening structures; and
 - b. A minimum of 1,320 feet away from an existing parolee/probationer home or other similar use.
 - (i) The distance between parolee/probationer homes shall be measured from the closest exterior wall of one parolee/probationer home and the nearest property line included within the other parolee/probationer home, along a straight line extended between the two points, without regard to intervening structures.
 - (ii) For the purposes of the locational standards set forth in this Subsection, "other similar use" or an "existing parolee/probationer home" shall also include any residential structure or unit, including any hotel or motel, whether owned and/or operated by an individual or for-profit or nonprofit entity, which houses at least two parolees/probationers, in exchange for monetary or nonmonetary consideration given and/or paid by the parolee/probationer and/or any individual or public or private entity on behalf of the parolee/probationer, including a residential care facility and other similar facilities.

2. **Operational Standards.** Parolee/probationer homes must comply with the following operational standards:
 - a. *Maximum number of parolees or probationers.* Each parolee/probationer home must be limited to a maximum number of six parolees or probationers, and each bedroom in the house/home may not exceed two parolees or probationers.
 - b. *Multi-family with fewer than 25 units.* Multi-family dwellings with fewer than 25 units shall be limited to one parolee/probationer home.
 - c. *Multi-family with 25 or more units.* Multi-family dwellings with 25 or more units shall be limited to two parolee/probationer homes.
 - d. *Limitations on hotels and motels.* Despite the definition of parolee/probationer home in Chapter 17.E.02 (Definitions of Terms) or any other provision of this Title or the City of Beaumont Municipal Code:
 - (i) Hotels and/or motels with 14 rooms or less may not provide transient lodging services or accommodations to more than three parolees during any 28 consecutive day period regardless of any length of their respective stays; and
 - (ii) Hotels and/or motels with 15 rooms or more may not provide transient lodging services or accommodation to more than five parolees during any 28 consecutive day period regardless of the length of their respective stays.
 - e. *Property owner or designated on-site manager.* As determined by the Chief of Police or their designee, the property owner or a designated on-site manager must live full-time on the site of the parolee/probationer home, and the name and phone number of this individual must be provided to the Chief of Police or their designee.
 - f. *Weekly update to Police Department.* The Police Department shall be provided with a weekly update of the names of all parolees/probationers living at the parolee/probationer home. These updates may be in writing via electronic mail or facsimile.
 - g. *Background check.* Any owner/operator of an parolee/probationer home and any person designated as a house manager or other staff shall provide his or her full name, current residence and phone number, date of birth, social security number, prior employment history, education, driver's license number, history of criminal convictions, if any, and any other information the Beaumont Police Department reasonably requires to perform a criminal background check through the State Department of Justice and/or United States Department of Justice. A person shall not begin employment with the parolee/probationer home until this information has been provided.

- C. **Findings.** An application for a parolee/probationer home may be approved and/or modified, in whole or in part, only if the applicable findings in Chapter 17.D.04 (Permits and Approvals) are made in addition to the following findings:
 1. There is not an overconcentration of parolee/probationer homes in the vicinity;

2. The parolee/probationer home meets the locational standards of this Section; and
 3. The proposed use will not result in harm to the health, safety, or general welfare of the surrounding neighborhood or substantial adverse impacts on adjoining properties or land uses.
- D. **Special Noticing Requirements.** In addition to the notice and hearing requirements in Division 17.D (Administration and Procedures), all property owners within 1,000 feet of the proposed parolee/probationer home, as measured from the subject property lines, shall be notified of the proposed parolee/probationer home.
- E. **Public Nuisance.** The establishment, maintenance, or operation of a parolee/probationer home in violation of the standards of this Section or in violation of the conditions of approval is declared to be a public nuisance and may be abated by the City in accordance with applicable provision of the Municipal Code or any available legal remedies, including but not limited to civil injunctions.
- F. **Nonconforming Use.** Any parolee/probationer home lawfully existing prior to the effective date of this Section, December 31, 2020, is a legal nonconforming use, subject to applicable nonconforming use regulations of Section 17.C.16 (Nonconforming Buildings, Uses, and Lots).
- G. **Amortization.**
1. **Nonconforming Parolee/Probationer Homes.** Any parolee/probationer home regulated by this Section which is a nonconforming use on the effective date of this Title shall be subject to an amortization period expiring one year from the effective date of this Title.
 2. **Amortization—Notice.** The Department shall provide written notice to the property owner or operator at least 120 days prior to the expiration of this amortization period. This notice is not mandatory, and lack of notice shall not be deemed to prevent the City from initiating an action seeking declaratory or injunctive relief against the owner and/or operator of the business. However, if notice of expiration of amortization period is not given, any application by the owner or owner of the parolee/probationer home for an extension of the amortization period shall not be denied on the grounds that it is untimely.
 3. **Amortization—Application for Extension.**
 - a. The property owner may file an application with the Department for an extension of the amortization period. The applicant must state:
 - (i) Whether a previous extension has been requested and granted, as well as the date of the previous request; and
 - (ii) The efforts that will be made to conform by the conclusion of the extended period.
 - b. The property owner's application shall be made in writing and shall be accompanied by the required fee as established by the Council.
 - c. Any application for an extension of the amortization period must be made prior to the expiration of the amortization period unless the Director determines that good cause exists for the late filing of the application.

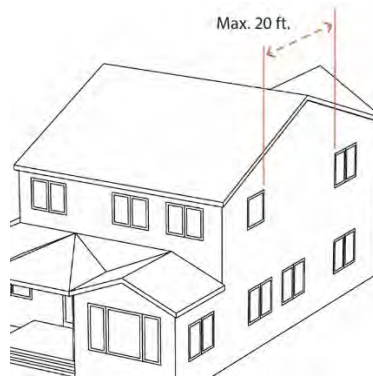
4. ***Amortization—Decision to Grant or Deny Extension.***
 - a. The Planning Commission shall hold a public hearing at which time it shall consider the evidence and testimony regarding the request for an extension of the amortization period. The Planning Commission shall grant or deny an application for extension of the amortization period.
 - b. In rendering its decision, the Planning Commission shall determine whether the parolee/probationer home has been provided with a reasonable amortization period commensurate with the investment involved. If the Planning Commission determines that the amortization period is not reasonable, it shall prescribe an amortization period that is commensurate with the investment involved. The burden shall be on the applicant to establish that the extension should be granted.
 - c. The Planning Commission shall consider the following factors in making its determination:
 - (i) The parolee/probationer homeowner's financial investment in the renting out rooms, units, homes to parolee/probationers;
 - (ii) The present actual and depreciated value of business improvements;
 - (iii) The applicable Internal Revenue Service depreciation schedules;
 - (iv) The remaining useful life of the rental improvements;
 - (v) The remaining lease terms, if any;
 - (vi) The cost of relocating the parolee/probationer home to a site conforming to the provisions of this chapter, if applicable;
 - (vii) The ability of the parolee/probationer home and/or owner to change the use to a conforming use; and
 - (viii) The secondary effects of the parolee/probationer home on the health, safety and welfare of surrounding community, residential dwellings, businesses and/or uses if the parolee/probationer home is permitted to extend the amortization period.
 - d. The Planning Commission's decision shall be in writing and shall be hand delivered or sent by certified mail to the applicant.
5. ***Amortization—Appeal.*** Any interested person may appeal the decision of the Planning Commission to the City Council in writing within 15 days after the written decision of the Planning Commission in accordance with the provisions of Section 17.D.02.040.O (Appeals).
6. ***Amortization—Public Nuisance.*** The Council declares to be a public nuisance any parcel where a parolee/probationer home is operating and where the amortization period as a legal nonconforming use has expired and:
 - a. An application for an extension is on not file or has not been granted; or
 - b. An application for a Conditional Use Permit for a parolee/probationer home is not on file or has not been granted.

17.C.10.200 Residential Care Facilities

- A. **Purpose.** The purpose of this Section is to regulate large residential care facilities that require a license through the State of California in accordance with housing anti-discrimination laws.
- B. **Applicability.** This Section applies to large residential care facilities identified in California Health and Safety Code §1502 that require a license through the State of California.
- C. **Separation Requirement.**
 - 1. Any large residential care facility that requires a license through the State of California shall not be located within 300 feet or 1,000 feet, as specified, of any other residential care facility that requires a similar license consistent with California Health and Safety Code §1267.9,
 - 2. The separation distance required by Subsection 17.C.10.200.C.1 above shall be measured from the closest walls of both residential care facilities.

17.C.10.210 Single-Family Dwellings

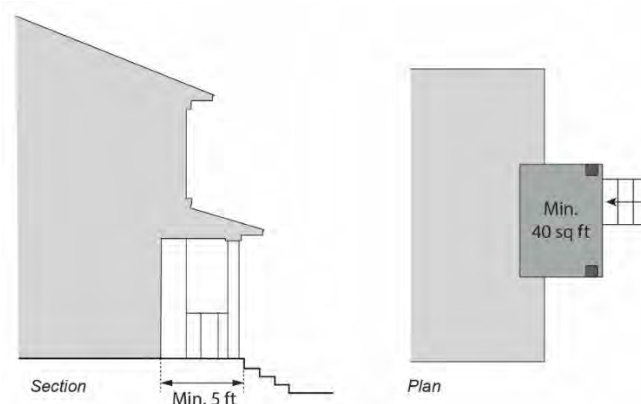
- A. **Purpose.** The purpose of this Section is to provide objective design standards for single-family dwellings.
- B. **Applicability.** This section applies to single-family dwellings citywide. Existing single-family dwellings are not required to comply with these standards or deemed nonconforming because the dwelling does not comply with these standards.
- C. **Building Form and Visual Interest.**
 - 1. **Required Planes.**
 - a. *Elevations facing a street, public right-of-way, or open space.* A minimum of four planes are required on any street-facing elevation. Each plane must be at least 80 square feet in surface area and offset a minimum of four feet from any adjacent plane.
 - b. *Interior side and rear elevations.* A minimum of two planes are required on any interior side or rear elevation. Each plane must be at least 80 square feet in surface area and offset a minimum of four feet from any adjacent plane.
 - 2. **Limits on Blank Walls.** No wall on any level except for garages may run in a continuous plane of more than 20 feet without a window or a projection, offset, or recess of the building wall at least one foot in depth.

FIGURE 17.C.10.210-1: LIMIT ON BLANK WALLS IN RESIDENTIAL, SINGLE-FAMILY ZONE

3. **Allowed Roof Forms.** Allowed roof forms are limited to hipped, gabled, shed, or flat roofs with parapets.
4. **Roof Design.**
 - a. When pitched roofs are used, the slope must be 3:12 to 5:12 ratio.
 - b. Eaves may not exceed 24 inches in depth, or as allowed by the California Fire Code, Chapter 7.
 - c. Parapet segments may not exceed 25 feet in length without a change in height at least 2 feet or a change in form.
 - d. Subdivisions with more than 20 units must include a minimum of three distinct roof forms.

D. Entrances.

1. **Orientation.** The primary entrance of any unit located along public rights-of-way or pathways must face public street or pathway. Exceptions to this requirement may be approved where the site is located on a major arterial carrying high traffic volumes.
2. **Protection.** The primary entry must incorporate a projection, recess, or combination of projection and recess at least 40 square feet in area, with a minimum depth of five feet.

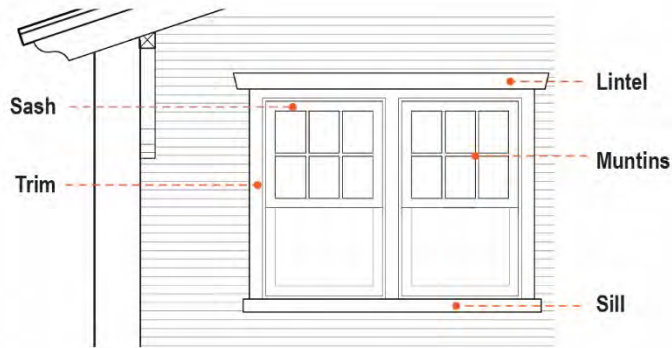
Figure 17.C.10.210-1: Entrance Protection

- E. **Rear Access.** Rear doors wider than three feet must be accessible by a landing area that is a minimum six feet in depth and a width that is no less than that of the door opening or three feet, whichever is greater. Doors three feet wide or less shall have a landing of a minimum depth of three feet and a width that is at least as wide as the size of the opening.
- F. **Building Materials.**
1. **Cladding Materials.** Primary and secondary cladding materials are limited to:
 - a. Three-step system in accordance with the CBC (synthetic stucco or Exterior Insulation and Finish Systems [EIFS] are not allowed);
 - b. Wood, composite wood, cement fiberboard, painted aluminum, or vinyl siding;
 - (i) All siding must be lap, vertical, or shingle.
 - (ii) Wood siding must be painted or stained and sealed.
 - c. Stone (natural or manufactured);
 - d. Metal;
 - e. Brick/masonry; or
 - f. Tile.
 2. **Prohibited Building Materials.** Plywood, corrugated metal, sheet metal, and unfinished aluminum are prohibited.
 3. **Change in Exterior Building Material.** When there is a change in exterior building material, the material change must occur at the inside corner of a building form, or a minimum of two feet beyond an outside corner.
 4. **Material Durability/Protection.**
 - a. Exterior finish materials must have an expected lifespan of no less than 30 years.
 - b. Exterior timber must be protected from decay by stain and sealant.
 - c. Exterior ferrous metals must be protected from corrosion either through the use of galvanized, stainless, weathering steel, or powder coating.
 5. **Colors.** Reflective or bright colors that contrast dramatically with the colors of the surrounding land, structures, and vegetation may be used for trim or for accents only.

G. **Windows.**

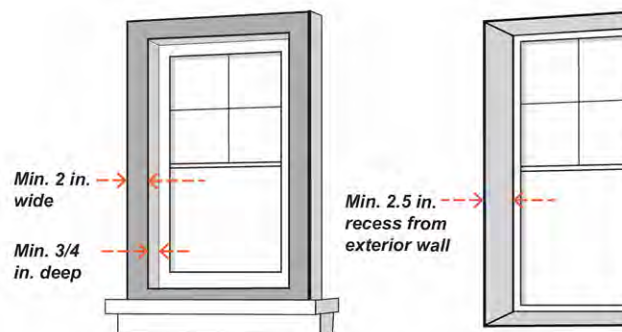
1. All windows facing rights-of-way or public open spaces must be double-hung with operable sashes. Grids of small panes must be true divided lites separated by muntins or as approved by the Director.

FIGURE 17.C.10.210-2: WINDOW DESIGN



2. **Window Recess or Trim.** Trim at least two inches in width and $\frac{3}{4}$ -inch in depth must be provided around all windows, or windows must be recessed at least 2.5 inches from the plane of the surrounding exterior wall.

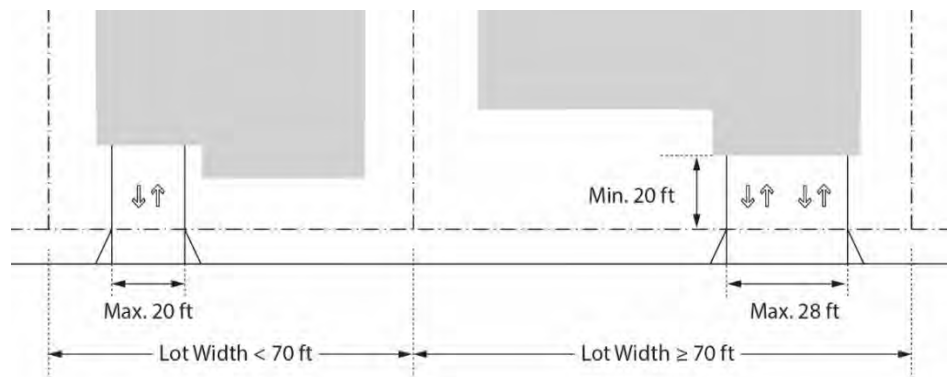
FIGURE 17.C.10.210-3: WINDOW TRIM OR RECESS



3. Reflective or opaque tinting of glazing is prohibited.
- H. **360-Degree Design.** All buildings must be designed with "360-degree design" where each exterior wall is designed equivalent to the primary facade in the extent of building articulation, level of detail, and quality of exterior materials, and consistent with the color scheme of the primary facade. Details include but are not limited to door recesses, door trim, cornices, belt courses, columns/piers, posts/beams, brackets, columns/arches, and roof forms.
- I. **Parking Design and Access.**
1. **Driveways.**
 - a. For lots less than 70 feet in width, a maximum of one driveway up to 20 feet wide is allowed for required parking.

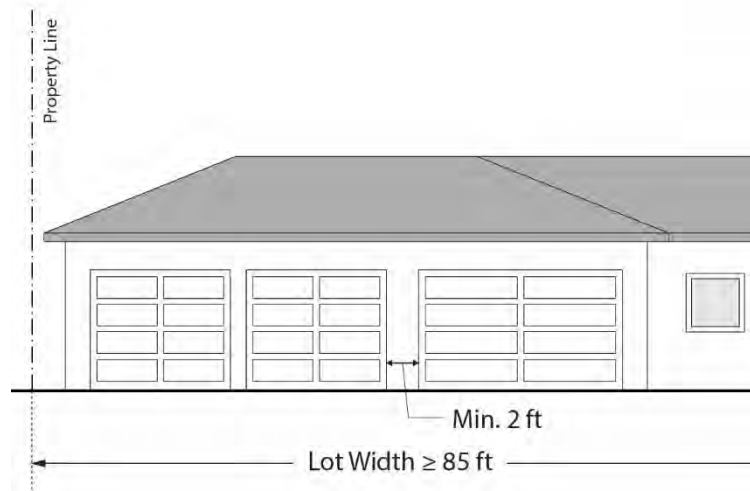
- b. For lots 70 feet wide or more, the width of a driveway to a two-car garage may not exceed 28 feet in width.
- c. The minimum paved apron length is 20 feet. The driveway apron must be set back a minimum of 1 foot from all property lines.
- d. Sidewalks may not encroach into the minimum driveway length area.

FIGURE 17.C.10.210-4: DRIVEWAY DESIGN



- 2. **Three-Car Garages.** A garage with three or more doors, or garages designed to accommodate three or more non-tandem parked cars, are allowed only on lots 85 feet wide or greater, and at least one garage front must be separated from the remaining garage fronts by at least two feet.

FIGURE 17.C.10.210-5: THREE-CAR GARAGES



- 3. **Corner Lots.** Corner lots and through lots are allowed one driveway. Where a lot has more than one approved garage, carport, or parking space, a second driveway may be allowed with Director and City Engineer approval.

4. ***Carports and Detached Garages.***
 - a. Carports and detached garages must be constructed of the same materials and in the same style as the main building.
 - b. Carports are recommended to be solar ready.
5. ***Garage Design.***
 - a. Garage doors must be recessed a minimum of six inches from the face of the garage.
 - b. Garage doors must be articulated with windows, paneling, recesses, or other details.
 - c. All two-car garages must have a minimum free and clear interior dimension of 23 feet by 22 feet, while one-car garages must have a minimum dimension of 13 feet by 22 feet.
 - d. Notwithstanding the design standards of this Section, all garage structures, attached or detached, must match the architectural design and detail of the existing building.
6. ***Continuous Walkway.*** A continuous paved walkway at least three feet wide must connect on-site side gates, driveways to garages, and the front door.
- J. **Outdoor Lighting.** All exterior doors, including garage doors, must be illuminated with outdoor light fixtures. See Chapter 8.50 (Outdoor Lighting) for additional standards.
- K. **Additions/Remodels.** Notwithstanding the design standards of this Section, additions to and remodels of existing buildings, including porches, balconies and decks, must match the architectural design and detail of the existing building.

17.C.10.220 Single-Room Occupancy Residences

- A. **Purpose.** The purpose of this Section is to provide standards for single-room occupancy (SRO) residences.
- B. **Applicability.** The standards for SRO residences in this Section apply to all SRO residences as allowed by Division 17.B (Zone Regulations).
- C. **Allowable Density.** A single room occupancy facility is not required to meet density standards of the General Plan.
- D. **Development Standards.**
 1. ***Minimum Unit Standards.***
 - a. *Unit size.* An SRO unit shall have a minimum size of 150 square feet and a maximum size of 400 square feet.
 - b. *Occupancy.* An SRO unit shall accommodate a maximum of two persons.
 - c. *Bathroom.* An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink and bathtub, shower or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom

facilities shall be provided in accordance with the California Building Code for congregate residence with at least one full bathroom per floor.

- d. *Kitchen.* An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator and stove, range top or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.
- e. *Closet.* Each SRO unit shall have a separate closet.
- f. *Code compliance.* SRO units shall comply with all requirements of the California Building Code.

2. ***Minimum Facility Standards.***

- a. *Common area.* Common area in an amount equal to 10 square feet per living unit shall be provided, excluding janitorial storage, laundry facilities and common hallways. At least 200 square feet in area of interior common space shall be provided as a ground floor entry area that provides a central focus for tenant social interaction and meetings.
 - b. *Laundry facilities.* Laundry facilities must be provided in a separate room at the ratio of one washer and one dryer for every 20 units of fractional number thereof, with at least one washer and dryer per floor.
 - c. *Cleaning supply room.* A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO facility.
- E. **Accessibility.** All SRO units shall comply with all applicable accessibility and adaptability standards. All common areas shall be fully accessible.
- F. **Management Plan.** A management plan shall be submitted to the Department for review and approval prior to issuance of a Certificate of Occupancy. The management plan must address management and operation of the facility, rental procedures, safety and security of residents, and building maintenance.
- G. **On-Site Management.** An SRO facility with 10 or more units shall provide on-site management.
- H. **Parking.** Off street parking shall be provided consistent with Chapter 17.C.06 (Parking Requirements).
- I. **Tenancy.** SRO units must be rented for a minimum of 30 days.
- J. **Existing Structure.** An existing structure may be converted to an SRO facility, consistent with the provisions of this Section.

17.C.10.230 Temporary Uses

- A. **Purpose.** This Section establishes standards for uses that are intended to be of limited duration of time and that will not permanently alter the character or physical facilities of the site where they occur.

- B. **Applicability.** This Section applies to the temporary uses and structures on private property and certain public rights-of-way described in this Section. All other temporary uses shall be prohibited on private property.
- C. **General Standards.**
1. **Business License Required.** Where applicable, a separate Business License is required for each vendor.
 2. **Removal of Temporary Use.** Each site occupied by a temporary use shall be left free of debris, litter, or any other evidence of the temporary use upon completion or removal of the temporary use.
 3. **Security.** A performance security (including a bond or financial deposit) in a form and amount acceptable to the Director may be required before initiation of the temporary use to ensure the following:
 - a. Cleanup after the use has ceased; and
 - b. To guarantee removal of all temporary structures within 30 days following the expiration of the Temporary Use Permit or completion of the use or activity, whichever occurs first.
- D. **Temporary Uses Not Requiring a Temporary Use Permit.** The following types of temporary uses may be conducted without a Temporary Use Permit. Other permits, such as Building Permits, may be required.
1. **Yard/Garage Sales.** Sales of personal property conducted by a resident of the premises with a maximum term of three consecutive calendar days and occurring no more than two times a year.
 2. **Nonprofit Fundraising.** Fundraising activities by tax exempt organizations pursuant to 501(C) of the Federal Revenue and Taxation Code are allowed in nonresidential zones with no limitation on the number of occasions and duration where there is no disruption to the normal circulation of the site; encroachment upon driveways, pedestrian walkways, or required parking or landscaped areas; obstruction to sight distances; or other created hazard for vehicle or pedestrian traffic.
 3. **Seasonal Sales.** The annual sales of holiday related items such as Christmas trees, pumpkins, and similar items may be permitted in accordance with the following standards. This Subsection is only applicable to temporary seasonal sales that are not in conjunction with an existing business and are not applicable to farmers' markets or the sale of fireworks. Fireworks are regulated in Beaumont Municipal Code Section 9.41 (Fireworks).
 - a. **Location.** Seasonal sales are limited to commercial and mixed use zones, the Public Facilities Zone, and to properties in other zones that have educational institution or community assembly uses.
 - b. **Number of events.** The subject lot shall not be used for seasonal sales more than three times within the calendar year.
 - c. **Time period.** Temporary seasonal sales shall be limited to 45 days of operation per calendar year.

- d. *Merchandise.* Temporary seasonal sales shall not engage in the sale of any merchandise not directly associated with the holidays with which the seasonal sales are associated.
 - e. *Elimination of parking.* Areas used for temporary seasonal sales shall not eliminate the required parking for the primary use on the site, if there is one, or for any other site.
 - f. *Removal.* Each site occupied by a temporary use shall be left free of debris, litter, or any other evidence of the temporary use upon completion or removal of the use, and shall thereafter be used, in compliance with the provisions of this Title.
- 4. **Commercial Special Events and Sales.** Commercial special events and sales including, but not limited to, grand opening events and other special sales events, are allowed in accordance with the following standards:
 - a. *Location.* Events are limited to nonresidential zones and shall be located on the site of, and associated with, a permanent commercial use.
 - b. *Number of events.* No more than six events at one site shall be allowed within any 12-month period.
 - c. *Duration.* The maximum duration of a single event is five consecutive calendar days, with a minimum of 14 calendar days between each event.
 - d. *Display.* Location of the event or displayed merchandise shall not disrupt the normal circulation of the site, nor encroach upon driveways, pedestrian walkways, or required parking or landscaped areas, or obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic.
- E. **Temporary Uses Requiring a Temporary Use Permit.** The following types of temporary uses must obtain a Temporary Use Permit and are subject to the following standards:
 - 1. **Model Homes and Complexes.** Model home complexes and sales offices may be allowed solely for the first sale of homes within a recorded tract or condominium subdivision, subject to the following standards:
 - a. *Applicability.* The model homes shall meet all applicable zoning and development standards for the lots as shown on the tentative map.
 - b. *Time Limits.*
 - (i) *Temporary sales office.* A temporary information/sales office shall be removed within one month of closing the sale of the final unit of the development.
 - (ii) *Model homes.* Model homes may be established and operated for a period of three years or until completion of the sale of the lots or units, whichever comes first. One-year extensions may be approved by the Director until the sale of all lots/residences is completed (see Subsection 17.D.02.040.L (Extension of Time)).

- c. *Location of Sales.* The model home complex and office must be located on the same or adjacent premises as the subdivision or building project. Real estate sales conducted from a temporary sales office are limited to sales of lots or units within the development.
 - d. *General Plan.* Model home sales personnel shall prominently post a copy of the General Plan and Land Use Map and to refer each purchaser of a home to the General Plan and to the Department to answer any questions regarding interpretation of the General Plan.
 - e. *Site Plan Required.* All applicants shall submit a site plan indicating the lots on which the models are to be constructed. The location and details of the sales office shall be identified on the plans. The site plan shall also provide the location of all proposed off-street parking, fencing and all other on and off-site improvements associated with the models.
 - f. *Parking.* No less than two off-street parking space shall be provided for each model. Parking spaces shall be located within 600 feet of the model complex and comply with standards in Chapter 17.C.06 (Parking Requirements). Accessible parking spaces shall be provided and comply with ADA standards.
 - g. *Landscaping.* Model home complexes shall be landscaped in the same manner as is required for the final lots.
 - h. *Return Office Use to Residential Use.* Sales offices, signs, and temporary improvements associated with the model complex shall be removed prior to occupancy of the last dwelling unit constructed in the subdivision. Offices located in an approved garage space shall be converted back into garage area.
 - i. *Signs.* Signs for model homes shall comply with Chapter 17.C.08 (Signs). The location of all proposed street numbering, fire routes, ground and wall signage shall be clearly identified on the site plan.
2. **Temporary Construction Office Trailers.** On-site temporary construction offices during the period of construction may be allowed in accordance with the following standards:
- a. *Location.* Trailers shall not obstruct driveways or traffic access aisles.
 - b. *Parking impacts.* The applicant shall demonstrate that parking will not be negatively impacted.
 - c. *Colors and materials.* The colors and materials shall complement the main building, if one exists.
 - d. *Screening.* The Director may require screening in addition to other applicable screening requirements in this Title.
 - e. *Noise.* Any exterior noise-generating equipment associated with trailers shall not be within 300 feet of a residential zone or use.
 - f. *Removal.* Trailers shall be removed upon cessation of permitted construction activity.
 - g. *Exceptions.* Any deviation from any standards above shall only be allowed through the approval of a Minor Modification.

3. **Storage Containers.** Storage containers are only allowed as accessory to agricultural uses (see Section 17.C.02.020 (Accessory Buildings and Structures)), subject to the following standards:
 - a. Must be located on private property (i.e., outside of the public right-of-way);
 - b. Must be placed on level finished grade;
 - c. Must maintain a minimum five-foot separation from any structure;
 - d. Allowed for a maximum of 180 days per year;
 - e. Nothing may be stacked on top of a single container;
 - f. May not be habitable or used as a residence;
 - g. May not have any plumbing connections;
 - h. Must include a warning device (e.g., a horn) placed inside each container to address safety;
 - i. Must comply with Fire and Building requirements (e.g., flammable or hazardous materials); and
 - j. May not have any signage.
- F. **Special Events Requiring a Special Events Permit.** Short-term special events that are not regulated under Subsection 17.C.10.230.D.4 (Commercial Special Events and Sales) may be permitted consistent with Beaumont Municipal Code Chapter 9.03 (Regulation of Special Events).
- G. **Temporary Uses Requiring a Minor Conditional Use Permit.** Other temporary uses that do not meet the standards for temporary uses not requiring a permit or requiring a temporary use permit may be allowed in nonresidential zones with the approval of a Minor Conditional Use Permit provided they are temporary in nature, and will not unreasonably impair circulation or the operation of other uses in the area, or otherwise create significant impacts.

