

# <u>Agenda</u> City of Beaumont Planning Commission Regular Session 6:00 PM

550 E 6th Street, Beaumont, Ca **Tuesday, July 23, 2019** 

Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packets are available for public inspection in the City Clerk's office at 550 E. 6th Street during normal business hours

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Page

# **REGULAR SESSION**

# **CALL TO ORDER**

Chairman Tinker, Vice Chairman St. Martin, Commissioner Smith, Commissioner Barr, Commissioner Stephens

Pledge of Allegiance: Approval/Adjustments to Agenda: Conflict of Interest Disclosure:

# PUBLIC COMMENT PERIOD (ITEMS NOT ON THE AGENDA)

Any one person may address the Planning Commission on any matter not on this agenda. If you wish to speak, please fill out a "Public Comment Form" provided at the back table and give to the City Clerk. There is a three (3) minute time limit on public comments. There will be no sharing or passing of time to another person. State Law prohibits the Commission from discussing or taking actions brought up by your comments.

# **ACTION ITEMS/PUBLIC HEARINGS/REQUESTS**

Approval of all Ordinances and Resolutions to be read by title only.

1. Approval of Minutes	5 - 7
Recommended Committee Action(s):	

1. Approve minutes dated June 25, 2019.

# PC Minutes 06.25.19

# Conduct a Public Hearing and Consider Conditional Use Permit 2019-0035 9 - 25 for a Large Family Daycare at 1349 Quince Street (Play N' Learn Family Daycare)

Recommended Committee Action(s):

- 1. Hold a Public Hearing;
- 2. Approve Conditional Use Permit No. 2019-0035, subject to the proposed conditions of approval; and
- 3. Direct staff to prepare a Notice of Exemption for the applicant to

	record with the County Clerk.	
	<u>Staff Report - Html</u>	
	Attachment A - CUP2019-0035 COA draft	
	<u>Attachment B - Floor Plan</u>	
	<u> Attachment C - General Plan Land Use Designation Map</u>	
	Attachment D - Zoning Map	
	<u>Attachment E - Aerial Photograph</u>	
3.	Conduct a Public Hearing and Consider Conditional Use Permit 2019-0036 for a Tattoo Studio (Roots Tattoo Studio) Located at 257 E. 6th Street, Suite A	27 - 47
	Recommended Committee