17.C.10.240 Tire Store and Tire Repair

- A. **Purpose.** The purpose of this Section is to regulate the sales, storage, and installation of tires in the city.
- B. **Applicability.** This Section applies to tire stores and tire repair citywide.
- C. **Standards.**
 1. **Tire Storage.** Storage of tires must be reviewed and approved through the Plot Plan process as identified in Section 17.D.04.020 (Plot Plans).
 - a. All outdoor storage must be covered on a minimum of three sides, one of which must be the top and screened from public view.
 - b. Any proposed use must comply with the California Regional Water Quality Control Board and the requirements specified in the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit.

- c. Water supply and hydrant requirements as specified in the adopted Fire Code must be met.
- d. Both indoor and outdoor storage of tires and related materials and equipment, must meet all Building and Safety Department and Fire Department standards and requirements.
- 2. **Outdoor Storage.** Outdoor storage of tires, related equipment, or materials not exceed 20 percent of the total lot area.
- 3. **Structures.** Structures utilized for storage of materials must meet all Building and Safety Department and Fire Department standards, shall be complementary to the primary structure and meet the aesthetic intent of the area in which the business is located.

17.C.10.250 Two-Unit Projects

- A. **Purpose.** This Section provides objective zoning and design standards for the development of two-unit projects in accordance with California Government Code §65852.21 (Senate Bills 9 and 450).
- B. **Applicability.** Two-unit projects shall only be developed in single-family residential zones (see Table 17.B.04.020-A (Residential Zones Use Regulations)).
- C. **Application Requirements.** A Minor Plot Plan shall be prepared, filed, and processed for two-unit projects in compliance with Section 17.D.04.020 (Plot Plans) and this Section. Two-unit projects in compliance with this Section do not require discretionary review or a hearing.
- D. **General Standards.** Two-unit projects shall comply with the following objective standards:
 - 1. The two-unit project shall satisfy the eligibility requirements of California Government Code §65852.21(a).
 - 2. Except where superseded by state law or this Section, two-unit projects shall comply with the objective development standards in Section 17.C.10.210 (Single-Family Dwellings) and Chapter 17.B.04 (Residential Zones and Standards).
 - 3. Single-family residential zone setbacks must yield to the degree necessary to avoid physically precluding the construction of up to two units on the lot or either of the two units from being at least 800 square feet in floor area; but in no event may any structure be less than four feet from a side or rear property line.
 - 4. Access to any unit shall not be across an easement that restricts such access.
 - 5. Off-street parking shall be provided in accordance with the following standards:
 - a. One off-street parking space shall be provided for each residential unit.
 - b. No off-street parking is required if any of the following apply:
 - (i) The lot is located within one-half mile walking distance of a high-quality transit corridor as defined in California Public Resources Code §21155(b);
 - (ii) The lot is located within one-half mile walking distance of a major transit stop as defined in California Public Resources Code §21064.3; or
 - (iii) There is a car share vehicle located within one block of the lot.

- E. **Review and Timing.** The Director, Building Official, City Engineer, and Fire Marshal shall review applications to determine whether a proposed development would cause a specific adverse effect to public health, safety, and welfare, as defined in California Government Code §65589.5. If so, the Building Official shall make a written finding in support of his or her decision to deny the application. The City shall ministerially approve or deny the two-unit project within 60 days of receipt of a complete application.
- F. **Denial.** The City shall only deny an application for a two-unit project upon making both of the following findings in writing based upon a preponderance of evidence:
1. The proposed housing development project would have a specific, adverse impact upon the public health and safety as defined and determined in California Government Code §65589.5(d)(2); and
 2. There is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- G. **Covenants Required.** A property owner seeking to build a two-unit project in accordance with the standards of this Section, shall execute and record the following covenants against the subject property and provide a copy to the City:
1. Short-term rental of a residential unit for a period of less than 31 days shall be prohibited; and
 2. Nonresidential uses on the site shall be prohibited.

17.C.10.260 Wind Energy Conversion Systems

- A. **Purpose.** The purpose of this Section to provide standards for the establishment, maintenance, and operation of wind energy conversion systems (WECS).
- B. **Permit Requirements.** Table 17.C.10.260-A (Wind Energy Conversion Systems (WECS)) identifies the permit standards for WECS. Additionally, a Building Permit shall be obtained prior to the installation of a WECS.

Table 17.C.10.260-A: Wind Energy Conversion Systems (WECS)

Location	Type Allowed	Height Allowed	Quantity Allowed	Permit Required
Residential Zones	Private, non-commercial ¹	Shall not exceed the maximum allowed height within the applicable zone ²	1 per lot	Conditional Use Permit
Commercial Zones and All Other Zones Not Listed	Private, non-commercial ¹		1 or more per lot	Conditional Use Permit
Industrial Zone and Public Facility Zone	Private, non-commercial ¹		1 or more per lot	Minor Plot Plan
	Windfarm ³		2 or more per lot	Conditional Use Permit

Table Notes:

¹ A private, non-commercial WECS is installed on a developed property for the purpose of providing energy for on-site consumption. A private, non-commercial WECS is only allowed as an accessory use.

² The Planning Commission may allow the height of a WECS to exceed the maximum allowed height if strict compliance to the height limit would result in no or poor productivity, as established by evidence provided by the applicant. The Planning Commission may require larger setbacks if additional height is allowed.

³ A windfarm is multiple WECS installed at a single property or area for the purpose of generating larger quantities of electrical or mechanical power for transmission to a public or private utility.

- C. **Application.** An application for a WECS shall be made consistent with Division 17.D (Administration and Procedures). All required information identified on the form shall be provided by the applicant, in addition to the following information:
1. Direction of prevailing winds across the project site;
 2. Manufacturer and model designation, rated kilowatt capacity, overall machine height, total blade diameter, rated maximum rotor rotations per minute, and other manufacturer's data sufficient to determine compliance with this Section;
 3. Location and type of security fencing and/or screening; and
 4. Proof of liability insurance consistent with Subsection 17.C.10.260.D.10 (Proof of Liability Insurance).
- D. **General Requirements.**
1. **Development Standards.** A WECS shall comply with the development standards for the zone in which it is located unless otherwise specified in this Section.
 2. **Height Measurement.** The height of a WECS shall be measured to the top of the WECS, including any blade when at its highest point.
 3. **Setback Measurement.** Setbacks shall be measured to the outer edge of a WECS, including any blade when at its maximum horizontal extension.
 4. **Setbacks.** A WECS shall maintain the same minimum setbacks required for a primary structure within the applicable zone.
 5. **Colors and Materials.** A WECS shall have a non-reflective finish and shall be painted or otherwise treated to match or blend with the primary background and minimize visual impacts.
 6. **Advertising and Graphics.** Advertising, display, or graphics are not permitted on any WECS. A manufacturer's identification label and/or any government required identification or safety labels or signs may be affixed to a facility or site in a discrete manner as feasible.
 7. **Undergrounding Required.** All wiring or any associated and ancillary equipment, batteries, devices, structures, or support(s) for any WECS, shall be placed underground to the maximum extent feasible.
 8. **Noise.** WECS shall comply with Beaumont Municipal Code Chapter 9.02 (Noise Control).
 9. **Security and Safety.** WECS shall be secured from access to the general public by fencing or other deterring device or means as the City may approve or require so the WECS is not an attractive nuisance. WECS shall either have tower climbing apparatus located not closer than 12 feet to the ground or be un-climbable by design for the first 12 feet.
 10. **Proof of Liability Insurance.** The owner of any WECS shall provide, as part of the permit application submittal, proof of liability insurance that specifically addresses the installation, use, and maintenance of the WECS to the satisfaction of the City.

11. ***Effects of Development on Productivity.*** The City shall not be liable if subsequent development in the City impairs the productivity of any WECS.
 12. ***Inoperative Facility Removal Required.*** Any WECS that is not operated for a continuous period of six months shall be considered abandoned. A WECS and all equipment associated with an approved WECS shall be removed within six months of the discontinuance of the use and the site shall be restored to its original pre-construction condition, subject to the approval of the Director.
- E. **Private, Non-Commercial WECS.** A private, non-commercial WECS shall be subject to the following standards.
1. ***Location.*** A WECS, including associated and ancillary equipment, batteries, devices, structures, or supports, shall be located in the rear portion of the property (i.e., between the primary structure and rear property line). This provision may be modified by the Planning Commission if strict compliance would result in no or poor productivity, as established by evidence provided by the applicant.
 2. ***Screening.*** The WECS shall be separated from adjoining properties by at least a six-foot high solid fence or wall, or by trees and landscaping of equal minimum height approved by the Planning Commission. Approval of screening may include reasonable conditions deemed by the Planning Commission necessary to minimize the visual impacts of a WECS.
 3. ***Net-metering.*** A private, non-commercial WECS may be net-metered with written authorization provided by the utility company. Net-metering is a service to an electric consumer under which electric energy generated by that electric consumer from an eligible on-site generating facility and delivered to the local distribution facilities may be used to offset electric energy provided by the electrical utility to the electric consumer during the applicable billing period. Net-metering does not allow the sale of power back to the electric company or into the wholesale electricity market.

17.C.10.270 **Wireless Telecommunication Facilities**

- A. **Purpose.** The purpose of this Section is to provide uniform and comprehensive standards for the approval, placement, and design of telecommunication facilities. These regulations are intended to protect and promote public health, safety, and community welfare while at the same time not unduly restricting needed telecommunication facilities. They have also been developed to further the policies of the General Plan. It is intended that these regulations specifically accomplish the following:
1. Ensure that new telecommunication facilities are installed in a manner that minimizes their visual impact on the community;
 2. Protect the environmental resources of Beaumont;
 3. Create telecommunication facilities that will serve as an important and effective part of the City's emergency response network; and
 4. Simplify and shorten the process for obtaining necessary permits for telecommunication facilities while protecting the legitimate interests of Beaumont residents.

- B. Applicability and Exemptions.** The requirements of this Section apply to all telecommunication facilities on private property and public property not including the public right-of-way that transmit and/or receive electromagnetic signals, including, but not limited to, personal communications services (cellular and paging) and radio and television broadcast facilities. The requirements apply to telecommunication facilities that are the primary use of a property and those that are accessory facilities, except that the following accessory facilities are exempt:
1. Licensed amateur (ham) radio and citizen band operations;
 2. Handheld, mobile, marine, and portable radio transmitters and/or receivers;
 3. Public safety communications radio;
 4. Radio and television mobile broadcast facilities;
 5. Antennas and equipment cabinets or rooms completely located inside of permitted structures;
 6. A temporary telecommunication facility mounted on a trailer or a portable foundation, with approval of the City Manager for an emergency for a period of up to one year;
 7. A single ground- or building-mounted dish antenna not exceeding the maximum height permitted by this Section, including any mast, subject to the following restrictions:
 - a. Satellite dish 39.37 inches (one meter) or less. A satellite dish antenna 39.37 inches (one meter) or less in diameter and:
 - (i) Intended for the sole use of a person occupying the same parcel to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite; or
 - (ii) A hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services, is permitted anywhere on a lot provided it does not exceed the height of the ridgeline of the primary structure on the same parcel.
 - b. Non-satellite dish 39.37 inches (one meter) or less. A dish antenna 39.37 inches (one meter) or less in diameter or diagonal measurement and:
 - (i) Intended for the sole use of a person occupying the same parcel to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, or to receive or transmit fixed wireless signals other than via satellite; or
 - (ii) A hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services, is permitted anywhere on a lot;
 8. An antenna that is less than 25 feet in height and that is mounted on any existing building or other structure. The antenna shall be for the sole use of a person occupying the same parcel on which the antenna is located to receive television broadcast signals;

9. Any antenna or wireless telecommunications facility that is exempt from local regulation pursuant to the rules and regulations of the Federal Communications Commission (FCC) or a permit issued by the California Public Utilities Commission (CPUC). The owner or operator of such facility shall provide the Director with a copy of a current FCC or CPUC permit or a copy of applicable FCC regulations prior to its installation; and
10. Minor deviations to existing wireless facilities as determined by the Director that replace existing equipment in-kind or with smaller or less visible equipment, that meet the standards set forth in this Section, and will have little or no change in the visual appearance of the facility.

C. **Permits Required.**

1. **Colocation Facilities.** Colocation facilities (California Government Code §65850.6) are allowed by right when proposed on a wireless telecommunications colocation facility that was subject to a discretionary permit issued and an Environmental Impact Report was certified, or a Negative Declaration or Mitigated Negative Declaration was adopted for the wireless telecommunication colocation facility in compliance with CEQA and the colocation facility incorporates required mitigation measures specified in that Environmental Impact Report, Negative Declaration, or Mitigated Negative Declaration.
2. **Eligible Facilities Request (EFR).** For Eligible Facilities Requests, colocation of new transmission equipment, removal of transmission equipment, or the replacement of transmission equipment is allowed by right provided the modification of an existing tower or base station does not substantially change the physical dimensions of the tower or base station.
3. **Telecommunication Facility, Major.** Non-exempt major telecommunication facilities (see Chapter 17.E.02 (Definitions of Terms)) are permitted subject to Conditional Use Permit.
4. **Telecommunication Facility, Minor.** Non-exempt minor telecommunication facilities (see Chapter 17.E.02 (Definitions of Terms)) are permitted subject to a Minor Use Permit.

D. **Application Requirements and Review Process.** The following are the minimum criteria applicable to all telecommunication facilities. In the event that a project is subject to discretionary and/or environmental review, mitigation measures, more restrictive criteria than presented in this Section, other conditions of approval may also be necessary. All telecommunication facilities shall comply with:

1. **Application Requirements.**
 - a. **Filing.** An application for approval of a telecommunication facility shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Section.
 - b. **Responsibility.** It is the responsibility of the applicant to provide the necessary information in support of findings required for the approval of the telecommunication facility, including the findings required by this Section and Chapter 17.D.02 (Procedures).

2. **Expert Review.** The Director is explicitly authorized to hire on behalf of the City an independent technical expert to review any technical materials submitted including, but not limited to, those required under this Section and in those cases where a technical demonstration of feasibility or unavailability of alternatives is required. The applicant shall pay all the costs of the review, including any administrative costs incurred by the City. Any proprietary information disclosed to the City or the expert hired shall remain confidential and shall not be disclosed to any third party.
3. **Public Notice.** In addition to the public notice required in Subsection 17.D.02.040.F (Public Hearing Notice) the following special noticing requirements apply:
 - a. Notice of a public hearing on a Conditional Use Permit application as required in this Section shall be provided to the operators of all telecommunication facilities within one mile of the subject parcel by mailing the standard legal notice by first class mail.
 - b. Notice of any application for a telecommunication facility shall be mailed to all adjacent property owners within 300 feet. The notice shall include the date by which public comments regarding the application shall be submitted for consideration and the date of the scheduled public hearing or date that the Director shall make a determination on the application.
4. **Required Findings.**
 - a. *General findings.* In approving any telecommunication facility except for a colocation facility request or an eligible facilities request, the Review Authority shall make the following findings:
 - (i) The proposed use conforms with the specific purposes of this Section and any special standards applicable to the proposed facility;
 - (ii) The applicant has made good faith and reasonable efforts to locate the proposed facility on a support structure other than a new ground-mounted antenna or to accomplish colocation;
 - (iii) The proposed site results in fewer or less severe environmental impacts than any feasible alternative site; and
 - (iv) The proposed facility uses a stealth design.
 - b. *Additional findings for a major facility.* To approve a major telecommunication facility, the Review Authority shall find that a minor telecommunication facility is not feasible because of technical, aesthetic, or legal considerations including that the siting:
 - (i) Would have more significant adverse effects on views or other environmental considerations;
 - (ii) Is not permitted by the property owner;
 - (iii) Would impair the quality of service to the existing facility; or
 - (iv) Would require existing facilities at the same location to go off-line for a significant period of time.

- c. *Findings for colocation facilities requests.* The proposed colocation facility meets the requirements of Subsection 17.C.10.270.C.1 (Colocation Facilities).
 - d. *Findings for eligible facilities requests.*
 - (i) The proposed colocation or modification meets all of the applicable criteria for an eligible facilities request stated in 47 C.F.R. §1.6100(b)(3)-(9), or any successor provisions, after application of the definitions in 47 C.F.R. §1.6100(b). The Review Authority shall make an express finding for each criterion;
 - (ii) The proposed facility complies with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, except to the extent preempted by 47 C.F.R. §1.6100(b)(7)(i) through (iv), or any successor provisions; and
 - (iii) That the proposed facility will comply with all generally applicable laws.
 - e. *Additional findings for setback reductions.* Except for a colocation facility request or an eligible facilities request, to approve a reduction in setback, the Review Authority shall make one or more of the following findings:
 - (i) The facility will be colocated onto or clustered with an existing, legally established telecommunication facility; and/or
 - (ii) The reduced setback enables further mitigation of adverse visual and other environmental impacts than would otherwise be possible.
 - f. *Additional findings for any other exception to standards.* The Planning Commission may waive or modify requirements of this Section upon finding that strict compliance would result in noncompliance with applicable federal or state law. Requirements may be waived or modified only to the minimum extent required to avoid the noncompliance. An applicant seeking an exception must provide all supporting evidence for the exception request at the time of application submittal.
5. ***Conditional Use Permit Conditions of Approval.*** In addition to compliance with the requirements of this Section, all facilities shall be subject to all of the following conditions of approval, as well as any modification of these conditions or additional conditions of approval deemed necessary by the Review Authority:
- a. Facilities shall not deny access to, or otherwise interfere with, any public utility, easement, or right-of-way located on the site. The City shall be allowed reasonable access to, and maintenance of, all utilities and existing public improvements within or adjacent to the site, including, but not limited to, pavement, trees, public utilities, lighting, and public signage.
 - b. At all times, all required notices and signs shall be posted on the site as required by the FCC and CPUC, and as approved by the City. The location and dimensions of a sign bearing the emergency contact name and telephone number shall be posted pursuant to the approved plans.

- c. At all times, the permittee shall ensure that the facility complies with the most current regulatory and operational standards, including, but not limited to, radio frequency emissions standards adopted by the FCC.
 - d. The permittee and owner of any site on which a telecommunication facility is located shall cooperate and exercise good faith in colocating telecommunication facilities on the same support structures or site. Good faith shall include sharing technical information to evaluate the feasibility of colocation and may include negotiations for erection of a replacement support structure to accommodate colocation. A competitive conflict to colocation or financial burden caused by sharing information normally will not be considered as an excuse to the duty of good faith.
 - (i) No colocation may be required where it can be shown that the shared use would or does result in significant interference in the broadcast or reception capabilities of the existing telecommunication facilities or failure of the existing facilities to meet federal standards for emissions.
 - (ii) Failure to comply with colocation requirements when feasible or cooperate in good faith as provided for in this Section is grounds for denial of a permit request or revocation of an existing permit.
 - e. Within one month after construction of the wireless telecommunications facility, the permittee shall verify compliance with FCC radio frequency emissions standards. The verification shall be submitted to the Director. If at any time while the permit is in effect the Director determines there is good cause to believe that the facility may emit RF emissions that are likely to exceed FCC standards, the Director may require the permittee to submit a report described by this Section. Failure to comply with this Section shall be grounds for revocation of the Conditional Use Permit.
 - f. Within 60 days after the applicant commences full, unattended operations of the permitted facility, the applicant shall provide the Director with documentation that the permitted facility has been installed and/or constructed in compliance with the approved construction drawings and photo simulations and a technically sufficient written report by a qualified radio frequency emissions engineer certifying that the facility is in compliance with the radio frequency emissions guidelines or standards of the FCC.
6. ***Conditions of Approval for Colocation Facilities Requests.*** In addition to compliance with the requirements of this Section, all facilities shall be subject to each of the following conditions of approval, as well as any modification of these conditions or additional conditions of approval deemed necessary by the Review Authority:
- a. *Permit subject to conditions of underlying permit.* Any permit granted in response to an application qualifying as a colocation facility request shall be subject to the terms and conditions of the underlying permit.

- b. *No permit term extension.* The City's grant or grant by operation of law of a permit for a colocation facility will not extend the permit term for the permit for the underlying wireless telecommunication colocation facility or any other underlying regulatory approval, and its term shall be coterminous with the underlying permit or other regulatory approval for the subject wireless telecommunication colocation facility.
- 7. ***Eligible Facilities Requests Conditions of Approval.*** In addition to compliance with the requirements of this Section, all facilities shall be subject to each of the following conditions of approval, as well as any modification of these conditions or additional conditions of approval deemed necessary by the Review Authority:
 - a. *Permit subject to conditions of underlying permit.* Any permit granted in response to an application qualifying as an eligible facilities request shall be subject to the terms and conditions of the underlying permit.
 - b. *No permit term extension.* The City's grant or grant by operation of law of an eligible facilities request permit constitutes a federally mandated modification to the underlying permit or approval for the subject tower or base station. Notwithstanding any permit duration established in another permit condition, the City's grant or grant by operation of law of an eligible facilities request permit will not extend the permit term for the underlying permit or any other underlying regulatory approval, and its term shall be coterminous with the underlying permit or other regulatory approval for the subject tower or base station.
- 8. ***Life of Approvals.***
 - a. A Conditional Use Permit issued in accordance with to this Section authorizing establishment of a telecommunication facility must be renewed every 10 years through the approval process specified in Section 17.D.04.030 (Use Permits). The grounds for non-renewal shall be limited to a showing that one or more of the situations listed below exist:
 - (i) The use involved is no longer allowed in the applicable zone;
 - (ii) The facility fails to comply with the relevant requirements of this Section as they exist at the time of renewal and the permittee has failed to supply assurances acceptable to the Director that the facility will be brought into compliance within 120 days; and
 - (iii) The permittee has failed to comply with the conditions of approval imposed.
 - b. The grounds for appeal of issuance of a renewal shall be limited to a showing that one or more of the situations listed above does in fact exist or that the notice required under Subsection 17.C.10.270.D.3 was not provided.
- 9. ***Standard Agreement Required.***
 - a. The property owner(s) and the permittee shall enter into a performance and maintenance agreement with the City. The terms of the agreement shall:
 - (i) Ensure compliance with this Section and all applicable conditions of approval;

- (ii) Require the facility to be appropriately maintained;
 - (iii) Ensure new landscaping is installed and existing landscaping is maintained, preserved, and protected, as indicated on the approved plans; and
 - (iv) Require the property owners to defend, indemnify, and hold harmless the City.
 - b. The agreement shall be signed and notarized and submitted to the Department when located on private property. The agreement shall run with the property to ensure that future property owner(s) are aware of the requirement for ongoing maintenance of the existing and approved landscaping.
- E. **Design and Location Standards.** Telecommunication facilities shall be located, developed, and operated in compliance with all of the following standards and with applicable standards of the zone in which they are located.
 - 1. **Location and Siting.**
 - a. No new freestanding facility, including a tower, shall be located within 1,000 feet of another freestanding facility, unless mounting on an existing building or existing pole or tower is not feasible.
 - b. All wireless telecommunication facilities shall meet the building setback standards of the zone in which they are to be located unless findings for a setback reduction are made in accordance with Subsection 17.C.10.270.D.4.e (Additional Findings for Setback Reductions).
 - 2. **Support Structures.** Support structures for telecommunication facilities may be any of the following subject to owner approval:
 - a. An existing nonresidential building.
 - b. An existing structure other than a building, including, but not limited to, light poles, electric utility poles, water towers, smokestacks, billboards, lattice towers, and flag poles. This term includes an electric utility pole erected to replace an existing electric utility pole, if the replacement pole will serve both electric and wireless telecommunications functions, and if the replacement pole is substantially equivalent to the predecessor pole in placement, height, diameter, and profile.
 - c. An alternative tower structure such as a clock tower, steeple, functioning security light pole, functioning recreational light pole, or any similar alternative-design support structure that conceals or camouflages the telecommunication facility to achieve a stealth design. The term "functioning" as used in this subsection means the light pole serves a useful and appropriate lighting function as well as a wireless telecommunications function.
 - d. An existing publicly owned and operated tower exceeding the maximum height limit.
 - e. A single pole (monopole) sunk into the ground and/or attached to a foundation. Any new monopole shall be constructed to allow for colocation of at least one other similar communications provider.

3. ***Height Limitations.***

- a. *Freestanding wireless telecommunications facility.* A freestanding wireless telecommunications facility shall not exceed a height of 15 feet above the height limit of the zone in which it is located.
- b. *Building-mounted facilities.* Building-mounted telecommunication facilities shall not exceed a height of 15 feet above the height limit of the district or 15 feet above the existing height of a legally established building, whichever is lower, measured from the top of the facility to the highest point of attachment to the building.
- c. *Facilities mounted on structures.* Telecommunication facilities mounted on an existing structure shall not exceed the height of the existing structure unless camouflaged as part of the structure design, except that antennas may extend up to 15 feet above the height of an electric utility pole.
- d. *Facilities mounted on light poles.* A functioning security light pole or functioning recreational light pole shall have a height consistent with existing poles in the surrounding area or height usually allowed for the light poles.
- e. *Height determination.*
 - (i) The height of a telecommunication tower shall be measured from the natural undisturbed ground surface below the center of the base of the tower to the top of the tower itself or, if higher, to the tip of the highest antenna or piece of equipment attached to the tower.
 - (ii) In the case of building-mounted towers, the height of the tower includes the height of the portion of the building on which it is mounted and to the tip of the highest antenna or piece of equipment attached to the tower. In the case of “crank-up” or other similar towers whose height can be adjusted, the height of the tower shall be the maximum height to which it can be raised including any antenna or other equipment attached to the tower.

4. ***Design and Screening.*** All telecommunication facility structures and equipment shall be located, designed, and screened to blend with the existing natural or built surroundings, as well as any existing support structures, to reduce visual impacts.

- a. *Minimum functional height.* All free-standing wireless telecommunications facilities shall be designed to be the minimum functional height and width required to support the proposed antenna installation, unless it can be demonstrated that a higher facility will facilitate colocation.
- b. *Guy wires.* Guy wires shall only be used as a means of support for telecommunication facilities 20 feet or less in height.
- c. *Stealth design.* State of the art stealth design technology shall be utilized as appropriate to the site and type of facility. Telecommunication facilities that are mounted on buildings or structures shall be designed to match existing architectural features, incorporated in building design elements, camouflaged, or otherwise screened to achieve a stealth design in a manner that is compatible

with the architectural design of the building or structure. All finishes shall be non-reflective.

- d. *Equipment cabinets.* Equipment cabinets shall be located within the building upon which antennas are placed, if technically feasible. Otherwise, equipment cabinets and buildings, and associated equipment such as air conditioning units and emergency generators, shall be screened from view by a wall or landscaping, as approved by the City. Any wall shall be architecturally compatible with the building or immediate surrounding area.
- e. *Vegetation protection and facility screening.* All telecommunication facilities shall be installed in such a manner so as to maintain and enhance existing native vegetation and to install suitable landscaping to screen the facility where necessary. To this end the following measures shall be implemented:
 - (i) Existing trees and other vegetation in the vicinity of the facility and along the access roads and power/telecommunication line routes involved shall be protected from damage, both during the construction period and thereafter.
 - (ii) Where mature trees exist near the construction site, a tree protection plan shall be submitted with the Building Permit or improvement plan submittal. This plan shall be prepared by a certified arborist and include specific measures to protect trees during project construction.
 - (iii) No actions shall be taken subsequent to project completion to disturb, damage, or remove the existing vegetation present that would increase the visibility of the facility itself or the access road and power/telecommunication lines serving it.
- f. *Lighting.* Artificial lighting of a telecommunication facility, including its components, is prohibited, unless required by the Federal Aviation Administration. A motion-sensor light may be used for security purposes if the beam is directed downwards, shielded from adjacent properties, and kept off except when personnel are present at night.
- g. *Advertising.* No advertising shall be placed on telecommunication facilities, equipment cabinets, or associated structures.
- h. *Colocation of additional wireless facilities on an approved major telecommunications facility.*
 - (i) All facilities shall make available unused space for colocation of other telecommunication facilities, including space for these entities providing similar, competing services. Colocation is not required if the host facility can demonstrate that the addition of the new service or facilities would impair existing service or cause the host to go offline for a significant period of time. In the event a dispute arises as to whether a permittee has exercised good faith in accommodating other users, the Director may require the applicant to obtain a third-party technical study at applicant's expense. The Director may review any information submitted by applicant and permittee(s) in determining whether good faith has been exercised.

- (ii) All colocated and multiple-user telecommunication facilities shall be designed to promote facility and site sharing. Telecommunication towers and necessary appurtenances, including but not limited to, parking areas, access roads, utilities, and equipment buildings, shall be shared by site users whenever possible.
- 5. **Security Features.** All facilities shall be designed to minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions that would result in hazardous conditions, visual blight, or attractive nuisances.
 - a. *Fencing.* Security fencing, if any, shall not exceed the fence height limit of the base zone. Fencing shall be effectively screened from view through the use of landscaping. No chain link fences shall be visible from public view.
 - b. *Maintenance.* The permittee shall be responsible for maintaining the site and facilities free from graffiti.
- 6. **Roads and Parking.** All telecommunication facilities shall be served by the minimum roads and parking areas necessary. To this end, existing roads shall be used for access whenever possible, and be upgraded the minimum amount necessary to meet standards specified by the Fire Chief and City Engineer.
- 7. **Radio Frequency Emissions Standards, Interference, and Noise.**
 - a. *Radio frequency.* Telecommunication facilities shall comply with federal standards for radio frequency emissions and interference. Failure to meet federal standards may result in termination or modification of the permit.
 - b. *Interference.* Telecommunications facilities shall not interfere with public safety radio communications.
 - c. *Noise.* Telecommunication facilities and any related equipment, including backup generators and air conditioning units, shall not generate continuous noise in excess of 40 decibels (dBa) measured at the property line of any adjacent residential property, and shall not generate continuous noise in excess of 50 dBa during the hours of 7:00 a.m. to 10:00 p.m. and 40 dBa during the hours of 10:00 p.m. to 7:00 a.m. measured at the property line of any nonresidential adjacent property. Backup generators shall only be operated during power outages and for testing and maintenance purposes. Testing and maintenance shall only take place on weekdays between the hours of 8:00 a.m. and 5:00 p.m.
- 8. **Fire Prevention.** All telecommunication facilities shall be designed and operated in a manner that will minimize the risk of igniting a fire or intensifying one that otherwise occurs.
 - a. At least one-hour fire resistant interior surfaces shall be used in the construction of all buildings.
 - b. The exterior walls and roof covering of all above-ground equipment shelters and cabinets shall be constructed of materials rated as non-flammable in the Building Code.
 - c. Monitored automatic fire extinguishing systems shall be installed in all equipment buildings and enclosures.

- d. Openings in all above-ground equipment shelters and cabinets shall be protected against penetration by fire and wind-blown embers to the extent feasible.

F. **Vacation and Removal of Facilities.** The service provider shall notify the Director of the intent to vacate a site at least 30 days prior to the vacation. The operator of a telecommunications facility shall remove all unused or abandoned equipment, antennas, poles, or towers within 60 days of discontinuation of the use and the site shall be restored to its original, pre-construction condition.

Chapter 17.C.12 Affordable Housing Incentives and Density Bonus Provisions

Sections:

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17.C.12.010 Purpose

The purpose of this Chapter is to provide incentives for the production of housing for very low income, lower income, moderate income, and senior households in accordance with California Government Code §65915 through 65918 (i.e., state density bonus law). In enacting this Chapter, it is the intent of the City to facilitate the development of affordable housing and to implement the goals, objectives and policies of the Housing Element of the City's General Plan.

17.C.12.020 Definitions

All terms used in this Chapter, shall have the meanings established by this Development Code or as superseded by state density bonus law.

17.C.12.030 Implementation

The City shall grant a density bonus and/or incentives or concessions, waivers or reductions of development standards, and/or parking ratios as described in state density bonus law to a qualifying project in compliance with state density bonus law. The provisions of this Chapter shall be administered by the Department consistent with Division 17.A (General) and Division 17.D (Administration and Procedures).

17.C.12.040 Types of Incentives Allowed

- A. **Types of Incentives.** If requested by the applicant, a qualifying project shall be entitled to at least one of the following incentives, unless the City makes the findings required by California Government Code §65915(d)(1):

1. A reduction in site development standards or a modification of the requirements of this Title, which exceed the minimum building standards provided in California Health and Safety Code §18901 through 18949.31 (i.e., State Building Standards). These may include, but are not limited to, one or more of the following:
 - a. Reduced minimum lot sizes and/or dimensions.
 - b. Reduced minimum setbacks.
 - c. Reduced minimum common and/or private outdoor open space.
 - d. Increased maximum lot coverage.
 - e. Increased maximum building height.
 - f. Reduced on-site parking standards.
 - g. Reduced minimum building separation requirements.
 - h. Other site or zoning requirements applicable to a residential development.
 2. Mixed use zoning to allow the project to include nonresidential uses and/or allow residential uses within a nonresidential zone. Approval of mixed use activities in conjunction with the housing development is allowed if other land uses will reduce the cost of the housing development and is consistent with the General Plan.
 3. Another regulatory incentive or concession proposed by the applicant and agreed to by the City, that results in identifiable, financially sufficient, and actual cost reductions. Permissible incentives include direct financial aid (e.g., redevelopment set-aside, Community Development Block Grant funding) in the form of a loan or a grant to subsidize or provide low interest financing for on or off-site improvements, land, or construction costs.
 4. A density bonus of more than that allowed under state density bonus law.
 5. Waived, reduced or deferred plan check, construction permit and/or development impact fees (e.g., capital facilities, park, traffic, etc.).
- B. **Additional Incentives.** The approval of an additional incentive or incentives above that required by state density bonus law shall be determined on a case-by-case basis by the Review Authority.

17.C.12.050 Requirements

- A. **Density Bonus Agreement.** The execution of the density bonus housing agreement shall be a condition of any application for a housing development proposed in accordance with this Chapter; see Section 17.C.12.080 (Density Housing Bonus Agreement). The agreement shall be recorded at the applicant's cost as a restriction running with the land on the lot or lots on which the target units will be constructed.
- A. **Affordability Period.** Target units shall remain restricted and affordable to the designated group for a period of 55 years (or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program), or otherwise as provided by law.
- B. **Moderate Income For-Sale Units.** An applicant shall agree that the initial occupants of the moderate-income units in the condominium project or in the planned development are persons

and families of moderate income, as defined in California Health and Safety Code §50093. Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The City shall recapture its proportionate share of appreciation, which shall then be used within three years for any of the purposes described in California Health and Safety Code §33334.2(e), that promote homeownership. For purposes of this Subsection, the City's proportionate share of appreciation shall be equal to the percentage by which the initial sale price to the moderate-income household was less than the fair market value of the home at the time of initial sale.

- C. **Certificate of Compliance.** The owner shall submit annually, and within 30 days of occupancy of a target rental unit, a certificate of compliance, which shall include the name, address, and income of each tenant occupying the target unit.
- D. **Tenant Income Statements and Tax Returns.** The owner shall maintain and keep on file annual sworn and notarized income statements and current tax returns for all tenants occupying the target rental units.
- E. **Provide Additional Information.** The owner shall provide to the City any additional information required by the City to ensure the long-term affordability of the target units by eligible households.
- F. **Right to Inspection.** The City shall have the right to inspect the owner's project-related records at any reasonable time and shall be entitled to audit the owner's records once a year.
- G. **Owner Occupancy.** All for-sale target units shall be occupied by their purchasers; no renting or subleasing shall be permitted.

17.C.12.060 Development Standards

- A. **Concurrent Construction.** Target units shall be constructed concurrently with non-restricted units unless both the City and the applicant agree within the density bonus housing agreement to an alternative schedule for development.
- B. **Distribution of Units.** Target units shall be built on-site wherever possible and when practical, be dispersed within the housing development. Where feasible, the number of bedrooms of the target units shall be equivalent to the bedroom mix of the non-target units of the housing development, except that the developer may include a higher proportion of target units with more bedrooms. All housing developments shall comply with all applicable development standards, except those standards, which may be modified as provided by this Chapter. Deviations from these provisions may only be permitted as part of an approved density bonus housing agreement.
- C. **Alternative Development Site.** Circumstances may arise in which the public interest would be served by allowing some or all of the target units associated with one housing development to be produced and operated at an alternative development site. Where the applicant and the City form an agreement, the resulting linked developments shall be considered a single housing development for purposes of this Chapter. Under these circumstances, the applicant shall be subject to the same requirements of this Chapter for the target units to be provided on the alternative site.

- D. **Vehicle Parking Ratios.** Upon request of the developer of a housing development qualifying for a density bonus in accordance with this Chapter, the City shall not require vehicle parking ratios, inclusive of handicapped and guest parking, that exceed California Government Code §65915(p).

17.C.12.070 Processing of Density Bonus Requests

An application for a density bonus housing agreement in accordance with this Chapter shall be processed as part of the application for a housing development. An applicant proposing a housing development in accordance with this Chapter shall submit an application for a density bonus housing agreement as part of the submittal of any formal request for approval of a housing development. The application, whether a pre-application or a formal application, shall be provided on the City's application form and include a brief description of the proposed housing development, including the total number of units, target units, density bonus units proposed, and any incentives or waivers being requested.

17.C.12.080 Density Bonus Housing Agreement

- A. **Agreement Required.** A legally binding agreement between a developer of a housing development and the City, which ensures that the requirements of this Chapter and state density bonus law are satisfied, shall be executed. This density bonus housing agreement (agreement) shall be reviewed and approved by the Director and the City Attorney who shall formulate a recommendation to the review authority for approval.
- B. **Recordation.** Following execution of the agreement by the applicant and the City, the completed agreement (or memorandum thereof) shall be recorded. The conditions contained in the agreement shall be filed and recorded on the lot or lots designated for the construction of target units as a condition of final map approval, or, where a map is not being processed, prior to issuance of building permits for such lots or units. The agreement shall be binding upon all future owners and successors in interest for this property, which is the subject of the housing development application.
- C. **Agreement Contents.** At a minimum, the agreement shall include the following:
1. The total number of units proposed within the housing development, including the number of target units;
 2. A description of the household income group to be accommodated by the housing development, and the standards for determining the corresponding affordable rent or affordable sales price and housing cost;
 3. The location, unit sizes (square feet), and number of bedrooms of target units;
 4. Tenure of use restrictions for target units;
 5. A schedule for completion and occupancy of target units;
 6. A description of any additional incentive being provided by the City;
 7. A description of remedies for breach of the agreement by either party (the City may identify tenants or qualified purchasers as third-party beneficiaries under the agreement); and

8. Other provisions to ensure implementation and compliance with this Chapter and state density bonus law.
- D. **Sale Conditions.** In the case of for-sale housing developments, the agreement shall provide for the following conditions governing the initial sale and use of target units during the applicable use restriction period:
1. Target units shall, upon initial sale, be sold to and occupied by eligible very low, lower income, or, in the case of a condominium or planned development, moderate income households at an affordable sales price and housing cost, or to qualified senior citizen residents (i.e., maintained as senior citizen housing).
 2. The initial purchaser of each target unit shall execute an instrument or agreement, approved by the City Attorney, restricting the sale of the target unit in accordance with this Chapter and state density bonus law during the applicable use restriction period. Such instrument or agreement shall be recorded against the lot containing the target unit and shall contain provisions as the City may require to ensure continued compliance with this Chapter and the state density bonus law.
- E. **Rental Conditions.** In the case of rental housing developments, the agreement shall provide for the following conditions governing the use of target units during the use restriction period:
1. The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies and the proper management and maintenance of target units for qualified tenants;
 2. Provisions requiring owners to verify tenant incomes and maintain books and records to demonstrate compliance with this Chapter; and
 3. Provisions requiring owners to submit an annual report to the City, which includes the name, address and income of each person occupying target units, and which identifies the bedroom size and monthly rent or cost of each target unit.

17.C.12.090 Changes in State Density Bonus Laws

It is the intent of the Council that the provisions of this Chapter shall be interpreted so as to fulfill the requirements of California Government Code §65915 et seq., notwithstanding changes in state laws revising percentages, numerical thresholds and/or other standards applicable to the granting of density bonuses or related incentives that may occur after the effective date of this Chapter. Accordingly, it is the further intent of the Council that any such changed percentages, numerical thresholds or other standards shall be deemed to supersede and govern any conflicting percentages, numerical thresholds or other standards contained in this Chapter, to the maximum extent permitted by law.

Chapter 17.C.14 No Net Loss Program

Sections:

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17.C.14.010 Purpose and Authority

- A. On October 9, 2019, the California Legislature adopted Senate Bill 330 (SB 330) which, among other things, adopted California Government Code §66300, declared a housing crisis in the State of California and imposed certain requirements designed to streamline the construction of new housing, and prevent the loss of existing housing and land available for future residential use, unless replaced in other areas of the affected jurisdiction to ensure no net loss in residential capacity. SB 330 became effective on January 1, 2020.
- B. The City desires to ensure its compliance with SB 330 and establish a no Net Loss Program for certain residential projects. This Chapter provides, concurrent with the approval of any change in zone from a residential use to a less intensive or nonresidential use, a density bonus will become available to project applicants subsequently seeking to develop property for residential use within the City. In doing so, the City will ensure that there is no net loss of residential capacity within the City as required by SB 330.

17.C.14.020 Requirements

The City shall grant a density bonus through the No Net Loss Program to projects which meet the criteria in this Section.

- A. **Lot Size.** The project is on a lot of at least one acre, or the applicant is processing an application concurrently with a parcel merger of two or more lots which will create a lot of not less than one acre.
- B. **Zones.** The project takes place in one of the following zones:
 - 1. Residential Traditional Neighborhood (R-TN);
 - 2. Residential Multiple-Family (R-MF);
 - 3. Downtown Residential Multi-Family (DMF);
 - 4. Sixth Street Mixed Use Residential (SSMU-R);
 - 5. Transit Oriented Development (TOD) Overlay; or
 - 6. Downtown Residential Traditional Neighborhood (D-RTN) Overlay.

- C. **Housing Development.** The project requesting the density bonus must be a housing development, consisting of five or more residential units or lots, including single-family, multi-family, or residential mixed-use projects.
- D. **No Net Loss Program Density Bonus Allowed.** The following shall be used to determine the number of No Net Loss Program density bonus units to be granted in accordance with this Chapter:
 - 1. In the R-TN Zone or D-RTN Overlay the total number of dwelling units allowed under this program shall be calculated by multiplying the maximum density allowed under the applicable zone and multiplying the result by 1.1 for a 10 percent density bonus.
 - 2. In the R-MF, DMF, SSMU-R, or TOD Overlay zones, the total number of dwelling units allowed under this program shall be calculated by multiplying the maximum density allowed under the applicable zone and multiplying the result by 1.2, for a 20 percent density bonus.
 - 3. Density bonuses in the No Net Loss Program can be combined with other density bonus programs as established in Chapter 17.C.12 (Affordable Housing Incentives and Density Bonus Provisions) or with a program in the Housing Element.
 - 4. In no case shall the number of density bonus units awarded under the No Net Loss Program exceed the number of units in the No Net Loss Unit Bank.
 - 5. No density bonus shall be granted for any nonresidential portion of a residential mixed-use project.
- E. **Agreement Required.** A density bonus agreement shall be required for any project seeking a density bonus as part of the No Net Loss Program.

17.C.14.030 Development Standards

All development standards for the base zone and/or overlay shall be met. Granting of a density bonus does not constitute approval of or grounds for modification or waiver of any development standard or other requirement of this Title. Any variance or modification to standards requested shall be reviewed and processed based on the required findings for those applications regardless of the No Net Loss Program density bonus request.

17.C.14.040 Processing of No Net Loss Program Density Bonus Requests

- A. **Application.** Any application required by this Title shall be submitted for a project that includes a No Net Loss Program density bonus. The application shall be filed consistent with Division 17.D (Administration and Procedures). The application, whether a pre-application or a formal application, shall be provided on the City's application form and include a description of the proposed housing development, including the total number of units and total number of No Net Loss Program density bonus units proposed.
- B. **Processing.**
 - 1. The application shall be processed as part of the application for the housing development consistent with Division 17.D (Administration and Procedures).

2. Within 90 days of receipt of the application for a No Net Loss Program the City shall provide a letter to the applicant, which identifies whether the requested density bonus units are available in the No Net Loss Program Unit Bank, project issues of concern, and the procedures for compliance with this Chapter.
3. The Director shall have the sole authority to administer and maintain the No Net Loss Program Unit Bank balances, credits, and availability.

17.C.14.050 No Net Loss Program Density Bonus Agreement

- A. **Agreement Required.** A legally binding agreement between an applicant and the City, which ensures that the requirements of this Chapter are satisfied, shall be executed. This density bonus housing agreement (agreement) shall be reviewed and approved by the Director and the City Attorney who shall formulate a recommendation to the Review Authority for approval.
- B. **Recorded Agreement.** Following execution of the agreement by the applicant and the City, the completed agreement (or memorandum thereof) shall be recorded. The conditions contained in the agreement shall be filed and recorded on the lot or lots designated for the construction of the housing development as a condition of final map approval, or, where a map is not being processed, prior to issuance of building permits for such lots or units. The agreement shall be binding upon all future owners and successors in interest for this property, which is the subject of the housing development application.
- C. **Combined Agreement.** If the housing development is receiving additional density bonus or incentives, the agreements required by this Chapter and Chapter 17.C.12 (Affordable Housing Incentives and Density Bonus Provisions) may be combined.
- D. **Agreement Contents.** At a minimum, the agreement shall include the following:
 1. The total number of units proposed within the housing development;
 2. A schedule for completion and occupancy of the units;
 3. A description of any additional incentive being provided by the City under Chapter 17.C.12 (Affordable Housing Incentives and Density Bonus Provisions) or the Housing Element;
 4. A description of remedies for breach of the agreement by either party; and
 5. Any other provisions to ensure implementation and compliance with this Chapter and other density bonus provisions established in Chapter 17.C.12 (Affordable Housing Incentives and Density Bonus Provisions) or the Housing Element, as applicable.

Chapter 17.C.16 Nonconforming Buildings, Uses, and Lots

Sections:

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17.C.16.060	Nonconforming Lots	17.C-179
17.C.16.070	Nonconformity with Other Development Standards	17.C-179

17.C.16.010 Purpose

This Chapter establishes uniform provisions for the regulation of legal nonconforming structures, and lots. Within the zones established by Title, there exist structures, land uses, and lots that were lawful prior to the adoption, or amendment of this Title, but which would be prohibited, or regulated or restricted differently under the terms of this Title or future amendments. This Chapter intends to discourage the long-term continuance of these nonconformities and allow them to exist under limited conditions.

17.C.16.020 Applicability

This Chapter applies to all zones and to any building, use, or lot that is nonconforming.

17.C.16.030 Continuance and Maintenance

- A. Any nonconforming use or building or structure may be continued, used, and maintained in compliance with this Chapter.
- B. Any nonconforming lot may be used, developed, and maintained in compliance with this Chapter.
- C. A nonconforming use, building, structure, and/or lot may be transferred or sold, provided that no such use or structure shall be enlarged or altered except as otherwise provided in this Chapter.

17.C.16.040 Nonconforming Buildings or Structures

- A. **Maintenance and Repair.**
 - 1. ***Maintenance and Repair Generally Allowed.*** A nonconforming structure may undergo normal maintenance and repairs, provided no structural alterations are made, except those made in compliance with Subsection 17.C.16.040.A.3 (Seismic Retrofitting or Energy Efficiency Upgrades).
 - 2. ***Maximum Repair Value Limit.*** Unless conducted for seismic retrofitting or energy efficiency upgrades in compliance with Subsection 17.C.16.040.A.3 (Seismic Retrofitting or Energy Efficiency Upgrades) below, all maintenance and repair work must not exceed

15 percent of the appraised value of the structure as shown in the Riverside County Assessor's records in any one-year period, unless the Planning Commission allows more extensive work through Major Plot Plan approval after finding that the additional work will not prolong the duration of a nonconforming use.

3. ***Seismic Retrofitting or Energy Efficiency Upgrades.***

- a. Reconstruction required to reinforce un-reinforced masonry structures is allowed without cost limitations, provided the retrofitting is limited exclusively to compliance with earthquake safety standards.
- b. Improvements may be made to a nonconforming building or structure related to improving the energy efficiency, reducing the energy usage, and reducing the greenhouse gas emissions impact of the building or structure without cost limitations.

B. **Additions to and Enlargements.**

1. ***25 Percent or Less of Existing Floor Area.***

- a. *Floor Area Limitation.* An enlargement, extension, reconstruction, or structural alteration of a nonconforming structure that does not exceed 25 percent of the existing total floor area, excluding garages, may be allowed if the additions or improvements conform to all other applicable provisions of this Title and the exterior limits of the new construction do not increase the degree of nonconformity to height or setback standards.
- b. *Residential Zone.* If the nonconforming structure is in a residential zone, the applicant shall provide a certified notification letter to any applicable homeowner association and all adjoining property owners at least 14 days in advance of approval of a Minor Plot Plan.
- c. Subsection 17.C.16.040.B.1.a (Floor Area Limitation) can only be used once per structure. Any additional changes to a structure which exceeds 25 percent of the existing total floor area identified in Subsection 17.C.16.040.B.1.a (Floor Area Limitation) requires approval of a Major Plot Plan in compliance with Subsection 17.C.16.040.B.2 (More than 25 Percent of Existing Floor Area) below.

2. ***More than 25 Percent of Existing Floor Area.***

- a. *Floor Area Limitation.* An enlargement, extension, reconstruction or structural alteration of a nonconforming structure that exceeds 25 percent of the existing total floor area, excluding garages, may be allowed by Major Plot Plan if the additions or improvements conform to all other applicable provisions of this Title and the exterior limits of the new construction do not increase the degree of nonconformity to height or setback standards.
- b. The applicant shall provide a certified notification letter to any applicable homeowner association at least 10 days in advance of the public hearing.

- C. **Restoration of Damaged Buildings and Structures.** A nonconforming building or structure which is involuntarily damaged by fire, flood, wind, earthquake, or other calamity or act of God or the public enemy, may be reconstructed, restored, or rebuilt subject to approval of a Minor Plot Plan, and in compliance with the following conditions:
1. The involuntarily damage or partial destruction is not more than 75 percent of the nonconforming building or structure's market appraised value immediately prior to the damage;
 2. The building permit for reconstruction, restoration, and rebuilding is issued within one year of the damage;
 3. Reconstruction, restoration, and rebuilding is diligently pursued to completion;
 4. Reconstruction, restoration, and rebuilding is found to not be detrimental to public health or safety by the Director;
 5. The reconstructed building must have no greater floor area than the one destroyed; and
 6. The exterior limits of the new construction must not increase the degree of nonconformity to height or setback standards relative to the building or structure that was damaged.
- D. **Duplex and Multi-Family Dwellings.** If a duplex or multi-family dwelling is involuntarily damaged, the City may only prohibit the reconstruction of the duplex or multi-family dwelling if the findings required by Government Code §65852.25 are made.

17.C.16.050 Nonconforming Uses

- A. **Continuation of Nonconforming Use.** A legal nonconforming use may be continued absent a loss of nonconforming status as identified in Subsection 17.C.16.050.C.
- B. **Expansion or Change of Nonconforming Use.**
1. ***Expansion of Nonconforming Use.*** A nonconforming use of a portion of a structure may be expanded subject to approval of a Conditional Use Permit; however, the Director may approve an expansion of up to 25 percent of the gross floor area if the expansion brings the nonconforming use into more conformity with this Title or if the Director finds that the expansion provides a public safety benefit (e.g., safer traffic flow).
 2. ***Change of Use to a Different Nonconforming Use.*** A nonconforming use may be changed to a nonconforming use of the same or a more restrictive nature subject to approval of a Conditional Use Permit.
- C. **Loss of Nonconforming Status.** If a legal nonconforming use is discontinued for a continuous period of six months, it may only be replaced with a conforming use.
- D. **Additional Uses Prohibited.** No additional uses shall be established on the site unless the nonconforming use is first discontinued. Any new use must comply with all applicable provisions of this Title.
- E. **Public Nuisance.** If a legal nonconforming use becomes a public nuisance, it loses its legal nonconforming status.

17.C.16.060 Nonconforming Lots

- A. **Legal Building Site.** A nonconforming lot of record that does not comply with the applicable lot requirements for the zone (e.g., access, lot area, or lot width, etc.) in which it is located is considered a legal building site if it meets at least one of the criteria specified by this Section. It is the responsibility of the applicant to produce sufficient evidence to establish the applicability of one or more of the following:
1. **Approved Subdivision.** The lot was created through a subdivision approved by the County of Riverside or the City.
 2. **Individual Lot Legally Created by Deed.** The lot is under one ownership and of record and was legally created by a recorded deed prior to the effective date of the zoning amendment that made the lot nonconforming.
 3. **Variance or Lot Line Adjustment.** The lot was approved through the Variance or resulted from a Lot Line Adjustment.
 4. **Partial Government Acquisition.** The lot was created in conformity with the provisions of this Title, but was made nonconforming when a portion of the lot was acquired by a governmental entity so that the lot size is decreased not more than 20 percent and the setback facing any road was decreased not more than 50 percent.
- B. **Subdivision or Adjustment of a Nonconforming Lot.** No subdivision or lot line adjustment shall be approved that would increase the nonconformity of an existing nonconforming lot.

17.C.16.070 Nonconformity with Other Development Standards

- A. **Nonconforming Parking.** An existing use of land or existing structure, where parking for said use or structure was conforming at the time of establishment or modification, shall not be deemed to be nonconforming solely because of the lack of parking facilities prescribed in Chapter 17.C.06 (Parking Requirements), but rather shall retain conforming status for as long as the use or structure remains unmodified.
- B. **Nonconforming Landscaping.** An existing use of land or existing structure, where landscaping or screening for said use or structure was conforming at the time of establishment or modification, shall not be deemed to be nonconforming solely because of the lack of landscaping and screening prescribed in Chapter 17.C.04 (Landscaping Standards), but rather shall retain conforming status for as long as the use or structure remains unmodified.
- C. **Nonconforming Lighting.** Nonconforming lighting is subject to Beaumont Municipal Code Chapter 8.50 (Outdoor Lighting).
- D. **Nonconforming Signs.** This Chapter does not regulate nonconforming signs, which are instead subject to the requirements of Section 17.C.08.130 (Nonconforming Signs).

City of Beaumont

Division D: Administration and Procedures

Public Review Draft

Lisa Wise Consulting, Inc.

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Chapter 17.D.02 Procedures

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17.D.02.010 Purpose

The purpose of this Chapter is to identify the assignment of authority and review procedures for zoning decisions related to land use and development applications as defined in this Title.

17.D.02.020 Authorities and Administration

Review Authorities are authorized to administer this Title as follows.

A. Director.

1. The Director shall have the duties assigned by Beaumont Municipal Code Section 2.24.080 (Community Development Department) and by this Title as may be required to fulfill the purposes of this Title. These duties shall be in addition to those contained in California Government Code §65900 et seq.
2. The authority and responsibilities of the Director shall also include, but are not limited to the following:
 - a. Authority to hear and decide:
 - (i) Applications identified in Table 17.D.02.030-A (Review Authorities);
 - (ii) Environmental determinations on any approval that is subject to environmental review under the California Environmental Quality Act and where the final approval for the project is made by the Director; and
 - (iii) Determinations of similar use as specified in Section 17.A.04.020.G (Determination of Similar Use).
 - b. Authority to review and make recommendations to the Planning Commission on:
 - (i) Applications identified in Table 17.D.02.030-A (Review Authorities); and
 - (ii) Environmental determinations on any approval that is subject to environmental review under the California Environmental Quality Act and where the final approval is made by the Planning Commission.

B. Planning Commission.

1. The Planning Commission is established by Beaumont Municipal Code Chapter 2.24 (Planning Commission and Community Development Department) with duties and powers outlined in Beaumont Municipal Code Section 2.24.060 (Duties).

2. The authority and responsibilities of the Planning Commission shall also include, but are not limited to the following:
 - a. Authority to hear and decide:
 - (i) Applications identified in Table 17.D.02.030-A (Review Authorities); and
 - (ii) Environmental determinations on any approval that is subject to environmental review and that requires a public review period under the California Environmental Quality Act (i.e., environmental impact report or negative declaration), except when the Council is the Review Authority for the application in accordance with Subsection 17.D.02.020.C below.
 - b. Authority to review and make recommendations to the Council on:
 - (i) Applications identified in Table 17.D.02.030-A (Review Authorities); and
 - (ii) Environmental determinations on any approval that is subject to environmental review under the California Environmental Quality Act and where the final approval is made by the Council; and
 - c. Authority to hear an appeal from any determination made by the Director in the administration or enforcement of this Title (also see Table 17.D.02.030-A (Review Authorities) and Subsection 17.D.02.040.O (Appeals)).
 - d. Other powers and responsibilities assigned by this Title or directed by the Council.
- C. **Council.** The Council has final review of matters relating to planning and zoning, subject to delegation of this authority as provided in this Title. These duties shall be in addition to those contained in California Government Code §65900 et seq.

17.D.02.030 Summary of Review Authorities for Decision and Approval

Table 17.D.02.030-A (Review Authorities) identifies the types of applications authorized by this Title and the Review Authority responsible for recommending and making decisions on each type of application.

Table 17.D.02.030-A: Review Authorities ¹				
Type of Action	Chapter/Section	Recommending Authority	Review Authority	Appeal Authority
Plot Plans				
Major Plot Plan	Subsection 17.D.04.020 (Plot Plans)	Director	Planning Commission	Council
Minor Plot Plan		Planning Staff	Director	Planning Commission
Use Permits				
Conditional Use Permit (CUP)	Section 17.D.04.030 (Use Permits)	Director	Planning Commission	Council
Minor Conditional Use Permit (MUP)		Planning Staff	Director	Planning Commission

Table 17.D.02.030-A: Review Authorities ¹

Type of Action	Chapter/Section	Recommending Authority	Review Authority	Appeal Authority
Temporary Use Permit (TUP)	Section 17.D.04.040 (Temporary Use Permits)	Planning Staff	Director	Planning Commission
Minor Modifications and Variances				
Minor Modification	Section 17.D.04.050 (Minor Modifications)	Planning Staff	Director	Planning Commission
Variance	Section 17.D.04.060 (Variances)	Director	Planning Commission	Council
Sign Permits				
Major Sign Permit	Section 17.D.04.070 (Sign Permits)	Director	Planning Commission	Council
Minor Sign Permit		Planning Staff	Director	Planning Commission
Sign Program	Section 17.D.04.080 (Sign Programs)	Director	Planning Commission	Council
Other				
Home Occupation	Section 17.D.04.090 (Home Occupation Permits)	Planning Staff	Director	Planning Commission
Certificate of Appropriateness	Section 17.D.04.100 (Certificates of Appropriateness)	Planning Staff	Director or Planning Commission ²	Planning Commission or Council
Reasonable Accommodation	Chapter 15.26 (Reasonable Accommodations)			
Amendments and Legislative Decisions				
Zoning Amendment	Chapter 17.D.06 (Zoning Code and Zoning Map Amendments)	Director and Planning Commission	Council	n/a
General Plan Amendment	Chapter 17.D.08 (General Plan Amendments)	Director and Planning Commission	Council	n/a
Specific Plan	Chapter 17.D.10 (Specific Plans)	Director and Planning Commission	Council	n/a
Development Agreement	Chapter 17.D.12 (Development Agreements)	Director and Planning Commission	Council	n/a

Table Notes:

¹ For projects that require multiple applications, see Subsection 17.D.02.040.B.3 (Multiple Applications).

² See Subsection 17.D.04.100.D (Authority) for when the Director or the Planning Commission is the decision-making body.

17.D.02.040 Common Procedures

- A. **Purpose.** The purpose of this Section is to establish common procedures and requirements for the preparation, filing, and processing of development applications required by this Title. These common procedures and the development review processes established in this Division 17.D (Administration and Procedures) are intended to provide a consistent and efficient method for the City to implement the General Plan and other adopted goals, policies, and standards. For procedures specific to individual permit types, refer to Chapter 17.D.04 (Permits and Approvals).
- B. **Application Process and Fees.**
1. **Applicant.** Only the following persons or entities may apply for a permit or other approval:
 - a. The owner of the property;
 - b. An authorized agent or representative of the owner;
 - c. A person acting in accordance with a purchase contract or exclusive option to purchase the property; or
 - d. The Director on behalf of the Council.
 2. **Applications.**
 - a. The Director shall specify the form and content of all applications for permits or approvals required by this Title.
 - b. Applications for development approvals and amendments shall be submitted to the Director on a prescribed City application form and shall include all the information that is necessary for review of the application, such as plans, elevations, facts, and information deemed by the Director to be necessary to show details of the proposed use or development as specified in the application checklist attached to the application form.
 - c. Applications shall be accompanied by applicable fees, deposits, and other materials required by this Title and Department handouts.
 - d. Applications shall include the property owner's written authorization for any permit, permit amendment, permit extension, or other approval required by this Title.
 - e. The Director may require the submission of supplemental materials and information as part of an application submittal, including statements, photographs, plans, drawings, renderings, models, material samples, special studies, Preliminary Water Quality Management Plan, Preliminary Hydrology Report, Conceptual Grading Plan, and other information necessary to describe existing conditions and the proposed project, and to determine the level of environmental review in accordance with Subsection 17.D.02.040.E (Environmental Review).
 - f. The Director may waive the submission of specific material or information upon a finding that it is not needed to reach a decision on the application.

- g. It is the responsibility of the applicant to provide the necessary information in support of the findings required for approval as identified in Chapter 17.D.04 (Permits and Approvals).
3. **Multiple Applications.** A project that includes more than one application may be combined and processed concurrently provided all applicable processing requirements are satisfied. The purpose for allowing concurrent review is to consolidate final action on the project with the highest Review Authority responsible for making a decision on the applications for a project. The following provisions apply to concurrently processed applications:
- a. If a project requires more than one discretionary permit or other approval, all permits or other approvals shall be processed concurrently.
 - b. When an application requiring a public hearing is combined with an application that does not require a public hearing, the combined applications shall require a public hearing.
 - c. When more than one discretionary permit or other approval is required and the Review Authority is both the Planning Commission and Council, the final action on all discretionary permits or other approvals shall be taken by the Council. In these cases, the Planning Commission's actions shall consist of a recommendation to the Council.
 - d. When the Planning Commission is the highest Review Authority for a project, the review by the Director shall be in the form of a recommendation to the Planning Commission.
 - e. When a subdivision is proposed, the provisions of Beaumont Municipal Code Title 16 (Subdivisions) and this Title shall apply. Review Authorities may combine in a single action or review the approvals as required by this Title; the single approval shall have the same effect as though each action were taken individually, provided each separate approval required is appropriately entered in the record.
4. **Withdrawn and Denied Applications.**
- a. *Withdrawn applications.* An application may be withdrawn by the applicant prior to the opening of the public hearing or thereafter with the consent of the Review Authority. A request to withdraw an application must be submitted by the applicant in writing. Withdrawal of an application shall terminate all further action on the application.
 - b. *Effect of withdrawn or denied applications.* Where an application has been withdrawn by the applicant or denied by the Review Authority, an application for the same or substantially similar project may not be filed within one year from the date of withdrawal, unless the Director finds that the conditions surrounding the application have sufficiently changed to warrant a new application. Any subsequent application shall be considered a new application and will be processed accordingly.

5. **Fees.** A schedule of fees shall be maintained by the Director and made available to the public. All applications required by this Title shall be accompanied by the required fees set by resolution of the Council. Applications shall not be accepted without payment of all required fees.

C. **Pre-Application Review.**

1. **Pre-Application Review.**

- a. A Pre-Application Review is an optional process that occurs prior to the submittal of any new development application.
 - b. The purpose of a Pre-Application Review is generally to:
 - (i) Familiarize the Director and other City staff, as may be applicable, with the project proposal;
 - (ii) Determine application requirements and familiarize the applicant with the review process and procedures;
 - (iii) Identify any potential problems as early in the process as possible; and
 - (iv) Identify land use and development policies which may affect the project proposal.
 - c. Failure by the Director or other City staff to identify all required studies or all applicable requirements in the Pre-Application Review shall not constitute a waiver of those studies or requirements.
2. **Application Requirements.** An application for a Pre-Application Review shall be submitted on a form prescribed by the City in accordance with Section 17.D.02.040.B (Application Process and Fees).
 3. **Pre-Application Review Meeting.** After reviewing the application, the Director shall meet with the applicant or representative. Neither the Pre-Application Review nor the provision of information by the Director and the discussion of City policies shall be construed as either a recommendation for approval or denial of the application or development. No formal action is taken by the Director at a Pre-Application Review meeting. Following the meeting, the Director shall provide the applicant with a written summary of comments.

D. **Review of Planning Applications.**

1. **Initial Completeness Review.** The Director shall determine whether an application is complete within 30 days of the date the application is filed and the required fee is received in accordance with California Government Code §65943 et seq.
2. **Incomplete Application.**
 - a. *Incomplete application.* If an application is deemed incomplete, the Director shall provide a written notification to the applicant listing information necessary to complete the application.
 - b. *Submittal of additional information.* The applicant shall provide the additional information within 180 days from the date the application is deemed to be incomplete. The Director may grant one extension of up to 90 days.

- c. *Expiration of application.* If an applicant fails to correct the identified deficiencies within the specified time limit, the application shall expire and be deemed withdrawn, unless the Director grants an extension. After the expiration of an application, a new complete application, together with all required fees, shall be submitted for review.
 3. **Complete Application.** In compliance with California Governmental Code §65920 et seq. (Permit Streamlining Act), when a planning application is deemed complete, the Director shall make a record of that date and proceed with processing the application. If an application requires a public hearing, the Director shall schedule a hearing and notify the applicant of the date and time, in accordance with Subsection 17.D.02.040.F (Public Hearing Notice).
 4. **Referral of Application.**
 - a. When the Director is the Review Authority, the Director may determine that based on a unique or special circumstance, it is in the public interest for an application to be considered by the Planning Commission. In this case, the Director shall forward the application to the Planning Commission for review at a public hearing.
 - b. At the discretion of the Director, or where otherwise required by this Title, state or federal law, any application filed in compliance with this Title may be referred to any City department, public agency, or interest group that may be affected by, or have an interest in, the proposed project for review and comment on the application.
 5. **Extensions for Review of Application.** The Director may, upon written request, grant extensions of any time limit for review of applications imposed by this Title unless precluded by state or federal law.
- E. **Environmental Review.** The City has the responsibility to comply with the California Environmental Quality Act (California Public Resources Code §21000 et seq.) and California Environmental Quality Act Guidelines (California Code of Regulations, Title 14), collectively referred to as CEQA. The City shall evaluate each project according to CEQA before any recommendation or decision on a project is made. Also see Beaumont Municipal Code Chapter 2.54 (Environmental Review).
- F. **Public Hearing Notice.**
1. **Applicability.**
 - a. Notice for public hearings is required as part of the approval process for all applications subject to a public hearing.
 - b. Any changes to state law notice requirements, in accordance with California Government Code §65090 et seq., shall control over the requirements in this Section regarding the manner for providing notice.

2. **When Public Hearing Notice is Required.** Table 17.D.02.040-A (Public Hearing Notice Required) identifies when a public hearing with public notice is required as part of the approval process.

Table 17.D.02.040-A: Public Hearing Notice Required	
Project/Approval/Action Requested	Required Public Hearing/Notice?
Major Plot Plan	Yes
Minor Plot Plan	No
Conditional Use Permit	Yes
Minor Conditional Use Permit	No
Minor Modification	No
Variance	Yes
Major Sign Permit	No
Minor Sign Permit	No
Sign Program	No
Home Occupation	No
Certificate of Appropriateness	See Section 17.D.04.100 (Certificates of Appropriateness)
Zoning Amendment	Yes
General Plan Amendment	Yes
Specific Plan	Yes
Development Agreements	Yes
Appeals	Same as the original approval requested that is the subject of the appeal

3. **Contents.** Every posted, published, or mailed notice for a public hearing shall include:
- The date, time, location, and purpose of the hearing;
 - The name of the Review Authority conducting the hearing;
 - Contact information to receive additional information;
 - A brief description of the matter to be considered and the permit(s) required;
 - The address or location of the subject property;
 - A statement that any interested person or authorized agent may appear and be heard; and
 - A statement describing how and when to submit written comments.
4. **Noticing Procedures.** The following noticing procedures shall be observed when a public hearing is required by this Title.
- Timing.** All forms of notice shall be given not less than 10 days prior to the public hearing except that for a Zoning Amendment that would affect the permitted

uses of real property, all forms of notice shall be given not less than 20 days prior to the public hearing.

- b. **Mailed notice.** Mailed notice shall be given to the following:
 - (i) All property owners and residential renters within 300 feet of the subject property, unless otherwise required by California Government Code §65091;
 - (ii) Any person or group who has filed a written request for notice regarding the specific application;
 - (iii) Any other local agency expected to provide essential facilities and services to the project and whose ability to provide those facilities and services may be significantly affected;
 - (iv) The owner of the property that is the subject of the application; and
 - (v) The applicant.
- c. **Newspaper notice.** A notice shall be posted in at least one newspaper of general circulation in the city.
- d. **Additional notice.** In addition to the types of notice required above, the Director may require or provide additional notice using alternative methods including, but not limited to the following:
 - (i) Posting on the City's website;
 - (ii) Posted notice on the subject property;
 - (iii) Electronic mail to persons that have signed up or subscribed for electronic mail notifications;
 - (iv) Placing an insert with any generalized mailing sent by the City to property owners or residents in the area affected by the proposed application;
 - (v) Posting through City accounts on social media platforms; or
 - (vi) Electronic message signs.
- 5. **Failure to Receive Notice.** The validity of the proceedings shall not be affected by the failure of any property owner, resident, or organization to receive notice.

G. Public Hearings.

- 1. **Requirements.** When a public hearing is required by this Title, public notice shall be given consistent with Subsection 17.D.02.040.F (Public Hearing Notice), and the public hearing shall be conducted as provided by this Subsection.
- 2. **Scheduling of Hearing.** After an application is deemed complete, any environmental analysis required by CEQA has been conducted, and a Department staff report has been prepared, a matter requiring a public hearing shall be scheduled on an agenda reserved for public hearings.
- 3. **The Applicant's Rights at Public Hearing.** The applicant shall have the right to be represented, provide testimony, and present evidence at any public hearing.

4. ***The Public's Rights at Public Hearing.*** The public shall have the right to comment on any relevant aspect of the application under consideration at any public hearing.
5. ***Decision.*** When the public hearing is closed, the Review Authority shall approve (with or without conditions) or deny the application in compliance with the required findings provided in Chapter 17.D.04 (Permits and Approvals) and in compliance with Subsection 17.D.02.040.H (Findings and Decision).
6. ***Continuance.*** The Review Authority, by motion, may continue a public hearing. No additional notice shall be required for the continuance of a noticed public hearing to a specific date and time.
7. ***Recommendation by Planning Commission.*** At the conclusion of any public hearing on a project that requires Council approval, the Planning Commission shall forward a written recommendation, including all required findings, to the Council for final action.
8. ***Council Hearings.***
 - a. ***Council decision.*** Upon receiving the Planning Commission's recommendation, the Council shall hold a public hearing. When the public hearing is closed, the Council shall make a final decision, which could be to approve, approve in modified form, or deny the application.
 - b. ***Modifications by Council.***
 - (i) The Council may modify any project application recommended by the Planning Commission by making non-substantive changes without first referring the matter to the Planning Commission for a report and recommendation. However, any substantive change to Zoning Amendments or to General Plan Amendments proposed by the Council that was not discussed by the Planning Commission shall be referred back to the Commission recommendation consistent with California Government Code §65356 for a report and recommendation.
 - (ii) When the Council has referred a matter back to the Planning Commission, it shall report back to the Council within 45 days after the date of the Council referral unless the Council specifically allows for a longer period of time for the Planning Commission report and recommendation. Where action cannot be taken within 30 days by the Planning Commission, a longer period of time may be requested and the Council may at its discretion grant the request. Although no additional public hearing shall be required, the Planning Commission may at its discretion hold a public hearing prior to a report and recommendation on any matter referred to it by the Council. Failure of the Planning Commission to act within 45 days of receiving the Council's request shall provide the Council with authority to act without the Commission's recommendation.

H. Findings and Decision.

1. When making a decision to approve, approve with modifications and/or conditions, or deny any application, the Review Authority shall make findings as required by this Title to support their decision. Findings shall be based upon consideration of the application,

plans, testimony, reports, and other materials that constitute the administrative record and shall be stated in writing in the resolution or record of the action for the application.

2. If the Review Authority imposes conditions of approval, the conditions shall be consistent with Subsection 17.D.02.040.I (Conditions of Approval).

I. Conditions of Approval.

1. In considering an application authorized by this Title, a Review Authority may require changes and impose conditions of approval in order to implement the policies of the General Plan and this Title. Conditions of approval, which may include dedication of land; installation of specific improvements; limitations on the size, design and placement of buildings or structures; landscaping; or limitations on use and hours of operation, shall be reasonably related to the type of impacts caused by the use of the property for which the application is requested. Conditions of approval may be necessary to ensure the proposed use or project satisfies the required findings for approval and complies with environmental mitigation measures, see Subsection 17.D.02.040.E (Environmental Review).
2. All conditions of approval shall be binding upon the applicant, their successors, and assigns; shall run with the land; shall limit and control the issuance and validity of Certificates of Occupancy; and shall restrict and limit the construction, location, use, and maintenance of all land and structures within the project.
3. A deed restriction, as approved by the City Attorney, may be recorded with the County Recorder's office documenting the required conditions of approval.

J. Effect of Approvals.

1. **Issuance of Approval.** The issuance of a permit or approval described in this Title authorizes the holder to proceed in compliance with the terms of the permit or approval. The applicant must follow all City requirements and procedures for any additional applicable permits or approvals in order to complete the development project and to meet the occupancy requirements for the subject property.
2. **Effective Date of Approval.**
 - a. The effective date of a permit or other approval is the date the Review Authority approves the permit or grants an approval, except as otherwise provided in this Chapter for a specific approval or type of permit.
 - b. If the decision by the Review Authority is appealed in accordance with Subsection 17.D.02.040.O (Appeals), the date of approval shall be the date the Review Authority makes a final determination on the Appeal.
3. **Ownership and Transferability of Permits and Approvals.** An approved permit or other approval applies to the subject property and runs with the land, except as specifically provided in this Title. Once approved, a permit or approval remains effective unless terminated, abandoned, revoked, or modified. An approved permit or other approval is transferable to any future owner of the subject property.
4. **Inspections.** All approvals may be subject to periodic review to determine compliance with the permit and applicable conditions. If a condition specifies that activities or uses allowed under the permit are subject to periodic reporting, monitoring, or assessments,

it shall be the responsibility of the permit holder, the property owner, or successor property owners to comply with the conditions.

K. **Expiration of Permits.**

1. **Lapse of Permit.** Unless otherwise specified in the permit or approval, all permits and approvals for projects not subject to the Subdivision Map Act shall be implemented within two years following the effective date, or it shall expire and be deemed void unless a Time Extension is approved consistent with Subsection 17.D.02.040.L (Extension of Time).
2. **Time Limits.**
 - a. A Review Authority may establish a time limit that differs from the time limit contained in Subsection 17.D.02.040.K.1 (Lapse of Permit); however, the time limit shall be based upon the size and nature of the proposed project as described in the written findings for project approval.
 - b. For concurrent applications, the longest time limit associated with any one permit or approval shall apply to all of the other concurrent permits. All permits associated with the approval of a tentative map shall have the same expiration date as the tentative map.
3. **Implementation.**
 - a. A permit or approval shall not be deemed implemented until the applicant has obtained a grading permit and/or building permit and commenced construction, or where no grading or building permit is required, has commenced the allowed use on the subject site in compliance with the approval.
 - b. Construction shall be diligently pursued towards completion. If after construction commencement, work is discontinued for a minimum period of two years, the permit or approval shall expire and be deemed void.
 - c. If a project is phased, each subsequent phase shall have the same time limit identified for the previous phase. The time limit for a subsequent phase shall begin when the previous phase commences construction, unless otherwise specified in the permit or approval.
4. **Lapse of Approved Use.** A permit or approval for a use or activity shall be deemed to have lapsed if the following applies:
 - a. When the use or activity ceases operation and/or the business closes at the permitted location for a period of at least one year; or
 - b. In compliance with Section 17.C.16.050 (Nonconforming Uses) regarding nonconforming uses.
5. **Renewal of an Expired Application.** An approved permit or approval which has been allowed to expire shall require the filing of a new application in accordance with the procedures in Section 17.D.02.040.B (Application Process and Fees).

6. **Determination of Expiration.** If the Director determines a permit or other approval has expired, the Director shall notify the holder of the permit or other approval in writing of that determination, and that the permit or other approval is expired, lapsed, and null and void. The Director's determination may be appealed to the Planning Commission by the holder of the permit or other approval.

L. **Extension of Time.**

1. **Initiation.** An application for a Time Extension of a previously approved permit or other approval may be initiated by the applicant who filed the original application or their successor.
2. **Suspension of Expiration.** The filing of a Time Extension request shall suspend the actual expiration of the permit or approval until the Time Extension has been acted upon by the Review Authority. No construction permits (e.g., grading or building permits) for the project shall be issued during the period of suspension.
3. **Application Requirements.** A Time Extension request shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Section.
4. **Authority.** The original Review Authority shall make the decision on a Time Extension; however, the Director may grant a Time Extension that would otherwise require another Review Authority when there has been no proposed change in the original permit or approval.
5. **Approval Procedures.**
 - a. After a Time Extension application has been filed with the Department, the Director shall review the application to determine whether it conforms with the provisions of this Section in accordance with Subsection 17.D.02.040.D (Review of Planning Applications).
 - b. A public hearing shall be required for a Time Extension if a public hearing was required for the original approval. If the Director is making the decision on a Time Extension, no public hearing is needed.
6. **Findings.** A Time Extension may be granted, with or without conditions, only after the following findings are made:
 - a. There have been no changes in circumstances, law, General Plan, or this Title that would preclude the Review Authority from making the findings upon which the original approval was based; or
 - b. The original conditions of approval have been modified or new conditions of approval have been imposed as deemed reasonable and necessary to ensure that the permit or approval will remain in compliance with the findings required by this Title; and
 - c. The applicant has made a good faith effort to implement the permit or approval and comply with any applicable conditions of approval in a timely manner.
7. **Length of Time Extension.** The Review Authority may grant a Time Extension for a period or periods not exceeding one year beyond the expiration date of the original permit or approval, or for as long as any subdivision concurrently approved is extended, whichever is longer.

- M. **Revisions to an Approved Project.** If an applicant would like to revise or modify an approved permit for a use, structure, or other approval, the Director shall determine the level of revision based on criteria, as follows:
1. **Minor Revisions.** Minor revisions to approved plans and permits may be approved by the Director if the revisions:
 - a. Are consistent with the original findings and conditions of approval;
 - b. Do not substantially expand the approved floor area or height of a building; and
 - c. Would not result in any new or intensified detrimental effects, unless waived by the Director.
 2. **Major Revisions.** Major revisions to approved plans and permits are any revisions not considered to be minor revisions. Major revisions shall be decided by the same Review Authority as the original approval, and a public hearing shall be required if a public hearing was required for the original approval.
- N. **Revocation of Permits.** Any permit granted under this Division may be revoked or revised for cause if any of the conditions or terms of the permit are violated or if any law or ordinance is violated.
1. **Initiation of Proceeding.** Revocation proceedings may be initiated by the Council, Planning Commission, or Director.
 2. **Written Notice to Permittee.** At least 30 days prior to the revocation hearing, the permittee (the owner of the property, use, or business subject to the revocation) subject to the revocation hearing shall be given written notice of the City's intent to conduct the hearing. The notice to the permittee shall be served either in person or by registered mail, return receipt requested.
 3. **Public Hearing Notice, Hearings, and Action.** A public hearing notice of a revocation preceding shall be noticed in accordance with Section 17.D.02.040.F (Public Hearing Notice). After conducting a public hearing, the Planning Commission, or Council where they were the original approval authority, must act on the proposed revocation.
 4. **Required Findings.** The Planning Commission or Council may revoke or modify the permit if it makes any of the following findings:
 - a. The approval was obtained by means of fraud or misrepresentation of a material fact;
 - b. The use, building, or structure has been substantially altered or expanded beyond what is set forth in the permit or substantially changed in character;
 - c. The use has ceased to exist or has been suspended for one year;
 - d. There is or has been a violation of or failure to observe the terms or conditions of approval, or the use has been conducted in violation of the provisions of this Title, or any applicable local or state law or regulation; or
 - e. The use has been conducted in a manner detrimental to the public safety, health, and welfare, and/or is a nuisance.

5. **Notice of Action Regarding Revocation.** Following a decision by the Review Authority to revoke or modify a permit, the Director must issue a Notice of Action within 10 days. The Notice of Action must describe the Planning Commission's or Council's action and findings. The Director must mail notice to the permit holder and to any person or entity who requested the revocation proceeding.
- O. **Appeals.** Any action by the Director or Planning Commission in the administration or enforcement of the provisions of this Title may be appealed in accordance with this Section. Failure to exhaust all administrative remedies as specified in this Section may jeopardize an appellant's opportunities to seek any subsequent remedy.
1. **Appeal Bodies.**
 - a. *Decisions of the Director.* The Planning Commission is the appeal body for decisions of the Director.
 - b. *Decisions of the Planning Commission.* The Council is the appeal body for decisions of the Planning Commission.
 2. **Who May File an Appeal.** Any interested party may appeal a Review Authority's decision during the appeal period.
 3. **Time Limits.** Unless otherwise specified in state or federal law, all appeals shall be filed in writing within 15 days of the date which the action was taken.
 4. **Procedures for Filing an Appeal.**
 - a. *Filing.* An application for an appeal shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Section.
 - b. *Required Information.* An application for an appeal shall be submitted to the City Clerk on a prescribed City form and, at minimum, shall include the following:
 - (i) The specific action being appealed and the reason for the appeal;
 - (ii) A written description of the specific grounds for the appeal, including why the appellant contends the action is not in accordance with this Title, where there was an error or abuse of discretion, where the record includes inaccurate information, or how a decision is not supported by evidence in the record;
 - (iii) A description of how the appellant requests the action be reversed or modified; and
 - (iv) The name, address, and telephone number of the appellant or contact person if there are multiple appellants.
 5. **Appeal Review.**
 - a. *Appeal Review.* Within three working days of receipt of the appeal, the City Clerk shall examine the appeal, and if it is found to be incomplete, return it by certified mail to the appellant for revision. Appellant shall have five working days to file an amended appeal. Upon failure to file an amended appeal within the five-day period, the appeal shall be deemed withdrawn.

- b. *Receipt of Appeal.* The receipt of a written appeal shall stay all actions or put all permits or other discretionary approvals that may have been granted in suspension, pending the effective date of the Review Authority hearing the appeal.
- 6. ***Appeal Hearing and Standards of Review.***
 - a. The hearing on the appeal shall be a new hearing. Any party may appear and provide additional testimony or evidence.
 - b. The Director, upon the City Clerk finding the application for an appeal to be complete, shall schedule the appeal, together with City staff's report on the appeal, for a public hearing before the appeal body in compliance with Subsection 17.D.02.040.G (Public Hearings).
 - c. When reviewing any decision on appeal, the appeal body shall use the same standards for decision-making required for the original decision.
- 7. ***Decision on Appeal.*** The appeal body may affirm wholly or partly, reverse, or modify the prior decision.

Chapter 17.D.04 Permits and Approvals

Sections:

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17.D.04.010 Purpose

This Chapter provides the procedures for the preparation, filing, and processing of applications for planning permits and other entitlements required by this Title.

17.D.04.020 Plot Plans

- A. **Purpose.** The purpose of a Plot Plan is to provide a process for the review and approval or denial of applications for physical improvements to a site based on their scale, proximity to environmentally sensitive resource areas, or unique design features. The Plot Plan process is intended to encourage site and structural improvements which:
1. Promote excellence in site planning and design;
 2. Respect the physical and environmental characteristics of the site; and
 3. Ensure projects support the goals and objectives of the General Plan and other adopted City plans.
- B. **Applicability.** Major and minor plot plans are required as described below, or as otherwise specified in this Title.
1. **Major Plot Plan.** A Major Plot Plan is required for the following projects:
 - a. Any new nonresidential development with over 10,000 square feet of new gross floor area except as follows:
 - (i) Over 25,000 square feet of new or expanded gross floor area in commercial or mixed use zones not adjoining any residential zone; and

- (ii) Over 50,000 square feet of new or expanded gross floor area in industrial zones not adjoining any residential zones.
 - b. Any new multi-family residential projects or projects (including attached townhomes) with 10 or more units, or new subdivisions with 10 or more single-family dwellings.
 - c. Where required in applicable Specific Plans.
- 2. **Minor Plot Plan.** A Minor Plot Plan is required for the following projects:
 - a. Any new nonresidential development with up to 10,000 square feet of new gross floor area, except as follows:
 - (i) Up to 25,000 square feet of new floor area in commercial or mixed use zones not adjoining any residential zone;
 - (ii) Up to 50,000 square feet of new floor area in industrial zones not adjoining any residential zones.
 - b. Any new multi-family residential development (including attached townhomes) or new single-family subdivision with two to 10 units, consistent with this Title.
 - c. Any additions or expansions to existing multi-family residential, commercial, industrial, or mixed-use buildings unless exempted in accordance with Subsection 17.D.04.020.B.3 (Exemptions from Plot Plans).
 - d. Minor changes to the exterior of existing nonresidential buildings that require a Building Permit. This includes, but is not limited to, facade changes, changes in materials, relocation of storefront doors, and relocation and infill of windows or other openings.
 - e. The construction of a new accessory structure or building consistent with this Title, unless exempt consistent with Subsection 17.D.04.020.B.3 (Exemptions from Plot Plans).
 - f. Accessory dwelling units consistent with Subsection 17.C.10.030.D.2 (Minor Plot Plan Required).
 - g. The construction of a new commercial, industrial, mixed-use, or multi-family parking lot.
 - h. Where required in applicable Specific Plans.
 - i. Any other project that is not subject to a Major Plot Plan and is not exempt by Subsection 17.D.04.020.B.3 (Exemptions from Plot Plans).
- 3. **Exemptions from Plot Plans.** The following projects are exempt from the requirements for a Plot Plan and are only reviewed with an application for a Building Permit, if required:
 - a. Single-family and multi-family projects that comply with the City's residential objective design standards at Sections 17.C.10.210 (Single-Family Dwellings) and 17.C.10.180 (Multi-Family Dwellings) and are eligible for ministerial review consistent with state law.
 - b. Additions and alterations to existing buildings and structures that will not increase the gross floor area of the building by more than 10 percent or 5,000

square feet, whichever is less; will not involve any alterations along any street-facing façade; and will match the existing or historic design of the building.

- c. Construction, reconstruction, alterations, improvements, and landscaping for a project developed in compliance with a previously issued Plot Plan or landscape plan.
- d. Any form of repair or maintenance work where the work solely involves the replacement of materials in like kind and form (e.g., re-roof, window replacement, etc.), or to any repair or maintenance work in areas not visible to the public from the public right-of-way or areas accessible to the public.
- e. Changes to exterior building colors; addition, modification, or removal of minor architectural elements.
- f. Installation of landscaping no more than 2,500 square feet in an area where no other construction activity is planned.
- g. Construction of fences and walls that are consistent with Section 17.C.02.030 (Fences and Walls) and this Title.
- h. Alterations and improvements required in whole or part to meet federal or state requirements to accommodate persons with disabilities.
- i. New accessory structures that are exempt from obtaining a Building Permit.

C. **Application Requirements.** A Plot Plan application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Section.

D. **Authority.** The Review Authorities for Major Plot Plans and Minor Plot Plans are identified in Table 17.D.02.030-A (Review Authorities) and Subsection 17.D.04.020.B (Applicability), subject to Subsection 17.D.02.040.B.3 (Multiple Applications) and Subsection 17.D.02.040.O (Appeals).

E. **Approval Procedures.**

- 1. **Director Evaluation.** After a proposed Plot Plan application has been deemed complete, the Director shall review the Plot Plan application to determine whether it conforms with the provisions of this Title in accordance with Chapter 17.D.02 (Procedures).
- 2. **Major Plot Plan Hearing.** The Review Authority shall conduct a public hearing on a Major Plot Plan consistent with Subsection 17.D.02.040.G (Public Hearings).
- 3. **Minor Plot Plan Review.** The Director shall approve or deny a Minor Plot Plan in compliance with the findings provided in Subsection 17.D.04.020.F (Findings).

F. **Findings.** The Review Authority may approve a Plot Plan, with or without conditions of approval, only after making the following findings as applicable:

- 1. **Findings for All Plot Plans:**
 - a. The proposed project is consistent with this Title;
 - b. The proposed use and project are consistent with the goals and policies of the General Plan;
 - c. The project will not be detrimental to public health, safety, and general welfare; and

- d. The proposed project is in compliance with the provisions of California Environmental Quality Act.
- 2. **Findings for Specific Projects:**
 - a. The proposed use and project are consistent with the goals and policies of any Specific Plan, if applicable.
 - b. The proposed siting, form, architectural style, materials, and other elements of single-family residential and multi-family residential developments are consistent with Section 17.C.10.210 (Single-Family Dwellings) and Section 17.C.10.180 (Multi-Family Dwellings).
 - c. The proposed siting, form, and architectural style of single-family residential, commercial, and industrial developments are appropriate for the project site and surroundings and create a visually cohesive design, and are consistent with all applicable design standards in this Title.
- G. **Decision; Appeals; Expiration, Extensions, and Revisions.**
 - 1. **Decision.** The Review Authority's decision shall be in compliance with Subsection 17.D.02.040.H (Findings and Decision).
 - 2. **Appeals.** The Review Authority's decision may be appealed as provided in Subsection 17.D.02.040.O (Appeals).
 - 3. **Expiration, Extensions, and Revisions.** Plot Plans are subject to expiration as provided in Subsection 17.D.02.040.K (Expiration of Permits) and may only be extended or revised as provided in Subsection 17.D.02.040.L (Extension of Time) and Subsection 17.D.02.040.M (Revisions to an Approved Project).

17.D.04.030 Use Permits

- A. **Purpose.** The purpose of a Use Permit (i.e., Conditional Use Permit (CUP) and a Minor Conditional Use Permit (MUP)) is to allow essential or desirable uses which nevertheless may have an impact on the surrounding environment while ensuring that the uses are, and will continue to be, appropriate for their proposed location and compatible with surrounding existing and planned uses.
- B. **Applicability.** The use tables in Division B (Zone Regulations) identify the land uses and activities that require a Use Permit.
- C. **Application Requirements.** A Use Permit application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Subsection.
- D. **Authority.** As identified in Table 17.D.02.030-A (Review Authorities), the following are the Review Authorities for Use Permits subject to Subsection 17.D.02.040.B.3 (Multiple Applications) and Subsection 17.D.02.040.O (Appeals).
 - 1. The Planning Commission is the Review Authority for Conditional Use Permits.
 - 2. The Director is the Review Authority for Minor Conditional Use Permits.

E. **Approval Procedures.**

1. **Director Evaluation.** After a proposed Use Permit application has been deemed complete, the Director shall review the Use Permit application to determine whether it conforms with the provisions of this Title in accordance with Chapter 17.D.02 (Procedures).
2. **Conditional Use Permits Hearing.** The Planning Commission shall conduct a public hearing on a Conditional Use Permit consistent with Subsection 17.D.02.040.G (Public Hearings).
3. **Minor Conditional Use Permits Director Decision.** The Director shall approve or deny a Minor Conditional Use Permit in compliance with the findings provided in Subsection 17.D.04.030.F (Findings).

F. **Findings.** The Review Authority may approve the Use Permit, with or without conditions of approval, only after making the following findings:

1. The proposed use is consistent with the goals and policies of the General Plan;
2. The proposed use is consistent with the goals and policies of any applicable Specific Plan;
3. The proposed use is appropriate for the zone in which it is located, is compatible with uses allowed in the zone, and complies with all other applicable provisions of this Title;
4. The proposed use will not be materially detrimental to the health, safety, and welfare of the public or the property and residents in the vicinity;
5. The proposed use does not have a disproportionately high and adverse human health or environmental effect on minority and low-income populations.
6. The subject site is physically suitable for the use and compatible with existing and future land uses, buildings, and structures in the vicinity;
7. The subject site is served by streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate or that the streets in question are physically or financially impossible to be improved and that the proposed use is deemed to be beneficial to the City; and
8. The subject site has or will have adequate provisions for water, sanitation, and public utilities and services.
9. The proposed project is in compliance with the provisions of CEQA.

G. **Decision; Appeals; Expiration, Extensions, and Revisions.**

1. **Decision.** The Review Authority's decision shall be in compliance with Subsection 17.D.02.040.H (Findings and Decision).
2. **Appeals.** The Review Authority's decision may be appealed as provided in Subsection 17.D.02.040.O (Appeals).
3. **Expiration, Extensions, and Revisions.** Use Permits are subject to expiration as provided in Subsection 17.D.02.040.K (Expiration of Permits) and may only be extended or revised as provided in Subsection 17.D.02.040.L (Extension of Time) and Subsection 17.D.02.040.M (Revisions to an Approved Project).

17.D.04.040 Temporary Use Permits

- A. **Purpose.** This Subsection establishes the procedures for the granting of Temporary Use Permits for short-term activities and uses on privately or publicly owned property with appropriate regulations to ensure that the temporary activities will be compatible with surrounding areas.
- B. **Applicability.** A Temporary Use Permit allows for the short-term activities described in Section 17.C.10.230 (Temporary Uses), that may not comply with the normal development or use standards of the applicable zone but would otherwise be acceptable because of their temporary nature. See Beaumont Municipal Code Chapter 9.03 (Regulation of Special Events) for permitting information regarding special events.
- C. **Application Requirements.** A Temporary Use Permit application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Subsection.
- D. **Authority.** As identified in Table 17.D.02.030-A (Review Authorities), the Director is the Review Authority for Temporary Use Permits subject to Subsection 17.D.02.040.B.3 (Multiple Applications) and Subsection 17.D.02.040.O (Appeals).
- E. **Approval Procedure.**
1. **Director Review.** After a proposed Temporary Use Permit application has been deemed complete, the Director shall review the Temporary Use Permit application to determine whether it conforms with the provisions of this Title in accordance with Chapter 17.D.02 (Procedures).
 2. **Director Decision.** The Director shall approve or deny the application in compliance with the findings provided in Subsection 17.D.04.040.G (Findings).
- F. **Considerations.** In the review of a Temporary Use Permit application, the Director shall consider:
1. The type and duration of the proposed temporary activity;
 2. Input from other City departments, such as Police, Public Works, Parks and Recreation, etc., and other responsible agencies;
 3. The requirements and development standards of the applicable zone in which the temporary use is proposed;
 4. Any applicable standards for the proposed temporary use established in Section 17.C.10.230 (Temporary Uses).
- G. **Findings.** The Director may approve the Temporary Use Permit, with or without conditions of approval, only after finding that:
1. The temporary activity complies with applicable standards identified in Section 17.C.10.230 (Temporary Uses); and
 2. Maintenance or operation of the temporary activity would not be detrimental to the public health, safety, or welfare of persons residing or working in the vicinity of the proposed temporary activity.
- H. **Decision and Appeals.**
1. **Decision.** The Review Authority's decision shall be in compliance with Subsection 17.D.02.040.H (Findings and Decision).

2. **Appeals.** The Review Authority's decision may be appealed as provided in Section 17.D.02.040.O (Appeals).
 3. **Expiration, Extensions, and Revisions.** Temporary Use Permits are subject to expiration as provided in Subsection 17.D.02.040.K (Expiration of Permits) and may only be extended or revised as provided in Subsection 17.D.02.040.L (Extension of Time) and Subsection 17.D.02.040.M (Revisions to an Approved Project).
- I. **Required Lapse of Time for Temporary Use Permits.** Except for seasonal sales lots, a minimum of 30 days shall pass between the expiration of a Temporary Use Permit and the issuance of a new and similar Temporary Use Permit for the same property, or the actual removal of the materials and structures associated with the former activity, whichever last occurs.

17.D.04.050 Minor Modifications

- A. **Purpose.** The Minor Modification procedure is established to enable minor modifications from the standards in this Title when these requests constitute a reasonable use of property but are not otherwise permissible under the strict application of this Title.
- B. **Applicability.**
1. **Types of Minor Modifications.** A Minor Modification from the requirements of this Title may be granted for the following types of modifications only:

Table 17.D.04.050-A: Types of Minor Modifications

Types of Minor Modifications	Maximum Modification
Reduction of minimum required setback area	20%
Increase of maximum permitted building height	10%
Any deviation in the permitted maximum height or location of a fence or wall	n/a
Increase of maximum permitted lot coverage	10%
Reduction in minimum usable open space	20%
Deviation in the applicable development standards to allow for improved productivity of solar energy systems	20%
Reduction of minimum number of parking spaces required	20% ¹
Increase in sign area or height	10%

Table Notes:

¹ If a fractional number is obtained with this calculation, the number of parking spaces that may be reduced shall be rounded up to the next highest whole number, except that the parking requirement shall not be reduced to zero (e.g., if two to four parking spaces are required, a minor modification approval could reduce the requirement by one parking space).

2. **Other Modifications.** Modifications in excess of those cited in Table 17.D.04.050-A (Types of Minor Modifications) above shall require a variance.

- C. **Application Requirements.** A Minor Modification application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Subsection.
- D. **Authority.** As identified in Table 17.D.02.030-A (Review Authorities), the Director is the Review Authority for Minor Modifications subject to Subsection 17.D.02.040.B.3 (Multiple Applications) and Subsection 17.D.02.040.O (Appeals).
- E. **Approval Procedures.**
 - 1. **Director Evaluation.** After a proposed Minor Modification application has been deemed complete, the Director shall review the Minor Modification application to determine whether it conforms with the provisions of this Title in accordance with Chapter 17.D.02 (Procedures).
 - 2. **Precedents.** A previous Minor Modification shall not be considered to have set a precedent for the granting of any further Minor Modifications; each case must be considered on its individual merits.
 - 3. **Director Decision.** The Director shall approve or deny a Minor Modification application in compliance with the findings provided in Subsection 17.D.04.050.F (Findings).
- F. **Findings.** The Review Authority may approve the Minor Modifications, with or without conditions of approval, only after making the following findings:
 - 1. A Modification would not be detrimental to public health, safety, or general welfare or to surrounding property owners or the community;
 - 2. The granting of the Modification would not grant special privileges to the applicant not enjoyed by surrounding property owners;
 - 3. There are physical circumstances due to the shape or condition of the property which would result in hardship under existing regulations;
 - 4. The purpose of Modification is not based exclusively on the financial advantage of the owner;
 - 5. The alleged difficulties were not created by the owner;
 - 6. The Modification would not substantially increase traffic or endanger public safety; and
 - 7. The Modification would not have detrimental effects on adjoining properties.
- G. **Decision; Appeals; Expiration, Extensions, and Revisions.**
 - 1. **Decision.** The Review Authority's decision shall be in compliance with Subsection 17.D.02.040.H (Findings and Decision).
 - 2. **Appeals.** The Review Authority's decision may be appealed as provided in Subsection 17.D.02.040.O (Appeals).
 - 3. **Expiration, Extensions, and Revisions.** Minor Modifications are subject to expiration as provided in Subsection 17.D.02.040.K (Expiration of Permits) and may only be extended or revised as provided in Subsection 17.D.02.040.L (Extension of Time) and Subsection 17.D.02.040.M (Revisions to an Approved Project).

17.D.04.060 Variances

- A. **Purpose.** In compliance with California Government Code §65900 et seq., this Section allows for Variances from the development standards of this Title, other than those that may be allowed through the Minor Modification process, see Section 17.D.04.050 (Minor Modifications), only when, because of special circumstances applicable to the property, the strict application of this Title deprives such property of privileges enjoyed by other property in the vicinity and located in the same zone.
- B. **Application Requirements.** A Variance application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Section.
- C. **Authority.** As identified in Table 17.D.02.030-A (Review Authorities), the Planning Commission is the Review Authority for Variances subject to Subsection 17.D.02.040.B.3 (Multiple Applications) and Subsection 17.D.02.040.O (Appeals).
- D. **Approval Procedures.**
1. **Director Evaluation.** After a proposed Variance application has been deemed complete, the Director shall review the Variance application to determine whether it conforms with the provisions of this Title in accordance with Chapter 17.D.02 (Procedures).
 2. **Precedents.** A previous Variance shall not be considered to have set a precedent for the granting of any further Variances; each case must be considered on its individual merits. Nonconforming uses or developments on adjacent properties shall not be considered as grounds for the granting of a Variance.
 3. **Planning Commission Hearing.** The Planning Commission shall conduct a public hearing on the Variance consistent with Section 17.D.02.040.G (Public Hearings).
- E. **Findings.** The Planning Commission may approve a Variance, with or without conditions of approval, only after making the following findings:
1. There are special circumstances applicable to the property, including but not limited to size, shape, topography, location, or surroundings, such that the strict application of this Title deprives the property of privileges enjoyed by other property in the vicinity and under the identical zone;
 2. The Variance does not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and the zone in which the property is located;
 3. The special circumstances applicable to the property were not created by an act of the property owner (e.g., a Variance shall not be granted for a self-imposed hardship);
 4. Granting the Variance would not authorize a use or activity that is not otherwise expressly authorized by the zone governing the property;
 5. Granting the Variance will not be materially detrimental to the public health, safety, or welfare and will not impair an adequate supply of light and air to adjacent properties;
 6. Granting the Variance is consistent with the General Plan and the intent of this Title; and
 7. Granting the Variance is consistent with any Specific Plan, if applicable.

F. **Decision; Appeals; Expiration, Extensions, and Revisions.**

1. **Decision.** The Review Authority's decision shall be in compliance with Subsection 17.D.02.040.H (Findings and Decision).
2. **Appeals.** The Review Authority's decision may be appealed as provided in Subsection 17.D.02.040.O (Appeals).
3. **Expiration, Extensions, and Revisions.** Variances are subject to expiration as provided in Subsection 17.D.02.040.K (Expiration of Permits) and may only be extended or revised as provided in Subsection 17.D.02.040.L (Extension of Time) and Subsection 17.D.02.040.M (Revisions to an Approved Project).

17.D.04.070 Sign Permits

A. **Purpose.** This Section establishes the permitting process for permanent signs.

B. **Applicability.** Subsection 17.C.08.030.B (Permits When Required) describes when a sign permit is required.

1. A Major Sign Permit is required for the following permanent signs, consistent with Chapter 17.C.08 (Signs):
 - a. Freeway-facing signs;
 - b. Electronic message signs;
 - c. Sign exemptions for commercial uses not in a commercial complex consistent with Table 17.C.08.080-C (Commercial Zones, Not Commercial Complex);
 - d. Elevated automobile service station signs up to a maximum of 15 feet in height in commercial zones; and
 - e. Pylon signs in the Downtown Mixed Use Zone located along Sixth Street between Veile Avenue and Palm Avenue, or along Beaumont Avenue between Fifth Street to Seventh Street.
2. A Minor Sign Permit is required for any other permanent sign that is not subject to a Major Sign Permit and is not exempt by Subsection 17.C.08.020.E (Signs Exempt from Sign Permit); however, a billboard relocation request shall be approved by the Council consistent with Subsection 17.C.08.040.M (Billboard Policy).

C. **Application Requirements.**

1. An application for a sign permit shall be made on forms as prescribed by the Director. Such an application shall be filed with the Department. The application shall be accompanied by any fees or bonds as specified by Council resolution.
2. A sign permit application shall contain the location by street and number of the proposed sign structure, as well as the name and address of the owner and the sign contractor or erector. Three copies of the plans, fully dimensioned, shall be filed with the application, including:
 - a. Plot plan, fully dimensioned, showing location of all buildings and improvements and the location of each proposed sign together with the location, size and height

of all existing signs on the premises/site. The street frontage shall be clearly indicated on the plan.

- b. Elevation plan, fully dimensioned, showing height and size of each proposed sign, colors, method of illumination and materials of construction, and if a wall sign, the exact location on the face of the building.
- c. Structural and electrical plans, details and calculations prepared and signed by an engineer or architect registered in the State. Such details shall be required when the area of the sign exceeds five square feet and the height of the sign exceeds six feet.
- d. A statement by the owner of the proposed sign as to whether the sign is to display commercial or noncommercial messages, or both, and whether the display face will be permanent, changeable, or a permanent structure with changeable elements. If the proposed sign is to be used to display commercial messages, then the applicant shall also state whether the message is to be onsite or offsite.

D. **Authority.** As identified in Table 17.D.02.030-A (Review Authorities), the following are the Review Authorities for Sign Permits subject to Subsection 17.D.02.040.B.3 (Multiple Applications) and Subsection 17.D.02.040.O (Appeals).

- 1. The Planning Commission is the Review Authority for Major Sign Permits, except the Council is the Review Authority for a billboard relocation request consistent with Subsection 17.C.08.040.M (Billboard Policy).
- 2. The Director is the Review Authority for Minor Sign Permits.

E. **Approval Procedures.**

- 1. **Multiple Sign Applications.** When an application proposes two or more signs, the application may be granted either in whole or in part, with separate decisions as to each proposed sign. When an application is denied in whole or in part, the Director's written notice of determination shall specify the grounds for such denial.
- 2. **Purpose and Method of Review.** The purpose of a permit is to ensure compliance with the provisions of this Chapter. After receipt of a complete sign application, the Director shall render a decision to approve, approve with modifications or conditions, or deny the sign request within 30 working days. Unless the applicant waives time, failure of the Director to issue a written decision within 30 working days shall constitute denial of the application. Such a review shall ensure that any sign proposal is in conformance with this Chapter and is consistent with its intent and purpose. In the event that the application is approved with modifications or conditions, those requirements shall not be based upon the proposed message content, sign copy, or design of the visual display of the sign.

F. **Findings.** The Review Authority may approve a Sign Permit, with or without conditions of approval, only after making the following findings, based on evidence in the public record:

- 1. All elements of the sign, including design, lighting, scale, width, and materials, are consistent with the intent of the General Plan and any applicable Specific Plan;
- 2. The sign is consistent with Chapter 17.C.08 (Signs) and this Title;
- 3. The sign is consistent with any applicable Sign Program;

4. The sign is consistent with the Downtown Revitalization Plan, if applicable;
5. The design, scale, and materials of the sign harmonize with the architectural design and details of the building or site it serves;
6. The design and scale of the sign is appropriate to the distance from which the sign is normally viewed; and
7. The design and materials of the sign provide a contrast between the background and letters, logos, and/or graphics.

G. **Decision; Appeals; Expiration, Extensions, and Revisions.**

1. **Decision.** The Review Authority's decision shall be in compliance with Subsection 17.D.02.040.H (Findings and Decision).
2. **Appeals.** All sign permit applications shall be initially reviewed by the Director. When the Director issues a decision on a sign permit application, or when the time for doing so has expired without a written decision, then the applicant or any concerned person may appeal first to the Planning Commission and then to the Council. Appeal is effected by filing a written notice thereof with the City Clerk, and paying the applicable appeal fee as set by Resolution of the Council. In each case, written notice of appeal must be filed with the City Clerk within ten days of when the decision was delivered or sent to applicant and all known concerned persons, or the last day on which a decision should have been timely rendered. In each case, the appellate body must conduct a hearing and consider evidence, and render a written decision within 30 days. In the cases of appeal to the Planning Commission and the Council, the hearing must follow normal procedures for agenizing and giving public notice. Unless time is waived by the applicant, any permit or approval on which the City does not render a definite decision within the required time shall be deemed denied, and the time for appeal or filing judicial review shall commence on the last date on which the City could have issued a decision.
3. **Judicial Relief.** Following final decision by the Council, any concerned person may seek judicial review of the final decision on a sign permit application in compliance with California Code of Civil Procedure §1094.8.
4. **Expiration, Extensions, and Revisions.** Sign Permits are subject to expiration as provided in Subsection 17.D.02.040.K (Expiration of Permits) and may only be extended or revised as provided in Subsection 17.D.02.040.L (Extension of Time) and Subsection 17.D.02.040.M (Revisions to an Approved Project).
5. **Revocation or Cancellation.** The Director shall revoke any approval upon refusal of the holder thereof to comply with the provisions of this Chapter and/or the terms or conditions of any permit, after written notice of noncompliance and at least 15 days opportunity to cure.
6. **Permits Issued in Error.** Any approval or permit issued in error may be summarily revoked at any time before substantial work in reliance upon the permit has been accomplished, by the City upon written notice to the holder of the reason for the revocation.

17.D.04.080 Sign Programs

- A. **Purpose.** The purpose of a Sign Program is to establish a method for an applicant to integrate the design and placement of signs within the overall design of a new project or an existing multi-tenant or mixed-use project. The intent is to ensure design consistency and/or compatibility among individual signs within a multi-tenant property and ensure signs are compatible with the architecture and overall aesthetics of the site and surrounding area. A Sign Program provides a clear prescription of the standards for new and existing signs on the project site and enables consistent and streamlined review, approval, and administration of existing and new signs. Approval of a Sign Program may result in the application of alternative sign standards that supersede the requirements of Chapter 17.C.08 (Signs), consistent with Subsection 17.C.08.030.C (Sign Programs).
- B. **Applicability.** A Sign Program is required for any of the following:
1. All proposed multi-tenant or multi-story nonresidential developments, including mixed-use developments, and multi-family residential uses; and
 2. Existing mixed-use and nonresidential multi-tenant uses, when:
 - a. A building addition and/or an increase of use is proposed in terms of gross floor area, seating capacity, or other units of measurement indicating an intensification of use of 25 percent or more; or
 - b. An exterior structural remodeling of the building facade is proposed which affects signage.
 3. Whenever required by Chapter 17.C.08 (Signs).
 4. A Sign Program may voluntarily be developed and maintained by the owner, applicant, or representative of any new or existing mixed-use, nonresidential, or multi-family residential use, when the owner, applicant or representative seeks allowed modifications under Subsection 17.C.08.030.C (Sign Programs).
- C. **Application Requirements.** A Sign Program application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Section.
- D. **Authority.** As identified in Table 17.D.02.030-A (Review Authorities), the Planning Commission is the Review Authority for Sign Programs subject to Subsection 17.D.02.040.B.3 (Multiple Applications) and Subsection 17.D.02.040.O (Appeals).
- E. **Approval Procedures.**
1. **Discretionary Review.** While the application for a Sign Program may be reviewed concurrently with another application that is subject to discretionary review, discretionary review must be limited to the review of non-communicative aspects (i.e., time, place, manner, location, size, height, illumination, spacing, and orientation) of the signs proposed in the Sign Program.
 2. **Director Evaluation.** After a proposed Sign Program application has been deemed complete, the Director shall review the Sign Program application to determine whether it conforms with the provisions of this Title in accordance with Chapter 17.D.02 (Procedures).

3. **Planning Commission Decision.** The Planning Commission shall consider the Director's recommendation and make a decision on the Sign Program.
- F. **Findings.** The Review Authority may approve a Sign Program, with or without conditions of approval, only after making the following findings:
1. The provisions of the Sign Program are consistent with the intent of the General Plan, Chapter 17.C.08 (Signs) of this Title, and any Specific Plan, if applicable;
 2. The provisions of the Sign Program are consistent with the Downtown Revitalization Plan, if applicable;
 3. The provisions of the Sign Program ensure consistency in design and style of all new signs;
 4. The provisions of the Sign Program address compatibility of the design and style of any existing signs on the building or site; and
 5. The provisions of the Sign Program address compatibility of the design and style of new signs with the site layout, building configuration, and design and architectural style of building(s).
- G. **Decision; Appeals; Expiration, Extensions, and Revisions.**
1. **Decision.** The Review Authority's decision shall be in compliance with Subsection 17.D.02.040.H (Findings and Decision).
 2. **Appeals.** The Review Authority's decision may be appealed as provided in Subsection 17.D.02.040.O (Appeals).
 3. **Expiration.** Approved Sign Programs shall not expire.
 4. **Revisions.** Sign Programs may only be revised as provided in Subsection 17.D.02.040.M (Revisions to an Approved Project).

17.D.04.090 Home Occupation Permits

- A. **Purpose.** The purpose of the Home Occupation Permit is to allow for the conduct of businesses within places of residence and to prescribe the conditions under which limited nonresidential activities may be conducted when incidental to residential activities.
- B. **Applicability.** Section 17.C.10.130 (Home Occupations) identifies requirements for uses and activities that are allowed and require a Home Occupation Permit.
- C. **Application Requirements.** A Home Occupation Permit application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Section.
- D. **Authority.** As identified in Table 17.D.02.030-A (Review Authorities), the Director is the Review Authority for Home Occupation Permits subject to Subsection 17.D.02.040.B.3 (Multiple Applications) and Subsection 17.D.02.040.O (Appeals).
- E. **Approval Procedures.**
1. **Director Review.** After a proposed Home Occupation Permit application has been deemed complete, the Director shall review the Home Occupation Permit application to determine whether it conforms with the provisions of this Title in accordance with Chapter 17.D.02 (Procedures).

2. **Director Decision.** The Director shall approve or deny the application in compliance with the findings provided in Subsection 17.D.04.090.F (Findings).
- F. **Findings.** The Director shall approve a Home Occupation Permit, with or without conditions of approval, if it is determined that the proposed home occupation would:
1. Be consistent with the General Plan and any applicable Specific Plan;
 2. Be consistent with the standards of this Title for the subject zone;
 3. Be consistent with the home occupation criteria and standards of Section 17.C.10.130 (Home Occupations); and
 4. Be consistent with all other applicable provisions of the Beaumont Municipal Code and applicable laws.
- G. **Decision; Appeals; Expiration, Extensions, and Revisions.**
1. **Decision.** The Review Authority's decision shall be in compliance with Subsection 17.D.02.040.H (Findings and Decision).
 2. **Appeals.** The Review Authority's decision may be appealed as provided in Subsection 17.D.02.040.O (Appeals).
 3. **Expiration, Extensions, and Revisions.** Home Occupation Permits are subject to expiration as provided in Subsection 17.D.02.040.K (Expiration of Permits) and may only be extended or revised as provided in Subsection 17.D.02.040.L (Extension of Time) and Subsection 17.D.02.040.M (Revisions to an Approved Project).

17.D.04.100 Certificates of Appropriateness

- A. **Purpose.** The purpose of this Section is to provide various levels of historic protection and review and to preserve existing elements of historic resources in Beaumont. The City's intent is to be lenient in its review of plans for structures which have little or no historic value, or of plans for new construction, unless such plans would impair the historic value of surrounding structures. The establishment of a Certificate of Appropriateness is intended to protect structures of historic significance including areas of architectural, cultural, historic, economic, political, and social importance from the adverse effects of any alteration, demolition, or removal.
- B. **Applicability.**
1. A Certificate of Appropriateness is required for the exterior alteration, demolition, removal, or relocation of any historic resource or potential historic resource. A historic resource includes:
 - a. A resource identified in a City-approved historic or cultural resources study;
 - b. A structure over 50 years old; and/or
 - c. A structure potentially eligible for registration on a local, state, or national register.

2. The following activities do not require approval of a Certificate of Appropriateness:
 - a. Painting, routine maintenance, or minor repair, as determined by the Director to be consistent with existing colors and materials and not to have an adverse effect on the integrity of the historic resource. Such work includes:
 - (i) Alterations to the interior of the structure that do not have the possibility of adversely affecting the integrity of the historic resource;
 - (ii) Repairing pavement or repaving flat concrete work that is not considered a character-defining feature of the historic resource;
 - (iii) Landscaping, unless the landscaping is considered a character-defining feature of the historic resource;
 - (iv) Construction, repair, demolition, or alterations to other structures on the property not determined to qualify as a historic resource;
 - (v) Re-glazing windows;
 - (vi) Replacement of incompatible windows or doors with more historically appropriate windows or doors;
 - (vii) In-kind replacement of windows and doors on side and rear façades not readily visible from the public right-of-way;
 - (viii) Minor changes to front and street side fences;
 - (ix) Construction, repair, demolition, or alterations to side and rear yard fences;
 - (x) Roofing work, if there is minimal change in roof structure and exterior appearance;
 - (xi) Foundation work, if there is minimal change in exterior appearance; and/or
 - (xii) Repair of exterior siding, if consistent in material, size, and orientation to existing or proven historic siding.
- C. **Application Requirements.** A Certificate of Appropriateness application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Subsection.
- D. **Authority.** As identified in Table 17.D.02.030-A (Review Authorities), the following are the Review Authorities for Certificates of Appropriateness subject to Subsection 17.D.02.040.B.3 (Multiple Applications) and Subsection 17.D.02.040.O (Appeals).
 1. The Director is the Review Authority for minor changes that do not involve new construction, additions to existing structures, or demolition of existing structures.
 2. The Planning Commission is the Review Authority for all changes that are not subject to Director review.
- E. **Approval Procedures.**
 1. **Director Evaluation.** After a proposed Certificate of Appropriateness application has been deemed complete, the Director shall review the Certificate of Appropriateness

application to determine whether it conforms with the provisions of this Title in accordance with Chapter 17.D.02 (Procedures).

2. **Notice.** Noticing for a Certificate of Appropriateness shall be provided in compliance with Subsection 17.D.02.040.F (Public Hearing Notice); however, the notice for a Certificate of Appropriateness subject to Director review shall state the following:
 - a. The Director will decide whether to approve or deny the Certificate of Appropriateness on a date specified in the notice; and
 - b. A public hearing will be held by the Director only if requested in writing by any interested person before the specified date for the decision.
 3. **Director Review.**
 - a. The Director shall approve or deny a Certificate of Appropriateness in compliance with the findings provided in Subsection 17.D.04.100.F (Findings).
 - b. If a public hearing is requested in writing for a Certificate of Appropriateness application subject to Director review, the Director shall schedule the hearing which shall be noticed and conducted in compliance with Subsection 17.D.02.040.G (Public Hearings) and Subsection 17.D.02.040.F (Public Hearing Notice). If no public hearing is requested, the Director shall render a decision on the date specified in the public notice.
 4. **Planning Commission Review.** The Planning Commission shall conduct a public hearing on a Certificate of Appropriateness consistent with Section 17.D.02.040.G (Public Hearings).
- F. **Findings.** The Review Authority may approve the Certificate of Appropriateness, with or without conditions of approval, only after making either of the following findings:
1. Either:
 - a. The proposed work will neither adversely affect the significant features or character of a historic resource; or
 - b. A statement of overriding considerations has been adopted by the review authority finding that the benefits of the proposed work outweigh the impact on historic resources; and
 2. The proposed project is consistent with the General Plan and any applicable Specific Plan.
- G. **Unsafe or Dangerous Conditions.** This Subsection shall not be construed to prevent any alteration or demolition necessary to correct the unsafe or dangerous conditions of any structure, feature, or part thereof, when such condition has been declared unsafe or dangerous by the Building Official or the Fire Chief and where the proposed measures have been declared necessary by such official to correct such conditions. Work shall be performed in compliance with the current adopted version of the Uniform Code for the Abatement of Dangerous Buildings. However, only such work as is necessary to correct the unsafe or dangerous condition may be performed without compliance with this Section.

17.D.04.110 Reasonable Accommodation

Reasonable accommodation requests are regulated at Beaumont Municipal Code Chapter 15.26 (Reasonable Accommodations).

Chapter 17.D.06 Zoning Code and Zoning Map Amendments

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17.D.06.010 Purpose

This Chapter establishes procedures to amend the Zoning Map, commonly referred to as a “rezone” or “rezoning”, and to amend the text of this Title in accordance with California Government Code §65853 et seq.

17.D.06.020 Applicability

- A. **Initiation.** A Zoning Map amendment or Zoning Code text amendment (Zoning Amendment) may be initiated by at least one of the following:
 1. **Council.** A majority vote of the Council;
 2. **Planning Commission.** A majority vote of the Planning Commission;
 3. **Property Owner.** An application from the property owner or authorized agent of the property who seeks to have their parcel rezoned. If the property is under more than one ownership, all owners or the authorized agents shall join in filing the application; or
 4. **Majority of Owners of Area.** The owners of 50 percent or more of the area of all the property sought to be rezoned.
- B. **General Plan Amendment Required.** Amendments to zone boundaries or the text of this Title that are not consistent with the General Plan must be accompanied by a General Plan Amendment application in accordance with Chapter 17.D.08 (General Plan Amendments).
- C. **Urgency Measure.** Without following the procedures otherwise required prior to the adoption of new zoning regulations, the Council may adopt an Interim Zoning Ordinance as an urgency measure in compliance with California Government Code §65858, in which case the standards of this Chapter shall not apply. The Interim Zoning Ordinance shall require a four-fifths vote of the Council for adoption.

17.D.06.030 Application Requirements

- A. **Filing.** A Zoning Amendment application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures), and this Chapter.

- B. **Responsibility.** It is the responsibility of the applicant to provide the necessary information in support of the findings required by Section 17.D.06.050 (Findings).

17.D.06.040 Procedures

- A. **Director Evaluation.** After a proposed Zoning Amendment has been filed with the Department, the Director shall review the Zoning Amendment to determine whether it conforms with the provisions of this Chapter in accordance with Subsection 17.D.02.040.D (Review of Planning Applications).
- B. **Public Hearings.**
1. **Planning Commission Hearing.** The Planning Commission shall conduct a public hearing on the Zoning Amendment consistent with Section 17.D.02.040.G (Public Hearings) and shall forward a recommendation to the Council.
 2. **Council Hearing.**
 - a. Council shall conduct a public hearing on the Zoning Amendment consistent with Section 17.D.02.040.G (Public Hearings).
 - b. The Council's action to approve the Zoning Amendment shall be by ordinance.

17.D.06.050 Findings

A Zoning Amendment may be approved only after all of the following findings are made, as applicable to the type of Zoning Amendment:

- A. **Findings for All Zoning Amendments.**
1. The proposed Zoning Amendment is consistent with and conforms to the goals and policies of the General Plan;
 2. The proposed Zoning Amendment is consistent with and conforms to the goals and policies of any applicable Specific Plan;
 3. The proposed Zoning Amendment will not be detrimental to the public interest, health, safety, convenience, and general welfare;
 4. The proposed Zoning Amendment is in compliance with the provisions of CEQA;
 5. When considering a reduction of residential density, ensure compliance with California Government Code §65863 by either finding that the remaining sites identified in the Housing Element are adequate to accommodate the City's share of the regional housing need or by identifying sufficient additional, adequate, and available sites with an equal or greater density so that there is no net loss in residential density; and
 6. The proposed Zoning Amendment would not result in a net loss of potential housing units.
- B. **Additional Findings.**
1. **Zoning Ordinance Text Amendments.** The proposed Zoning Amendment is internally consistent with other applicable provisions of this Title.

2. ***Zoning Map Amendments.***

- a. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire, medical, etc.) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, etc.), to accommodate the uses and development densities or intensities allowed in the proposed new zone; and
- b. If located within or adjacent to residential areas, the requested zone change is compatible with the character of the residential neighborhood.

17.D.06.060 Effective Date

A Zoning Amendment shall become effective 30 days following the date the Council adopts the ordinance.

Chapter 17.D.08 General Plan Amendments

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17.D.08.010 Purpose

The purpose of this Chapter is to establish the procedures required for the adoption or amendment of the General Plan, including the General Plan land use map.

17.D.08.020 Applicability

A General Plan Amendment may be initiated in the same manner as a Zoning Amendment, see Section 17.D.06.020 (Applicability).

17.D.08.030 Application Requirements

A General Plan Amendment application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures), and the requirements of this Chapter.

17.D.08.040 Procedures

- A. **Director Evaluation.** After a proposed General Plan Amendment has been filed with the Department, the Director shall review the General Plan Amendment to determine whether it conforms with the provisions of this Chapter in accordance with Subsection 17.D.02.040.D (Review of Planning Applications).
- B. **Public Hearings.**
 - 1. **Planning Commission Hearing.** The Planning Commission shall conduct a public hearing on the General Plan Amendment consistent with Section 17.D.02.040.G (Public Hearings) and shall forward a recommendation to the Council.
 - 2. **Council Hearing.**
 - a. Council shall conduct a public hearing on the General Plan Amendment consistent with Section 17.D.02.040.G (Public Hearings).
 - b. The Council's action to approve the General Plan Amendment shall be by resolution.

17.D.08.050 Findings

A General Plan Amendment may be approved only after all of the following findings are made:

- A. The proposed General Plan Amendment is internally consistent with all other provisions of the General Plan;
- B. Approval of the proposed General Plan Amendment would not result in the General Plan being amended more frequently than four times per calendar year consistent with California Government Code §65358.
- C. The proposed General Plan Amendment serves the public necessity, convenience, and general welfare;
- D. The proposed General Plan Amendment is in compliance with CEQA requirements;
- E. When considering a reduction of residential density, the proposed General Plan Amendment is in compliance with California Government Code §65863 either based on a finding that the remaining sites identified in the Housing Element are adequate to accommodate the City's share of the regional housing need or based on identifying sufficient additional, adequate, and available sites with an equal or greater density so that there is no net loss in residential density; and
- F. The proposed General Plan Amendment would not result in a net loss of potential housing units.

17.D.08.060 Adoption of General Plan

- A. A General Plan Amendment shall be adopted by resolution of the Council, in compliance with California Government Code §65453, only after all of the findings contained in Section 17.D.08.050 (Findings) are made. A General Plan Amendment shall be adopted by an affirmative vote of a majority of the total membership of the Council.
- B. The Council's action to amend the General Plan shall become effective on the actual date the Council renders the decision.

Chapter 17.D.10 Specific Plans

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17.D.10.010 Purpose

This Chapter establishes the procedures for the preparation, processing, and adoption of Specific Plans in accordance with California Government Code §65450 et seq.

17.D.10.020 Applicability

- A. **When Required.** When required by the Council, the General Plan, or this Title to systematically implement the General Plan for any part of the city, a Specific Plan shall be prepared, processed, approved, and implemented in compliance with this Chapter.
- B. **Initiation.** An application for a Specific Plan may be initiated in the same manner as a Zoning Amendment, see Section 17.D.06.020 (Applicability).
- C. **Effect of Specific Plan.** The regulations provided by an adopted Specific Plan shall replace those of the current or underlying zone or zones, and the development standards and/or design standards or guidelines identified in the Specific Plan shall take precedence over the general standards included in this Title and any adopted design standards or guidelines.

17.D.10.030 Application Requirements

- A. **Filing.** A Specific Plan application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Chapter.
- B. **Required Information.** An application for a Specific Plan shall be accompanied by the information and materials required in the City's application form. At a minimum, a Specific Plan application shall include:
 - 1. **Proposed land uses.** The distribution, location, and extent of land uses proposed within the area covered by the Specific Plan, including open space areas;
 - 2. **Infrastructure.** The proposed distribution, location, extent, and intensity of major components of public and private circulation/transportation, sewage, water, drainage, solid waste disposal, energy, utilities, and other essential facilities to be located within the Specific Plan area and needed to support the proposed land uses;

3. **Land use and development standards.** Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable;
4. **Implementation measures.** A program of implementation measures, including regulations, programs, public works projects, and financing measures necessary to carry out the proposed land uses, infrastructure, and development and conservation standards and criteria; and
5. **Relationship to General Plan.** A statement of the relationship of the Specific Plan to the General Plan.

17.D.10.040 Procedures

- A. **General.** A Specific Plan application shall be processed in the same manner as required for General Plans by Government Code §65350 et seq., and in compliance with this Section:
- B. **Director Evaluation.** After a proposed Specific Plan application has been filed with the Department, the Director shall review the Specific Plan to determine whether it conforms with the provisions of this Chapter in accordance with Subsection 17.D.02.040.D (Review of Planning Applications).
- C. **Public Hearings.**
 1. **Planning Commission Hearing.** The Planning Commission shall conduct a public hearing on the Specific Plan consistent with Section 17.D.02.040.G (Public Hearings) and shall forward a recommendation to the Council.
 2. **Council Hearing.** Council shall conduct a public hearing on the Specific Plan consistent with Section 17.D.02.040.G (Public Hearings).

17.D.10.050 Findings

The Council may adopt a Specific Plan, with or without conditions, only after all of the following findings are made:

- A. That the Specific Plan is consistent with the General Plan and other adopted goals and policies of the City;
- B. The proposed Specific Plan is in compliance with CEQA requirements;
- C. When considering a reduction of residential density, ensure compliance with California Government Code §65863 by either finding that the remaining sites identified in the Housing Element are adequate to accommodate the City's share of the regional housing need or by identifying sufficient additional, adequate, and available sites with an equal or greater density so that there is no net loss in residential density; and
- D. The proposed Specific Plan would not result in a net loss of potential housing units.

17.D.10.060 Adoption of Specific Plan

A Specific Plan shall be adopted by resolution of the Council, in compliance with California Government Code §65453, only after all of the findings contained in Section 17.D.10.050 (Findings) are made. A Specific Plan shall be adopted by an affirmative vote of a majority of the total membership of the Council.

17.D.10.070 Implementation and Amendments

- A. **Development within a Specific Plan Area.** After the adoption of a Specific Plan, subsequent projects to implement the Specific Plan may be approved or adopted within an area covered by the Specific Plan only if first found to be consistent with the Specific Plan, including public works projects or development approvals (e.g., Tentative Map, Conditional Use Permit, Plot Plan, etc.).
- B. **Specific Plan Fee.** The Council may impose a Specific Plan fee surcharge on development permits within the Specific Plan area, in compliance with California Government Code §65456.
- C. **Amendments.**
 - 1. An adopted Specific Plan may be amended through the same procedure specified by this Chapter for the adoption of a Specific Plan.
 - 2. An adopted Specific Plan may be amended as often as deemed necessary by the Council, in compliance with California Government Code §65453.

Chapter 17.D.12 Development Agreements

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17.D.12.010 Purpose

This Chapter establishes procedures for the review of Development Agreements, in compliance with California Government Code §65864 et seq. A Development Agreement is a mutually agreed upon contract between an applicant and the City that provides benefit to both parties. Through a Development Agreement, the City can receive greater community benefits that it could otherwise achieve under this Title, the Beaumont Municipal Code, and state law.

17.D.12.020 Applicability

Only an applicant who has a legal or equitable interest in the real property which is the subject of the Development Agreement, as determined in the sole discretion of the Director, may file an application to enter into a Development Agreement with the City.

17.D.12.030 Application Requirements

- A. **Filing.** A Development Agreement application shall be prepared, filed, and processed in compliance with Chapter 17.D.02 (Procedures) and this Chapter.
- B. **Required Information.**
 1. All lawfully required documents, information, and materials shall accompany the application. The Director may require an applicant to submit additional information and supporting data as is necessary to evaluate and process the application.
 2. An application for a Development Agreement shall be accompanied by maps, plans, reports, development and performance standards, schematic drawings, or other documents deemed necessary by the Director to sufficiently detail or illustrate intended or permitted uses and their location on the property, the density or intensity of use, and the maximum size and height of structures as appropriate to evaluate the application request. This information may be included in a Specific Plan or other type of application.

- C. **Form of Agreement.** Each application shall be accompanied by the form of Development Agreement proposed by the applicant. All documents required, including the agreement and any attachments and exhibits, shall be suitable for recordation as determined by the City.

17.D.12.040 Procedures

- A. **Director Evaluation.** After a proposed Development Agreement has been filed with the Department, the Director shall review the Development Agreement to determine whether it conforms with the provisions of this Chapter.
- B. **Public Hearings.**
1. **Planning Commission Hearing.** The Planning Commission shall conduct a public hearing on the Development Agreement consistent with Section 17.D.02.040.G (Public Hearings) and shall make a recommendation to the Council.
 2. **Council Hearing.**
 - a. Council shall conduct a public hearing on the Development Agreement consistent with Section 17.D.02.040.G (Public Hearings).
 - b. If the Council approves a Development Agreement, the approval shall be implemented through the adoption of an ordinance containing the findings required by Section 17.D.12.050 (Findings).

17.D.12.050 Findings

The Council may approve a Development Agreement, with or without conditions, only after the following findings are made:

- A. The Development Agreement is consistent with the goals, policies, general land uses, and programs specified in the General Plan;
- B. The Development Agreement is consistent with any applicable Specific Plan;
- C. The Development Agreement and accompanying development maps, plans, and other supporting information are compatible with the uses authorized in, and the performance and development standards prescribed for, the zone in which the subject parcel or site is located;
- D. The Development Agreement is in conformity with and will promote public convenience, general welfare, and good land use and development practices;
- E. The Development Agreement shall be shown to be of greater benefit to the community than development absent the Development Agreement;
- F. The term or duration of the Development Agreement has a commensurate relationship to the benefit(s) provided;
- G. The Development Agreement contains the mandatory provisions specified in California Government Code §65865.2 and any other terms required by Council; and
- H. The Development Agreement complies with all other applicable requirements of California Government Code §65864 et seq.

17.D.12.060 Execution and Recordation

No later than 10 days after the ordinance approving a Development Agreement takes effect, the Mayor shall execute the Development Agreement, and the City Clerk shall record the Development Agreement with the County Recorder in compliance with California Government Code §65868.5

17.D.12.070 Annual Review

- A. **Requirement for Annual Review.** Every Development Agreement approved and executed in compliance with this Chapter shall be subject to periodic review every 12 months or less by the City during the full term of the agreement. The burden of proof shall be on the applicant, contracting party, or successor in interest to demonstrate compliance in good faith to the terms and conditions of the agreement to the full satisfaction of, and in a manner prescribed by, the City.
- B. **Initiation of Review.** The applicant, contracting party, or successor in interest shall initiate annual review by submitting a written statement to the Director describing their good faith substantial compliance with the terms and conditions of the agreement for the prior year.
- C. **Fees.** Appropriate fees to cover the City's cost to conduct the annual reviews shall be collected from the applicant, contracting party, or successor in interest prior to completion of each annual review. These fees may be established in the Development Agreement or by resolution of the Council.
- D. **Determination upon Review.** The Director shall review the materials furnished by the applicant, contracting party, or successor in interest to determine upon the basis of substantial evidence whether or not the applicant has, for the period under review, complied in good faith with the terms and conditions of the Development Agreement.
1. **Finding of Compliance.** If the Director, based on substantial evidence, determines that the applicant is in compliance with the provisions of the Development Agreement, the Director shall deliver a report of the determination to the Council and then no further action is required.
 2. **Finding of Noncompliance.** If the Director finds the applicant has not complied with the provisions of the Development Agreement, the Director shall issue a finding of noncompliance. The Director shall specify in writing to the applicant the respects in which the applicant has failed to comply with the Development Agreement and shall set forth terms of compliance and specify a reasonable time for the applicant to meet the terms of compliance. If the applicant does not comply with any terms of compliance within the prescribed time limits, the Development Agreement shall be subject to termination or modification in accordance with this Chapter.
 3. **Appeal of Determination.** Within 10 days after issuance of a finding of noncompliance, any interested person may file a written appeal of the finding with the Council as described in Subsection 17.D.02.040.O (Appeals). The appellant shall specify the reasons for the appeal. The issuance of a finding of compliance or finding of noncompliance by the Director and the expiration of the appeal period without appeal, or the confirmation by the Council of the issuance of the finding on the appeal, shall conclude the review for the applicable period. The determination shall be final.

17.D.12.080 Amendment or Termination of an Approved Development Agreement

- A. A Development Agreement may be amended or canceled, in whole or in part, by mutual consent of the parties to the agreement or their successors in interest in compliance with California Government Code §65868. The City shall have notice of the amendment, modification or termination recorded with the County Recorder's office.
- B. If, upon a finding under Subsection 17.D.12.070.D.2 (Finding of Noncompliance), the City determines to proceed with modification or termination of a Development Agreement, the City shall give notice to the applicant of its intention to do so. The procedure for modifying or terminating a Development Agreement is the same as the procedure for entering into a Development Agreement as specified in this Chapter. If the City modifies or terminates a Development Agreement in compliance with this Chapter, the City shall have notice of the noncompliance recorded with the County Recorder's office.

17.D.12.090 Effect of Development Agreement

- A. Unless otherwise provided by the Development Agreement, the rules, regulations, and official policies governing permitted uses of the land, density, design, improvement, and construction standards and specifications, applicable to development of the property subject to a Development Agreement, are the rules, regulations, and official policies in force at the time of execution of the Development Agreement.
- B. Unless specifically provided in the Development Agreement, the Development Agreement does not prevent the City, in subsequent actions applicable to the property, from applying new rules, regulations, and policies which do not conflict with those rules, regulations, and policies applicable to the property under the Development Agreement, nor does a Development Agreement prevent the City from conditionally approving or denying any subsequent development project application on the basis of existing or new rules, regulations, and policies.

Chapter 17.D.14 Enforcement

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17.D.14.010 Purpose

This Chapter supplements existing code enforcement regulations in Beaumont Municipal Code Chapter 1.17 (Administrative Code Enforcement) and Chapter 8.32 (Nuisances).

17.D.14.020 Responsibility for Enforcement

This Section describes responsibilities for enforcement of Title 17.

- A. **Special Prosecutor Responsibilities.** The Special Prosecutor, upon the request of the Council, shall institute any necessary legal proceedings to enforce this Title 17. The Special Prosecutor shall be authorized, in addition to any other remedy provided in the Beaumont Municipal Code to institute an action for an injunction to restrain or any other appropriate action or proceedings for enforcement.
- B. **Responsibility for Enforcement.** The Planning Commission, the Director, the City Attorney, the City Clerk, and all officials charged with the issuance of licenses or permits in compliance with Title 17 shall enforce the provisions of this Title. Any permit, certificate, or license issued in conflict with the provisions of this Title shall be void.

17.D.14.030 Zoning Violations

See Beaumont Municipal Code Section 8.32.070 (Zoning Ordinance Violations).

17.D.14.040 Remedies Cumulative

All remedies concerning this Zoning Code shall be cumulative and not exclusive. Conviction and punishment of any person hereunder shall not relieve such persons from the responsibility of correcting prohibited conditions or removing prohibited buildings, structures, or improvements, and shall not prevent the enforced correction or removal thereof.

City of Beaumont

Division E: Definitions

Public Review Draft

Lisa Wise Consulting, Inc.

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Chapter 17.E.02 Definitions of Terms

This Chapter provides definitions for terms that are commonly used throughout this Title.

Abut or Abutting. See “adjoining”.

Access. The place, or way, by which pedestrians and vehicles are provided adequate and usable ingress and egress to a property or use as required by this Zoning Code.

Accessory Building. An attached or detached subordinate building, the use of which is incidental to that of the primary building or to the principal use of the land, and which is located on the same lot or parcel of land with the main building or principal use of the land.

Accessory Structure. An attached or detached structure that is accessory and incidental to a primary structure located on the same lot.

Accessory Use. A use incidental to, related, and clearly subordinate to the principal use established on the same lot.

Adjacent. Two or more lots or parcels of land separated by an alley, street, highway, or recorded easement, or two or more objects located near each other.

Adjoining. Two or more lots or parcels of land sharing a common boundary line, or two or more objects in physical contact with each other.

Adult-Oriented Business Terms.

For additional adult-oriented business definitions, see Beaumont Municipal Code Section 5.60.020 (Definitions).

Public Park. A park, playground, swimming pool, reservoir, golf course, or athletic field within the City of Beaumont which is under the control, operation or management of the City of Beaumont, the County of Riverside, the Beaumont-Cherry Valley Park and Recreation District, or the State of California.

Religious Institution. A building which is used primarily for religious worship and related religious activities.

School. An institution of learning for minors, whether public or private, which offers instruction in those courses of study required by the California Education Code or which is maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary, junior high school, middle school, senior high school or any special institution of learning under the jurisdiction of the State Department of Education, but it does not include a vocational or professional institution or an institution of higher education, including a community or junior college, college or university.

Sexual Encounter Establishment. An establishment, other than hotel, motel, or similar establishment offering public accommodations, which, for any form of consideration, provides a place where two or more persons can congregate, associate or consort in connection with specified sexual activities of the exposure of specified anatomical areas as defined in Beaumont Municipal Code Section 5.60.020 (Definitions). This definition does not include an establishment where medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the State of California engages in sexual therapy.

Alley. A public or private right-of-way, other than a street or highway, permanently reserved as a secondary means of vehicular access to adjoining properties.

Amendment. A change in the wording, context, content, or substance of this Zoning Code or in the Zoning Map.

Assessor. The Assessor of the County of Riverside.

Awning. A roof or cover that projects from the wall of a building over a door or window, and made of canvas, aluminum, or a similar material, which may be fixed in place or retractable for the purpose of shielding a doorway or window from the elements.

Balcony. A platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail, balustrade, or parapet on at least one side.

Balcony, Unenclosed. A balcony open to the sky and not fully enclosed on more than two sides.

Basement. The portion of a building located underneath the first floor of a structure.

Building. Any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of people, animals, or property of any kind.

Building, Height. The vertical distance as measured continuously along a line at existing grade bisecting the width of the lot to the highest point of a building or structure, except as provided elsewhere in this Zoning Code.

Building, Main. A building in which a principal use is conducted. In a residential or agricultural zone, any residential unit shall be deemed the main building on the lot.

Building Site. The ground area of one or the ground area of two or more lots when used in combination of a building or group of buildings together with all open spaces as required by this Code.

Building Wall. The vertical surface that defines the exterior boundaries of a building.

Canopy. See “awning,” except that a canopy contains separate supporting posts and is not supported entirely from the exterior wall of a building. A fixed overhead shelter used as may or may not be attached to a building.

Carport. A permanently roofed structure with no more than two enclosed sides, used or intended to be used for automobile shelter and storage.

Cell. See “Energy Storage System Terms” below.

Cellar. See “basement”.

Centerline. The centerline of any street, as established by the City Engineer by official surveys, and on file in the Office of the City Engineer.

City. Refers to the City of Beaumont.

Commercial Vehicle. A vehicle which, when operated on a street, is required to be registered as a commercial vehicle under the California State Vehicle Code, and which is used or maintained for the transportation of persons for hire, compensation, or profit, or which is designed, used, or maintained primarily for the transportation of property.

Commissioning. See “energy storage system terms”.

Conversion (Condominium). A change in the type of ownership of a parcel or parcels of land, together with the existing structures, from rental housing to a condominium, community apartment, planned development, stock cooperative, or common interest development.

County. Refers to the County of Riverside.

Courtyard. An open, unoccupied space bounded on two or more sides by the walls of a building.

Coverage. The percentage of total site area covered by structures, open or enclosed. See Section 17.A.06.090 (Determining Lot Coverage).

Deck. A platform other than a balcony, either freestanding or attached to a building, without a roof, that is supported by pillars, posts, or walls.

Decommissioning Plan. See “Energy Storage System Terms” below.

Decorative Masonry Block. Neutral colored slump stone block, split-face block, or precision block with a stucco, plaster, or cultured stone finish.

Decorative Concrete Tilt-Up Wall. A wall made of concrete with a combination of paint and raised patterns, reveals, and/or trim lines.

Density Bonus Housing Agreement. A legally binding agreement between a developer of a housing development and the City containing such terms and conditions as determined by the City Attorney.

Department. The City of Beaumont Planning Department.

Director. Refers to the Community Development Director or his or her designee.

Driveway. An appropriately paved and privately-owned surface or road that provides access to off-street parking or loading facilities.

Efficiency Kitchen. A kitchen that includes the following:

1. A cooking facility with appliances that can run on standard 120 volt outlets or natural or propane gas;
2. A food preparation counter;
3. Storage cabinets that comply with minimum building code standards; and

May include a single basin sink with a maximum waste line diameter of 1.5 inches.

Energy Storage System Terms.

Battery. A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. Batteries utilized in consumer products are.

Battery Energy Storage Management System. An electronic system that protects storage batteries from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected. The system generates an alarm and trouble signal for abnormal conditions.

Battery Energy Storage System. A system consisting of electrochemical storage batteries, battery chargers, controls, power conditioning systems, and associated electrical equipment, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle.

Cell. The basic electrochemical unit, characterized by an anode and a cathode, used to receive, store, and deliver electrical energy.

Commissioning. A systematic process that provides documented confirmation that a battery energy storage system functions according to the intended design criteria and complies with applicable code requirements.

Decommissioning Plan. A plan to retire the physical facilities of the project, including decontamination, dismantlement, rehabilitation, landscaping, and monitoring. The plan contains detailed information on the proposed decommissioning and covers the schedule, type, and sequence of decommissioning activities; waste management, storage and disposal of the waste from decommissioning; the timeframe for decommissioning and site rehabilitation.

Energy Storage System. A system which stores energy and releases it in the same form as was input.

Renewable Energy. Energy sources that constantly renew themselves or are regarded as practically inexhaustible. Renewable energy includes energy derived from solar, wind, geothermal, hydroelectric, wood, biomass, tidal power, sea currents, and ocean thermal gradients.

Façade, Building. The exterior wall of a building that is located above ground.

Family. One or more people living together as a single housekeeping unit in a dwelling unit. A family includes the residents of residential care facilities and group homes for people with disabilities. A family does not include larger institutional group living situations such as dormitories, fraternities, sororities, monasteries, or nunneries.

Floor Area, Gross. The total horizontal area of all the floors of a building included within the surrounding walls, excluding vent shafts and courts.

Floor Area, Net. The total usable floor area within all floors of a building included within the surrounding walls.

Floor Area Ratio. The numerical value obtained through dividing the gross floor area of a building or buildings by the total area of the lot or parcel of land on which the building or buildings are located.

Frontage. The frontline of a site, separating the site from the street.

General Plan. The General Plan of the City of Beaumont, consisting of the General Plan and Map, adopted by the City Council.

Grade, Existing. The surface of the ground or pavement at a specific location as it existed prior to disturbance in preparation for a construction project.

Grade, Finished. The finished surface elevation of the ground or pavement at a specific location after the completion of a construction project.

Grade, Ground Level. The average level of the finished ground surface surrounding a building, measured at the center of all walls of the building.

Gradient. The rate of vertical change of a ground surface expressed in a percentage and determined by dividing the vertical distance by the horizontal distance.

Guest Room. A room designed for or occupied as sleeping quarters by one or two persons, providing lodging for compensation.

Hazardous Waste. Any waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may:

1. Exhibit toxicity, corrosivity, flammability, and/or reactivity;
2. Cause, or significantly contribute to, an increase in serious irreversible, or incapacitating reversible, illness; or
3. Present a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Height. See "building height."

Home Occupation. A commercial use conducted on residential property by the inhabitants of the subject residence, which is incidental and secondary to the residential use of the dwelling.

Household. A single individual or group of individuals, unrelated or related by blood or marriage, residing in a dwelling unit.

Household Pet. A domesticated animal commonly maintained within a residence.

Kitchen. A room in a building or dwelling unit that is used in the cooking or preparation of food.

Landscaping. The planting and maintenance of live trees, shrubs, ground cover, and lawn areas, including the installation of irrigation systems required by the provisions of this Zoning Code. "Landscaping" may include inorganic decorative materials of natural or man-made origin if used to accent or complement the natural vegetation. Inorganic decorative materials used in landscaping may include rock, stone, wood, waterfall, fountains, pools, sculptures, benches, and architectural screens, walls, and fences.

Loading Space. An off-street space or berth on the same lot as a building, or contiguous to a group of buildings, designated for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials, and which abuts upon a street or other appropriate means of access.

Lot. A parcel, tract, or area of land established by plat, subdivision, or as otherwise allowed by law, to be used, developed or built upon.

Corner Lot. A lot situated at the intersection of two or more streets having an angle of intersection of not more than 135 degrees.

Flag Lot. A lot having frontage upon, or access via an easement to, a public or private street by a narrow, private right-of-way.

Interior Lot. A lot other than a corner lot, flag lot, or through lot.

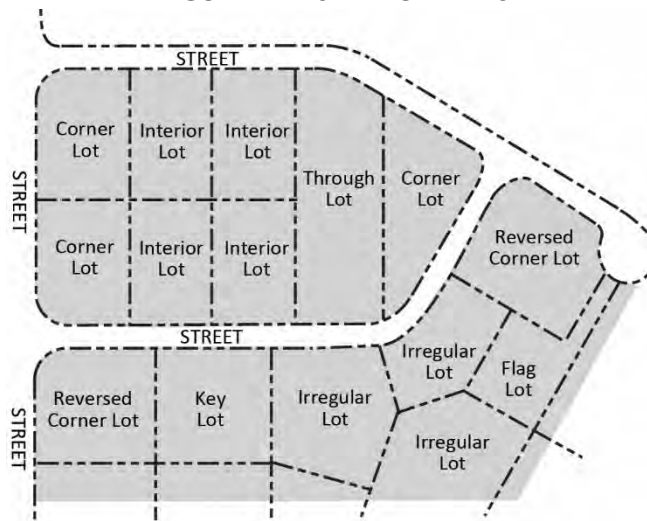
Irregular Lot. A lot which is shaped in a way that does not match the regular pattern of the lots on a block.

Key Lot. A lot with a side lot line that abuts the rear lot line of any one or more adjoining lots.

Reversed Corner Lot. A corner lot where the street side lot line of the lot is substantially a continuation of the front lot line of the lot to its rear.

Through Lot. A lot having frontage on two parallel or approximately parallel streets.

FIGURE 17.E.02-1: LOT TYPES



Lot Dimensions. The linear measurements of a parcel of land.

Lot Area. The total horizontal area within the lot lines of a lot.

Lot Area, Gross. The total area included within the lot lines of a lot, including street rights-of-way and easements that are required to be dedicated with the project and are within the lot boundaries.

Lot Depth. The horizontal distance between the front and rear lot lines, see Section 17.A.06.030 (Measuring Lot Width and Depth).

Lot Width. The horizontal distance between the side lot lines, see Section 17.A.06.030 (Measuring Lot Width and Depth).

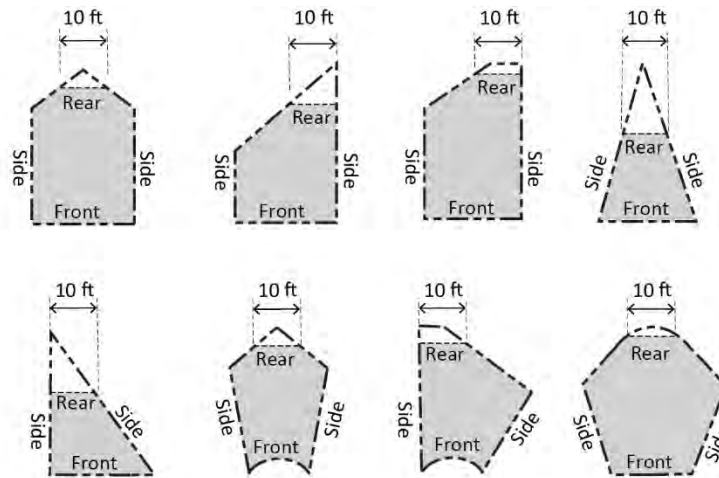
Net Area. The gross lot area, excluding dedications and easements that are not for the exclusive use of the lot on which the dedication or easement is located.

Lot Lines. The boundary between a lot and other property or the public right-of-way.

Front Lot Line. On an interior lot, the line separating the lot from the street. On a corner lot, the shorter lot line abutting a street. On a through lot, the lot line abutting the street providing the primary access to the lot. On a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained.

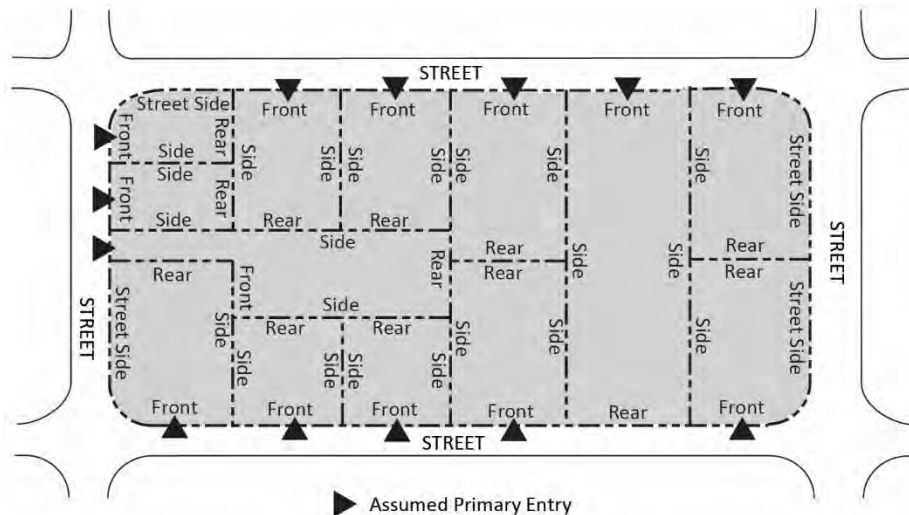
Interior Lot Line. Any lot line that is not adjacent to a street.

Rear Lot Line. The lot line that is opposite and most distant from the front lot line. Where no lot line is within 45 degrees of being parallel to the front lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, will be deemed the rear lot line for establishing the minimum rear setback.

FIGURE 17.E.02-2: REAR LOT LINES, IRREGULAR LOTS

Side Lot Line. Any lot line that is not a front or rear lot line.

Street Side Lot Line. A side lot line of a corner lot that is adjacent to a street.

FIGURE 17.E.02-3: LOT LINE TYPES

Low Barrier Navigation Center. Consistent with California Government Code §65660, Housing First, low-barrier, service-enriched shelters focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

No Net Loss Program Density Bonus Units. Residential units granted in accordance with Chapter 17.C.14 (No Net Loss Program), that exceed the maximum residential density for the development site and that are available in the No Net Loss Program Unit Bank.

No Net Loss Program Unit Bank. The number of units available to the No Net Loss Program as a result of a change of zone from a residential use to a less intensive residential use or a nonresidential use.

Nonconforming Building. A building or structure, or portion of a building or structure, lawfully existing and built in compliance with all City land use and zoning laws in effect at the time, and which does not comply with current standards in this Title, including but not limited to height, setbacks, floor area ratio, or maximum lot coverage.

Nonconforming Lot. A lot that was lawfully established in compliance with all applicable codes and laws at the time it was created but which, due to the application of this Title, does not comply with lot standards including area, width, and depth.

Nonconforming Use. Any use of land or property that was lawfully established pursuant to all applicable codes and laws at the time the use commenced, but which, due to the application of this Title or any amendment thereto, no longer complies with all of the applicable regulations and standards of the zone in which the use is located.

Parcel. See "lot".

Parolee/Probationer. An individual as follows:

- Convicted of a federal crime, sentenced to a United States federal prison, and received conditional and revocable release in the community under the supervision of a federal probation/parole officer; or
- Who is serving a period of supervised community custody as defined by California State Penal Code §3000, following a term of imprisonment in a State prison or County jail, and is under the jurisdiction of the California Department of Corrections, Division of Adult Parole Operations; or
- An adult or juvenile individual sentenced to a term in the California Youth Authority and received conditional and revocable release in the community under the supervision of a Youth Authority parole officer; or
- An adult or juvenile offender released from county jail or state prison after October 1, 2011, on Post Release Community Supervision.

Porch. A permanent projection attached to an entrance of a building, which has a roof but is not fully enclosed.

Pre-Existing. In existence prior to the effective date of this Title.

Public Transit. A location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

Recharging Stations. An area where equipment is provided to recharge an electric vehicle.

Recyclable Material. A reusable material, including, but not limited to, metals, glass, plastic, and paper, and which is intended for reuse, re-manufacture, or reconstitution for the purpose of using the altered form. "Recyclable material" shall not include refuse or hazardous materials. "Recyclable material" may include used motor oil collected and transported in accordance with California Health and Safety Code §25250.11 and 25143.2(b)(4).

Rental Units. A housing unit leased for the occupancy of a residential household.

Residence. One or more rooms designed, used, or intended to be used as permanent living quarters for a household, and not as temporary or overnight accommodations.

Room. An unsubdivided portion of the interior of a dwelling, excluding bathrooms, kitchens, closets, hallways, and service porches.

Setback. The distance between a property line and a building or structure that must be kept clear or open, except for the encroachments specifically permitted by this Title. See also Section 17.A.06.050 (Measuring Setbacks).

Front Setback. The area extending the full width of the lot as measured from, and perpendicular to, a front lot line.

Interior Side Setback. The area extending from a front setback line to a rear setback line as measured from, and perpendicular to, an interior lot line.

Street Side Setback. The area extending from a front setback line to a rear setback line as measured from, and perpendicular to, a street side lot line.

Rear Setback. The area extending the full width of the lot as measured from, and perpendicular to, a rear lot line. Also see "lot lines" (rear lot line).

Solid Fill. Any noncombustible materials insoluble in water, such as soil, rock, sand, or gravel, that can be used for grading land or filling depressions.

Storage Container. A storage container is a large, reusable box used to transport goods by land, sea, or air, as well as to store goods. "Storage container" includes shipping containers, cargo containers, and other portable shipping containers such as PODs®.

Story. "Story" as defined in the currently adopted and effective Uniform Building Code of the City.

Street. A public thoroughfare or right-of-way acquired for use as such, or an approved private thoroughfare or right-of-way, other than an alley, which affords the principal means of access to abutting property. "Street" includes all major and secondary highways, traffic collector streets, and local streets.

Street, Centerline. See "centerline."

Street Line. The boundary line between the street right-of-way and abutting property.

Structural Alteration. Any change in the supporting members of a building, such as bearing walls, columns, beams, girders, floor joists, ceiling joints, or roof rafters.

Structure. Any physical improvement constructed or erected, including an edifice or building of any kind, or any piece of work artificially constructed or composed of parts joined together in some definite manner, and which structure requires location on or in the ground or is attached to another improvement or in the ground, including fences, walls, swimming and wading pools, and patios.

Swimming Pool. Any structure intended for swimming, diving, or recreational bathing that contains water over 24 inches deep, including hot tubs and spas.

Tandem Parking. Two or more automobiles parked on a driveway or in any other location on a lot, lined up behind one another.

Target Population. Consistent with California Health and Safety Code §50675.14, persons, including persons with disabilities, and families who are "homeless," as that term is defined by Section 11302 of Title 42 of the United States Code, or who are "homeless youth," as that term is defined by California Government Code §12957(e)(2). Individuals and families currently residing in supportive housing meet the definition of "target population" if the individual or family was "homeless," as that

term is defined by Section 11302 of Title 42 of the United States Code, when approved for tenancy in the supportive housing project in which they currently reside.

Target Unit. A dwelling unit within a housing development, reserved for sale or rent to, and affordable to, lower- or moderate-income households.

Tire. A rubber covering, typically inflated or surrounding an inflated inner tube, placed around a wheel to form a flexible contact with the road. May include new or used tires.

Use. The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied, utilized, or maintained.

Usable Open Space. Any outdoor open space consistent with Section 17.C.02.090 (Open Space, Usable), and which is not used as storage or for movement of motor vehicles.

Water Efficient Landscape Terms.

Backfilling. To refill an excavation, usually with excavated material.

Backflow Prevention Device. A safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

Check Valve or Anti-Drain Valve. A valve located under a sprinkler head or other location in the irrigation system to hold water in the system to prevent drainage from the sprinkler heads or other irrigation device when the system is off.

Distribution Uniformity (DU). The measure of the uniformity of irrigation water distributed over an area, typically expressed in a percentage and converted to decimal form for water use calculations.

Emitter Tubing or Sub-Surface Emitter Dripline. The application of irrigation water with a matched precipitation rate at low pressure through a system of tubing or lateral lines containing factory installed low volume drip emitters equally spaced to apply small volumes of water when installed per manufactures recommendations at or near the root zone of plants. The DU of this type of irrigation generally does not exceed 80 percent when plant spacing is random as each emitter is not dedicated to an individual plant but installed in a grid fashion. The DU of this type of irrigation generally does not exceed 85 percent when plant spacing is densely grouped in a triangular or rectangular spacing as each emitter is not dedicated to an individual plant but installed in a grid fashion.

Established Landscape. The point at which plants in the landscape have developed a significant root growth into the site. Typically, most plants are established after one or two years of growth.

Estimated Annual Water Use (EAWU). Estimated total water use per year as calculated by the formula contained in Section 17.C.04.060.C.5.b.xiii.b.

Functional Turf. The turf areas to be publicly and privately accessible and dedicated as active play and recreation areas such as parks, sports fields, and golf courses; where turf provides a playing field or where turf is needed for high foot traffic activities.

Hydrozone. A portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.

Invasive Species. Non-indigenous species (e.g. non-native plants or animals) that adversely affect the habitats they invade economically, environmentally, or ecologically. Lists of invasive species are included within the Western Riverside County Multiple Species Habitat Conservation Plan and the Coachella Valley Multiple Species Habitat Conservation Plan. The lists are hereby incorporated by reference.

Landscape Architect. means a person who holds a license or is registered to practice landscape architecture in the State of California.

Landscaped Area (LA). All of the planting areas, turf areas, and water features in a landscape design plan subject to the maximum applied water allowance (MAWA) calculation. The landscape area does not include footprints of buildings, structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or impervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open space and existing native vegetation).

Local Water Purveyor. Any entity, including a public agency or private water company that provides retail water service to customers in the unincorporated area of Riverside County.

Maximum Applied Water Allowance (MAWA). The upper limit of annual applied water allowed for the established landscaped area as calculated by the formula contained in Section 17.C.04.060.C. 5.b.xiii.a.

Mulch. A layer of material applied to the surface of an area of soil on the ground to prevent excessive evaporation or erosion, to enrich the soil, inhibit/discourage weed growth, increase the rate of saturation, and reduce fluctuation in soil temperature. Mulch may be organic (such as bark mulch, wood chips) or inert (decomposed granite, gravel).

Overhead Sprinkler Irrigation Systems. Systems that deliver water through the air (e.g., impulse sprinklers, spray heads and rotors, etc.).

Point Source Drip or Point to Point Drip. The application type of irrigation water with a matched precipitation rate at low pressure through a system of tubing or lateral lines with a dedicated field-installed low volume emitter or emitters at each specific plant. The DU of this type of irrigation generally does not exceed 90 percent.

Potable Water. Water that must meet Federal and State safe drinking water standards and is safe for human consumption and contact.

Reference Evapotranspiration (Eto). A standard measurement of environmental parameters which affect the water use of plants. ETo is given in inches per day, month, or year. Reference evapotranspiration is used as the basis of determining the maximum applied water allowances so that regional differences in climate can be accommodated. Reference evapotranspiration numbers shall be taken from the most current Evapotranspiration Zones Map developed by the California Department of Water Resources. For geographic areas not covered by the evapotranspiration zones map, data from nearby areas shall be used.

Rehabilitated Landscapes. Any re-landscaping of a project that requires a discretionary permit.

Special Landscape Area. An area of the landscape dedicated to edible plants, and areas dedicated to active play such as parks, sports fields, golf courses, where turf provides a playing field or where turf is needed for high traffic activities. Cemeteries shall also be considered as special landscape areas. These areas shall be allowed 1.0 ETo.

Temporarily Irrigated. Irrigation for the purposes of establishing plants, or irrigation which will not continue after plant establishment. Temporary irrigation is for a period of six months or less.

Turf, Turfgrass, or Lawn. Species of warm or cool season grasses that form a dense thick mat of roots. Mowing creates a dense even surface and increases the need for water regardless of season. Turf or turfgrass or lawn does not include artificial turf.

Water-Intensive Landscaping. A landscape with a WUCOLS IV plant factor of 0.61 or greater and categorized as high or between high and moderate.

WUCOLS. The publication entitled "Water Use Classification of Landscape Species IV" by the California Department of Water Resources (DWR) Water Use Efficiency Program, California Center for Urban Horticulture (CCUH), University of California Davis, and University of California Cooperative Extension (2014 or most current WUCOLS version).

Wireless Telecommunications Terms.

Antenna. Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves when such system is operated or operating from a fixed location.

Base Station. A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

- The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems and small-cell networks).
- The term includes any structure other than a tower that, at the time the relevant application is filed with the state or local government, supports or houses equipment described above that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing the support.
- The term does not include any structure that, at the time the relevant application is filed with the state or local government, does not support or house equipment described in above.

Colocation. Mounting or installing a wireless telecommunication facility on a pre-existing structure; and/or modifying a structure for the purpose of mounting or installing a wireless telecommunications facility on that structure. For the purposes of eligible facilities requests, colocation means the mounting or installation of transmission equipment on an existing tower or base station.

Commercial Wireless Communication Facility. A wireless communication facility operated by a for-profit business or for-profit purposes.

Eligible Facilities Request. Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

- Colocation of new transmission equipment;
- Removal of transmission equipment; or
- Replacement of transmission equipment.

Fixed Wireless Signal. Any commercial non-broadcast communications signals transmitted via wireless technology to and/or from a fixed customer location. Fixed wireless signals do not include, among other things, AM radio, FM radio, amateur (“HAM”) radio, CB radio, and Digital Audio Radio Service (DARS) signals.

Hub or Relay Antenna. Any antenna that is used to receive or transmit fixed wireless signals for the distribution of fixed wireless services to multiple customer locations as long as the antenna serves a customer on whose premises it is located but excludes any hub or relay antenna that is used to provide any telecommunications services or services that are provided on a commingled basis with telecommunications services.

Lattice Tower. A type of tower; a three- or more-legged structure designed and erected on the ground to support wireless telecommunication antennas and connecting appurtenances.

Monopole. A type of tower; a structure of single pole (non-lattice) design and erected on the ground to support wireless telecommunications antennas and connecting appurtenances.

Noncommercial Wireless Communication Facility. A wireless communication facility operated by a government agency, a nonprofit organization, a for-profit business for nonprofit purposes or a private citizen for personal use. This use includes all amateur radio facilities.

Satellite Dish or Non-Satellite Dish. A sub-type of antenna incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, or cornucopia shaped, and is used to transmit and/or receive electromagnetic signals. This definition is meant to include, but is not limited to, what are commonly referred to as satellite earth stations, Television Receive Only (TVROs), and satellite microwave antennas.

Small Wireless Facilities. Facilities that meet each of the following conditions:

- The facilities:
 - Are mounted on structures 50 feet or less in height including their antennas as defined in this Section;
 - Are mounted on structures no more than 10 percent taller than other adjacent structures; or
 - Do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater;
- Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna), is no more than three cubic feet in volume;
- All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;
- The facilities do not require antenna structure registration under 47 CFR section 17.4;
- The facilities are not located on Tribal lands, as defined under 36 CFR section 800.16(x); and
- The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR section 1.1307(b).

Stealth Design. Improvements or treatments added to a wireless telecommunication facility which are intended to make the facility look like something other than a wireless tower or base station or to mask or blend the proposed facility into the existing structure or visual backdrop, in such a manner as to render it minimally visible to the casual observer.

Stealth Wireless Communications Facility. Any antenna that is designed to be architecturally integrated into a building and is architecturally consistent with the building design. Examples include a steeple, cupola or tower element on a building and do not include flag poles, monopoles or other structures designed to house antenna and resemble natural features.

Telecommunication Facility, Major. A communication facility that, due to size, scale, location, or other characteristics, is likely to have some detectable impact on adjacent uses or on the environment, including aesthetic or visual impacts, or that may have a cumulative impact citywide or on the regional environment due to the number of sites included or in combination with other projects. This definition includes freestanding antenna structures, including monopoles and towers, or the placement of a network of wireless communication facilities throughout an area onto existing structures, or other facilities which, as determined by the Director, warrant this classification.

Telecommunication Facility, Minor. A communication facility which by its size, scale, location, design, or combination of such measures, allows the facility to be aesthetically integrated into the surrounding environment so as not to be readily seen or recognized as a communication facility and is not likely to have some detectable impact on adjacent uses or on the environment.

Tower. Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

Yard. See “setback”.

Zone. A specifically delineated area in the city within which regulations and requirements in this Title uniformly govern the use, placement, spacing, and size of land and buildings.

Zoning Map. The Official Zoning Map delineating the boundaries of zones within the City of Beaumont.

Chapter 17.E.04 Definitions of Uses

This Chapter provides definitions for all uses established in the use tables in Division 17.B (Zone Regulations).

17.E.04.010 Residential Uses

Accessory Dwelling Unit. As defined by California Government Code §66313, an ADU is an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An ADU also includes an efficiency unit as defined in California Health and Safety Code §17958.1 and a manufactured home as defined by California Health and Safety Code §18007.

Junior Accessory Dwelling Unit (JADU). As defined by California Government Code §66313, a JADU is a residential unit that is consistent with the following:

1. Is no more than 500 square feet in size;
2. Is contained entirely within an existing or proposed single-family structure;
3. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed primary dwelling; and
4. Includes an efficiency kitchen.

Boarding or Rooming House. A residence or dwelling, other than a hotel or motel, where three or more rooms are rented under three or more separate written or oral rental agreements, leases or subleases or combination thereof, whether or not the owner, agent or rental manager resides within the residence.

Caretaker's Unit. A dwelling unit occupied by employees or caretakers of the primary use on the site.

Day Care Center. As defined by Health and Safety Code §1596.78, a home in which the provider regularly provides care, protection, and supervision for children for less than 24 hours per day.

Small. A home in which the provider regularly provides care, protection, and supervision for eight or fewer children for less than 24 hours per day.

Large. A home in which the provider regularly provides care, protection, and supervision for up to 14 children for less than 24 hours per day.

Duplex. A structure consisting of two attached dwelling units.

Elderly and Long-Term Care. Establishment that provides 24-hour medical, convalescent, or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, and is licensed by the California Department of Public Health. Includes, but is not limited to skilled nursing facilities, rest homes, and convalescent hospitals. Does not include a residential care facility or hospital.

Emergency Shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay as set forth in the California Health and Safety Code §50801(e), as may be amended.

Employee Housing. As described in California Health and Safety Code §17021.6 and 17008, any employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household.

Home Occupation Business. A commercial use conducted on residential property by the inhabitants of the subject residence, which is incidental and secondary to the residential use of the dwelling.

Live-Work Unit. An integrated housing unit and working space that has been constructed for such use or converted from commercial or industrial use and structurally modified to accommodate residential occupancy and work activity in compliance with the California Building Code. Living space includes, but is not limited to, a sleeping area, a food preparation area, and a full bathroom. The working space is reserved for and regularly used by one or more occupants of the unit.

Low Barrier Navigation Center. Consistent with California Government Code §65660, a service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health, shelter, and housing services.

Mobilehome Park. A development designed for and occupied by manufactured/mobile housing units consistent with the requirements of California Health and Safety Code §18200 to 18700. A mobile home park includes facilities and amenities used in common by occupants who rent, lease, or own spaces for mobile home units/spaces through a subdivision, cooperative, condominium, or other form of resident ownership.

Multi-Family Dwelling. A building containing three or more dwelling units.

Parolee/Probationer Home. A dwelling in which at least one parolee or probationer lives.

Residential Care Facility.

Small. Consistent with Health and Safety Code §1502, a facility that provides living accommodations and 24-hour care for six or fewer persons requiring personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are group homes or shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions.

Large. Consistent with Health and Safety Code §1502, a facility that provides living accommodations and 24-hour care for seven or more persons requiring personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are group homes or shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions.

Single-Family Dwelling. A dwelling unit designed for occupancy by one household, where all rooms are internally connected and internally accessible via habitable space, located on a separate lot from any other unit (except accessory dwelling units, where permitted), and have only one kitchen. This includes individual manufactured housing units installed on a foundation system pursuant to California Health and Safety Code §18551, and the use of a single-family residential structure as employee housing for six or fewer employees consistent with California Health and Safety Code §17021.5.

Single-Room Occupancy (SRO) Residence. A multi-tenant building consisting of single room dwelling units that are the primary residence of its occupants, containing either individual or shared kitchen and bathroom facilities.

Supportive Housing. Consistent with Health and Safety Code §50675.14, housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.

Transitional Housing. Consistent with California Government Code §65582, buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

Two-Unit Project. The development of two primary dwelling units or, if there is already a primary dwelling unit on the lot, the development of a second primary dwelling unit on a legally subdivided lot. Also known as an “SB 9 unit” (see California Government Code §65852.21).

17.E.04.020 Commercial Uses

Adult-Oriented Business. See Beaumont Municipal Code Section 5.60.020 (Definitions).

Animal Care and Services.

Animal Hospital. Medical care for household pets on a commercial basis with 24-hour accommodation of animals, but does not include kennels. Includes animal rescue facilities.

Kennel/Cattery. A commercial, non-profit, or governmental establishment licensed to operate a facility providing shelter, breeding, and/or care for domestic animals that offers overnight (24-hour) accommodation. This classification includes activities such as feeding, exercising, grooming, and incidental medical care for domestic animals. Includes animal rescue facilities.

Pet Day Care. A commercial, nonprofit, or governmental facility for keeping or maintaining household pets not owned by the facility owner or operator that provide daily accommodations of animals (not including overnight stays). Also includes grooming services.

Veterinary Clinic. Medical care for household pets on a commercial basis with no overnight (24-hour) accommodation of animals.

Banks and Financial Institutions.

Bank and Financial Services. A financial institution providing retail banking services. This classification includes only institutions that serve walk-in customers or clients, including banks, savings, and loan institutions, check-cashing services, and credit unions. Includes facilities that provide self-serve facilities; excludes drive-through facilities.

Pawnbroker. A place of business where personal property is received and for which money is advanced, with the right of privilege granted to the person to whom said money is advanced to reclaim such property upon repayment of said money.

Commercial Day Care Facility. Establishments providing non-medical care for children on a less than 24-hour basis other than large/small family child care homes. This classification includes licensed nursery schools, preschools, and day care facilities for children, and any other day care facility licensed

by the State of California. This use does not include after school program, summer camp, and tutoring facilities.

Drive-through Facility. A motor vehicle drive-through facility which is a commercial building or structure or portion thereof which is designed and/or used to provide goods and services to drivers while they remain seated in their vehicles. It includes, but is not limited to, banks and other financial institutions, fast food establishments, and pharmacies, but shall not include drive-in movies, service stations, or car wash operations.

Entertainment and Recreation, Commercial.

Entertainment, Indoors. Predominantly spectator uses conducted within an enclosed building. Typical uses include movie theaters, enclosed sports arenas, live performing arts venues, escape rooms, and video game activities and competitions such as e-sports.

Entertainment, Outdoors. Predominantly spectator uses conducted in open or partially enclosed or screened facilities. Typical uses include outdoor theaters, partially enclosed sports arenas, racing facilities, outdoor concert facilities, amphitheaters, drive-in movie theaters, aquatic parks, and amusement parks.

Sports and Recreation, Indoors. Predominantly participant sports conducted within an enclosed building. Typical uses include indoor bowling alleys, billiard parlors, ice and roller skating rinks, indoor racquetball courts, go-kart tracks, indoor shooting ranges, trampoline parks, athletic clubs, and physical fitness centers. Excludes operations where activities are primarily class- or appointment-based such as yoga studios and personal trainers.

Sports and Recreation, Outdoors. Predominantly participant sports conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, outdoor shooting and/or archery ranges, miniature golf courses, golf courses, outdoor go-karts, swimming pools, and tennis courts.

Funeral Home, Mortuary. An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of human remains and conducting memorial services. Typical uses include a crematory or mortuary. This use does not include cemeteries.

Hospital. A state-licensed facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.

Instructional Services. An establishment that offers specialized programs in improvement, information, and personal growth and development such as photography, fine arts, crafts, music, yoga, martial arts, dance, driving schools, health and wellness, and academic tutoring. Attendance is typically limited to hourly classes rather than full-day instruction. These establishments do not grant diplomas or degrees, though instruction may provide credits for diplomas or degrees granted by other institutions. Retail sales are permitted as an accessory use.

Group. Group instruction includes six or more students or clients at any one time.

Private. Private instruction includes fewer than six students or clients at any one time.

Lodging Uses.

Bed and Breakfast Establishment. A residential property with one or more bedrooms dedicated for rental for overnight lodging and where meals may be provided to guests. A bed and breakfast is either owner-occupied or has the manager or proprietor of the lodging business living on the premises.

Hotel. A commercial establishment providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or less, with access to rooms or units primarily from interior lobbies, courts or halls. A hotel may include limited facilities for storage and preparation of food and beverages within individual rooms, such as coffee makers, mini refrigerators and microwave ovens.

Motel. A building or group of attached or detached buildings providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or less, with access to each room or unit through an exterior door. Motels are distinguished from hotels primarily in that motels provide direct independent access to, and adjoining parking for, guest rooms and do not provide 24-hour guest services.

RV Camper Park. Any area or tract of land where one or more lots are rented or leased or held out for rent or lease to owners or users of RVs or tent camping used for travel or recreation purposes. RV parks can include utility hook-ups and amenities which could include but are not limited to a pool, recreational structure, and playground.

Maintenance and Repair Services. Establishments engaged in the maintenance or repair of office machines, household appliances, furniture, and similar large items. This classification excludes maintenance and repair of vehicles or boats (see “vehicle repair and maintenance”) and personal items such as apparel, shoes, and jewelry (see “general services, small”).

Medical Support Laboratory. A facility for scientific laboratory analysis of medical resources. The analysis is generally performed for medical providers to support the medical provider's work on behalf of patients.

Offices.

Business and Professional. Offices of firms or organizations providing professional, executive, business, management, or administrative services, including but not limited to accounting, architectural, computer software design, engineering, consulting, graphic design, insurance, interior design, real estate, legal, and tax preparations offices. Also includes co-working spaces designed to accommodate individuals and organizations that provide such services.

Communication Office/Studio. Includes radio, television or recording studios.

Medical Office/Clinic. Office use providing consultation, diagnosis, therapeutic, preventive, or corrective medical treatment services by doctors, dentists, chiropractors, optometrists, psychotherapists, alternative healing practitioners such as acupuncturists, and similar practitioners of medical and healing arts for humans licensed for such practice by the State of California. Incidental medical and/or dental laboratories and research within the office that supports the on-site patient services is considered part of the office use. This use includes urgent care facilities. Excludes independent research laboratory facilities and hospitals (see medical support laboratory and see hospital).

Retail.

Convenience Store. An easy access retail store in a building or tenant space of 5,000 square feet or less in gross floor area, which carries a range of merchandise oriented to convenience and travelers' shopping needs. These stores may be part of a service station or an independent facility.

General Retail. The retail sale or rental of merchandise not specifically listed under another use definition. This includes department stores, clothing stores, furniture stores, pharmacies, pet supply stores, flower shops (florist), art supply stores, music stores, book stores, and other businesses retailing (or renting) toys, hobby materials, handcrafted items, formalwear, music equipment and instruments, jewelry, cameras, candy, gifts and novelties, electronic equipment, sporting goods, hardware, appliances, antiques, art, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories, excluding vehicle service and installation (see vehicle repair and maintenance). Excludes large format retail and other sales-related uses more specifically described in other use definitions.

Grocery Store, Large. Retail establishments that primarily sell food, but also may sell other convenience and household goods, and could include a delicatessen or specialty food shop, baked goods, frozen foods, fruits, vegetables, meats, cheeses, dairy, and prepared food, and which occupy more than 25,000 square feet of gross floor area, but not more than 80,000 square feet of gross floor area.

Grocery Store, Small. Retail establishments with gross floor area less than 25,000 square feet that primarily sell food products, such as fresh fruits and vegetables, meats and seafood, dairy products, baked goods, packaged and prepared foods, and frozen foods, but that may also sell other convenience and household goods. May also include a delicatessen or other specialty food shop.

Large Format Retail. Retail establishments over 80,000 square feet in size that sell merchandise and/or bulk goods primarily for individual consumption, including, but not limited to, department stores, home improvement stores, membership warehouses which emphasize bulk sales to the general public as well as to other businesses, and other big box format stores. Large format retail uses may include a grocery store sales component.

Liquor Store. A business establishment having at least 50 percent of its gross floor area used for the sale of alcoholic beverages intended for off-site consumption.

Smoke Shop. An establishment dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia.

Services.

General Services, Small. A commercial establishment that performs cleaning, repair, and alteration of small consumer and household items, including but not limited to dry cleaning pick-up stores without equipment that uses chemical solvents, laundromats (self-service laundries), photocopying and photo finishing services, tailor shops, watch and jewelry repair, shoe repair, home electronics repair, and locksmiths. Does not include repair of vehicles or boats (see "vehicle repair and maintenance"), personal services (see "personal services"), or maintenance and repair of large or bulky items (see "maintenance and repair services").

Massage Establishment. See Beaumont Municipal Code Chapter 5.44.020 (Definitions).

Personal Services. A commercial establishment which provides services of a personal or aesthetic nature directly to consumers, including but not limited to barber and beauty shops, nail salons, tanning salons, hair removal salons, tattoo and body piercing studios, spa/wellness center (excluding massage establishments), medical spas, and personal trainers.

17.E.04.030 Alcohol-Serving and Restaurant Uses

Bar or Cocktail Lounge. Business serving beverages for consumption on the premises as a primary use, including serving alcohol such as beer, wine, and spirits. Dancing and live entertainment may also be conducted within the establishment. This use includes nightclubs. This use does not include breweries, wineries, or distilleries.

Brewery, Winery, or Distillery. A limited production brewery, winery, or distillery where beer, wine, or spirits are brewed, made, distilled, sold, and consumed on site and meets all applicable California Department of Alcoholic Beverage Control regulations. This use includes tasting rooms where alcoholic beverages are sold and consumed on site. Food service is subordinate to the sale of alcoholic beverages.

Restaurants.

Full Service. Restaurants providing cooked-to-order food and beverage services (including alcohol) to patrons who order and are served while seated and pay after eating. Takeout service may also be provided.

Limited Service. Establishments where food and beverages may be consumed on the premises (including alcohol), taken out, or delivered, but where no table service is provided. This includes, but is not limited to cafeterias, carryout sandwich shops, limited-service pizza parlors and delivery shops, self-service restaurants, snack bars, and takeout restaurants. This use includes cafes, coffee shops, and bakeries with a retail storefront component. This use does not include drive-through facilities, including fast-food restaurants (see Drive-through Facility).

17.E.04.040 Vehicle-Related Uses

Automobile/Vehicle Washing. A business engaged in the washing, waxing, cleaning, and/or detailing of automobiles or similar light vehicles.

Commercial Fueling Facility. A fueling facility designed for commercial customers which dispenses gasoline, diesel, or similar vehicle fuels, and which is not open to the general public, has no cash sales and provides no personal services on-site.

Fleet-based Service. Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles. This includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, non-emergency medical transport, home cleaning services, pedicab services, and similar businesses. This does not include towing operations (see “vehicle storage”).

Gas/Service Station. An establishment primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile vehicle repair services; selling automotive oils, replacement parts, and accessories; or providing incidental food and retail services. Major motor vehicle repair (engine rebuilding or reconditioning of engines, motor vehicles or trailers; collision service, including body, frame or fender repair; over-all painting) is not permitted.

Parking Lot. Open parking area(s) provided on property other than a public street, alley, or right-of-way that is the primary use on the lot. May include park-and-ride lots. Use of the parking lot may be subject to a fee.

Parking Structure. A building or structure containing parking spaces that is the primary use on the lot. May be located above or below grade, and use of the parking structure may be subject to a fee. May include park and ride structures.

Tire Store and Tire Repair. An establishment where the sale, installation or storage of new or used or retread tires and tubes is conducted with or without other products or services. Tire store does not include a retreading establishment, collection, reduction or transfer of tires.

Vehicle Rental. An establishment providing for the rental of automobiles, motorcycles, trucks, or trailers. Typical uses include car rental agencies.

Vehicle Repair and Maintenance.

Major. Repair of automobiles, trucks, motorcycles, motor homes, boats and recreational vehicles, including the sale, installation, and servicing of related equipment and parts. This classification includes the servicing and repair of engines, body and fender, transmission, axels, wheels and brake, auto glass services, tire sales and installation, tire treading and recapping, and vehicle painting. Excludes vehicle dismantling or salvaging (see “salvage and wrecking”) and tire retreading or recapping. All minor activities may also be included in major uses. The repair and maintenance of vehicles over 14,000 pounds is included in major uses only.

Minor. The service and repair of automobiles, boats, motorcycles, and light-duty trucks/vans under 14,000 pounds, including the sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to an automotive accessories and supply store, and quick-service oil, tune-up and brake and muffler shops, auto glass sales and replacement, window tinting, stereo and alarm sales, and tire sales where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes disassembly, removal or replacement of major components such as engines, drive trains, transmissions or axles; automotive body and fender work, vehicle painting or other operations that generate excessive noise, objectionable odors, or hazardous materials, and repair of heavy trucks, limousines, or construction vehicles (see “vehicle repair and maintenance, major”). It also excludes towing services (see “vehicle storage”) and fueling stations (see “gas/service station”).

Vehicle Sales and Leasing. Sale or lease, retail or wholesale, of automobiles, trucks, motorcycles, motor homes, and trailers, together with associated repair services and parts sales, but excluding body repair and painting. Includes, but is not limited to, automobile dealers and recreational vehicle sales agencies.

Vehicle Storage. The use of a site for the short-or long-term storage of automobiles, trucks, motorcycles, and/or other vehicles. Includes towing and impound lots.

17.E.04.050 Manufacturing and Industrial Uses

Advanced Manufacturing. The use of innovative technologies to create existing and new products or to improve products and processes. Advanced manufacturing focuses on the rapid transfer of science and technology into production activities and may incorporate high technology elements such as information, automation, computation, software, sensing, artificial intelligence, machine learning,

and networking. Advanced manufacturing may include storage space for raw materials and/or finished goods that actively supports the primary use.

Construction Yard and Equipment Rental. Storage of construction materials or equipment on a site other than a construction site. Includes rental of large construction equipment and machinery. This classification may include parking/storage of contractor vehicles.

Custom and Artisan Manufacturing. An establishment primarily engaged in on-site production of goods by hand manufacturing or artistic endeavor, which involves only the use of hand tools or small mechanical equipment and the incidental direct sale to consumers of only those goods produced on site. Typical uses include metalworking, pottery and ceramic studios with a kiln, glass furnace, or woodworking.

Food and Beverage Processing and Preparation. Cooking, processing, packaging, bottling, and shipping of food products for off-site sales. Includes, but is not limited to wholesale bakeries, catering services, commercial kitchens, and commissary kitchens. This does not include breweries, wineries, and distilleries. This use does not include the slaughtering of live animals.

Industry, General. Manufacturing of products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials, where operations are conducted primarily within an enclosed building. Includes, but is not limited to operations such as biomass energy conversion; fuel yards; textile mills; production apparel manufacturing; photographic processing plants; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; plastics and rubber products manufacturing; and nonmetallic mineral product manufacturing.

Industry, Heavy. Manufacturing of products that include petroleum products, metals and/or metal processing, and hazardous chemicals.

Industry, Light. Establishments engaged in light industrial activities taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. Includes, but is not limited to operations such as manufacturing finished parts or products primarily from previously prepared materials; commercial laundries and dry cleaning plants; mobile home manufacturing; monument works; printing, engraving and publishing; electronics manufacturing not included under advanced manufacturing; and furniture and related product manufacturing.

Research and Development. Industrial or scientific research for the design, development, engineering and testing of high technology, clean technology, industrial, or scientific products. May include limited manufacturing as necessary for the production of prototypes but excludes the full-scale manufacturing of final products. May also include storage space for raw materials and/or finished goods that actively supports the primary use.

Salvage and Wrecking. The dismantling of wrecked or decommissioned vehicles, appliances, or other metal products where usable parts are sold for use in operating vehicles and the unusable metal parts are sold to metal-recycling companies. Incidental storage is allowed.

Recycling Processing and Collection Facility.

Collection Facility. A center for the acceptance of recyclable materials from the public by donation, redemption, or purchase.

Processing Facility. A building or enclosed space used for the collection and processing of recyclable materials. “Processing” means the preparation of material for efficient shipment, or to an end-user’s specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and re-manufacturing.

Warehousing, Storage, and Distribution.

Mini-Storage or Self-Storage. An operation serving the public where customers rent or lease, or self-store and have direct access to, individual storage areas, compartments, or facilities rooms within a larger structure or structures provided for storage use. This use may also include limited caretaker facilities.

Logistics Use. A facility, primarily within an enclosed building, for the storage of commercial or industrial goods, products and materials and the associated on-site sorting, packing, staging, shipping, receiving, and distributing of goods to wholesale and retail outlets, including ancillary truck parking and dispatching. Also includes long-term, passive storage of furniture, household goods, or other commercial goods; and of industrial equipment, products, and materials. Warehousing and distribution facilities may include, but are not limited to, wholesale distribution, distribution centers, moving and transfer storage, cross-dock facilities, package handling centers, order fulfillment centers, and logistics centers. Excludes storage of raw materials and/or finished products as part of an active primary use (e.g., see “advanced manufacturing”; “industry, general”; “industry, light”; “research and development”).

17.E.04.060 Agricultural Uses

Animal Keeping (Commercial Use). The raising, care, and maintenance of animals on private property for commercial purposes, including dairies. Also see “kennel/cattery”, which provides for the boarding of animals.

Animal Keeping (Secondary Use). The raising, care, and maintenance of animals on private property for non-commercial purposes.

Apiary. A place where bees are kept.

Aviary. A large cage, building, or enclosure for the keeping of birds.

Cultivated Agriculture. The planting, growing, and harvesting of crops or plants, or the preparation of land for this purpose for viticulture, horticulture, pasturage, floriculture, or similar farming where a crop or final product may be produced for sale, but not necessarily. Includes incidental uses like produce stands.

Stables. Commercial horse, donkey, and mule facilities including horse ranches, boarding stables, riding schools and academies, horse exhibition facilities (for shows or other competitive events), pack stations, and barns, stables, corrals, and paddocks accessory and incidental to these uses.

17.E.04.070 Public, Institutional, and Utility Uses

Cemetery. Land used for the burial of the dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries only when operated in conjunction with and within the boundary of such cemetery.

Civic/Government. Administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, along with accessory storage and maintenance. This classification excludes corporation yards, equipment service centers, and similar facilities that require maintenance and repair services and storage facilities for related vehicles and equipment (see "vehicle repair and maintenance"). Also see "public safety facility".

Community Assembly. A facility for public or private meetings including clubs and lodges, community centers, senior centers, religious assembly facilities, convention centers, civic and private auditoriums, union halls, meeting halls for clubs and other membership organizations. This includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities (see "indoor sports and recreation") or facilities such as day care centers and schools, which are separately defined.

Major. Community assembly use that is over 2,000 gross square feet and has capacity for more than 200 seats.

Minor. Community assembly use that is 2,000 gross square feet or less and has capacity for no more than 200 seats.

Community Garden. Use of land for and limited to cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity, by several individuals or households.

Community Recreation Center. A recreation facility open to the public. Uses include, but are not limited to, swimming pools, sports courts and fields (e.g., tennis, pickleball, baseball, soccer), play areas, turf, community center buildings, recreation buildings, and other works/properties/structures/facilities necessary or associated with a public park, playground, or recreation purposes.

Cultural Facility. A facility engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This classification includes performing arts for theater, music, dance, and events as an accessory use; spaces for display or preservation of objects of interest in the arts or sciences; libraries; museums; historical sites; aquariums; publicly owned art galleries; and zoos and botanical gardens. It does not include schools or institutions of higher education providing curricula of a general nature.

Educational Institutions.

College or University. The use of a site for either a public or private college or university, excluding vocational/trade schools. This classification may include, but is not limited to, incidental/accessory dining and food service facilities, event spaces, sports fields, and student housing (dormitories).

Schools, Public or Private. An institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained in compliance with the standards set by the State Board of Education. This classification includes elementary school, middle or junior high school, or senior high school.

Vocational and Trade Schools. A postsecondary institution offering educational services which provide career training or lead to an occupation or job title; prepare students to take or pass a licensing examination or other qualifying test for employment; or which licenses persons in a particular profession, trade, or job category. This classification excludes programs that lead to a bachelor, master, or doctoral degree or that provide solely a vocational or recreational program,

or programs sponsored by a business or professional organization solely for the benefit of its members.

Park. A park, trail, recreation center, sports complex, golf course, or athletic field within the City which is under the control, operation or management of the City or other public agency.

Public Safety Facility. Facility operated by public agencies including fire stations, other fire prevention and firefighting facilities, and police and sheriff substations and headquarters, including interim holding facilities.

Public Utility/Service Structures.

Public Utility Facility. Generating plants, electric substations, solid waste collection, including transfer stations and materials recovery (recycling processing) facilities, solid waste treatment and disposal, water or wastewater treatment plants, and similar facilities of public agencies or public utilities.

Wind Energy Conversion System. A machine and or equipment that creates electricity from wind energy.

Transit Station and Facility. Facilities for passenger transportation operations, such as rail (e.g., Metrolink) but does not include airports or heliports.

Wireless Telecommunication Facility. A facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with an antenna, telecommunication towers or similar structures supporting the equipment, equipment buildings, parking area and other accessory development. Also see Wireless Telecommunications Terms in Chapter 17.E.02 (Definitions of Terms).

17.E.04.080 Other Uses

Accessory Use. A use that is customarily associated with, and is incidental and subordinate to, the primary use and located on the same lot as the primary use.

Farmers' Market. An establishment offering for sale produce, prepared food items, and other artisan/craft goods and merchandise by certified growers and producers authorized to sell, directly to consumers, products that are produced on land the producer controls or taken in consignment from other producers. Excludes flea markets.

Temporary Use. A use established for a specified period of time, with the intent to discontinue the use at the end of the designated time period.

Chapter 17.E.06 Definitions of Sign Terms

This Chapter provides definitions for signs referred to in Chapter 17.C.08 (Signs).

Advertise. Describe or draw attention to a product, service, or event in a public medium in order to promote sales or attendance.

Animated Sign. A sign designed to attract attention through movement or the semblance of movement of the whole or any part including, but not limited to, signs which swing, twirl, move back and forth or up and down; or signs which change color or shades of color or any other method or device which suggests movement.

Commercial Message. A message displayed on a sign that primarily concerns business, commercial or economic interests, or which proposes an economic transaction. Commercial messages may be onsite or offsite; however, the onsite/offsite distinction applies only to commercial messages.

Commercial Sign. A sign displayed for the purpose of identifying a commercial message, or advertising a service, product, business or venture that is offered for trade or sale which can be located onsite or offsite.

Copy. Graphic content of a sign surface designed to allow the changing of copy through manual, mechanical, or electrical means.

Electronic Message Center Sign. A sign with the capability of presenting variable advertising message displays by projecting an electronically controlled light pattern against a contrasting background and which can be programmed to change the message display periodically. An electronic message center is neither an animated sign nor a simulated motion sign.

Flashing Sign. Lighted signs which disappear and reappear at periodic intervals, or are intermittently on and off, and which are placed so as to attract vehicular traffic with emphasis on the recurrence of lights. This definition includes beacons, searchlights, and klieg lights only when they are used for commercial messages.

Foot-Candle. A quantitative unit of measure for luminance. One foot-candle is equal to the amount of light generated by one candle shining on one square foot surface located one foot away. It is equal to one lumen uniformly distributed over an area of one square foot.

Freestanding Sign. A permanent sign anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports, and not attached to or dependent for support from any building.

Illuminated Sign. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

Nits. A luminance unit equal to one candela (one candle) per square meter measured perpendicular to the rays from the source. Nits, when used in conjunction with contrast ratio and viewing angle, determine image quality in a desired application.

Noncommercial Message. A message or image displayed on a sign which concerns matters not included within the definition of commercial message. The onsite/offsite distinction applies only to commercial messages.

Noncommercial Sign. A sign that is displayed for the purpose of identifying a noncommercial message. The sign does not do any of the following:

1. Advertise a product, business or service for profit and/or a business purpose; or
2. Relate solely to economic interests. Noncommercial signs are not considered either off-site or on-site signs.

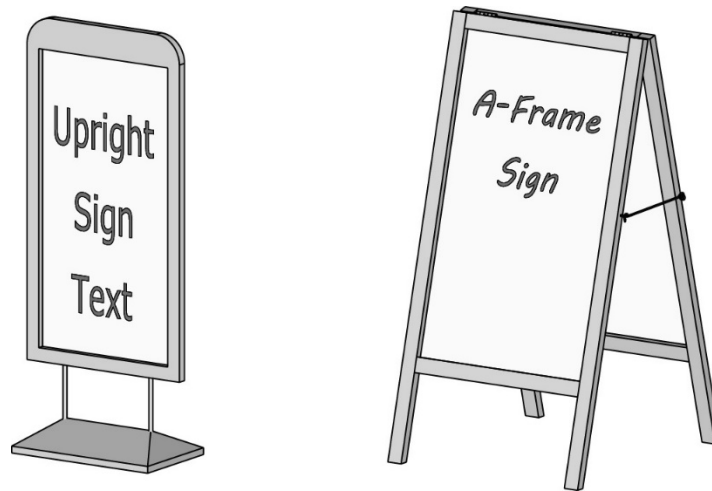
Off-Site Sign. A sign related in its subject matter to some premises or lot other than the premises or lot on which the sign is located.

On-Site Sign. A sign related in its subject matter to the premises on which it is located, or to products, accommodations, services, or other activities on the premises.

Permanent Sign. A stationary sign permanently attached to the ground or to a structure.

Portable Sign. A temporary sign designed and constructed so as to be easily moved. Such signs are usually not secured to a building or anchored to the ground. Common types include "A" frame signs, sandwich board signs, and sidewalk signs.

FIGURE 17.E.06-1: PORTABLE SIGNS



Poster Sign. Any sign attached to the ground in a manner approved by the building official, which may be visible from adjacent streets or highways.

Relocated Billboard. An existing billboard that is located in the City that is relocated through a City Council approved relocation agreement, including the replacement of a static billboard face with an electronic message center. The relocated billboard is not considered a new billboard.

Revolving Sign. A sign or a portion thereof, which rotates or revolves.

Sign. Any device, fixture, placard or structure, including its component parts, which draws attention to an object, product, place, activity, opinion, person, institution, organization, or place of business, or which identifies or promotes the interests of any person and which is to be viewed from any public street, road, highway, right-of-way or parking area. However, the following are not within the definition of "sign" for regulatory purposes of this Code:

1. Signs or other visual communicative devices that are located entirely within a building or other enclosed structure and are not visible from the exterior thereof, provided the building or enclosed structure is otherwise legal;

2. Decorative or architectural features of buildings (not including lettering, trademarks or moving parts);
3. Symbols of noncommercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building which is otherwise legal;
4. Items or devices of personal apparel, decoration or appearance, including tattoos, makeup, costumes (but not including commercial mascots);
5. Marks on tangible products, which identify the maker, seller, provider or product, and which customarily remain attached to the product even after sale;
6. The legal use of fireworks, candles, and artificial lighting not otherwise regulated by this Code;
7. Advertisements or banners mounted on trains or duly licensed mass transit vehicles that legally pass through the City;
8. On street legal vehicles and properly licensed watercraft: license plates, license plate frames, registration insignia, commercial and noncommercial messages, messages relating to the business of which the vehicle or vessel is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease or exchange of the vehicle or vessel;
9. Gravestones or grave markers; and
10. News racks and newsstands.

Sign types include:

Banner Sign. A fabric or fabric-like material on which an advertising message is painted or otherwise affixed.

FIGURE 17.E.06-2: BANNER SIGN



Billboard Sign or Billboard. A permanent sign structure used for the display of offsite commercial messages, other than a directional sign, which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises where the sign is located, or to which it is affixed. Commercial copy on any billboard sign may be replaced with noncommercial copy.

Directional Sign, On-site. A sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy (e.g., parking, exit, or entrance signs).

FIGURE 17.E.06-3: DIRECTIONAL SIGN, BUILDING-MOUNTED

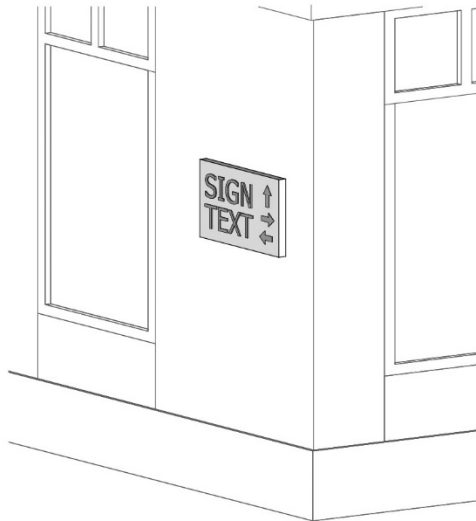
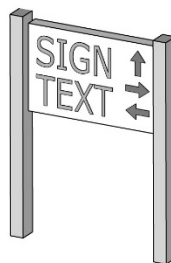


FIGURE 17.E.06-4: DIRECTIONAL SIGN, FREESTANDING



Flag Sign. A device, generally made of fabric or flexible materials, (usually cloth, paper or plastic), which displays visual colors, images, or symbols, typically those of governments, religions, causes, organizations, or specific business activities.

Identification Sign. A sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.

Identification Sign (Residential). A freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential development.

Monument Sign. A sign with an overall height of six feet or less, standing directly on the ground or on a base where the supporting poles or structures, if any, are covered from public view.

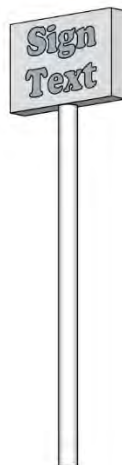
FIGURE 17.E.06-5: MONUMENT SIGN



Pennant. A display device, usually triangular in shape and made of flexible materials, such as cloth, paper or plastic, used primarily to attract attention of passersby.

Pylon Sign. A sign with an overall height exceeding six feet and supported by one or more poles or pylons attached directly into or upon the ground.

FIGURE 17.E.06-6: PYLON SIGN



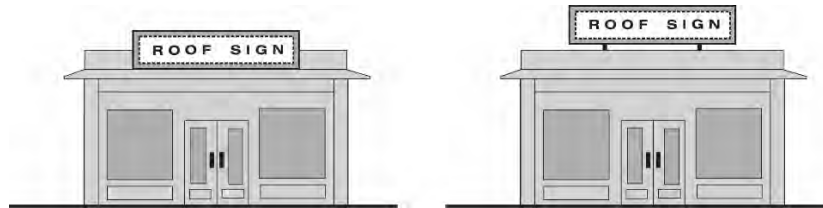
Real Estate Sign. A temporary sign advertising that a property or structure is for sale, lease, rent, or exchange. The advertising contained on a real estate sign shall be limited to the following information:

1. That the property is for sale, lease, rent or exchange by the owner or his or her agent;
2. The property is in escrow or there is an "open house";
3. Directions to the property; and

4. The owner's or agent's name, address and telephone number.

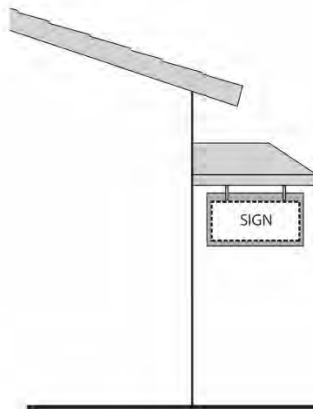
Roof Sign. A sign supported by or attached to or projecting through the roof of a building or structure, or projecting above the eave line or parapet wall of the building or structure.

FIGURE 17.E.06-7: ROOF SIGN



Under Canopy Sign. A sign attached to the underside of a projecting canopy perpendicular to the building frontage, commonly used for identifying the land use at that location.

FIGURE 17.E.06-8: UNDER CANOPY SIGN



Wall Sign. A sign which is in any manner affixed to any exterior wall of a building or structure, the exposed face of which is in a plane approximately parallel to the plane of the wall.

FIGURE 17.E.06-9: WALL SIGN



Window Sign. A temporary sign painted, attached, glued or otherwise affixed to a window, which is easily visible from the exterior of the building.

FIGURE 17.E.06-10: WINDOW SIGNS



Sign Structure. The supports, uprights, bracings, guy rods, cables and other structural framework of a sign or outdoor display.

Temporary Sign. A sign structure or device used for the display of messages or images, which is easily installed and removed and which is not intended or suitable for long-term or permanent display due the sign construction, materials, placement, or installation. Temporary signs shall include noncommercial signs, real estate signs, yard or garage sale signs, construction signs, on-site temporary window signs displaying a commercial message, future tenant identification signs, commercial flags and banners for real estate sales and leasing, commercial flags on commercial, industrial, or agricultural properties, signs supported by and affixed to the ground by a wire frame or special event signs. Any sign not covered by this definition is a permanent sign and must comply with the applicable permanent sign regulations.

Uniform Sign Program. A detailed set of plans, to-scale drawings, specifications, and other information for signs in a commercial, industrial, or office complex; a group of three or more businesses on a parcel or project site; or for commercial recreation uses.

Window Area. The total area of a window upon which signs, images or messages may be mounted. A group of window panes or panels can be considered one window if they are adjoining on the building face and are less than six inches apart.

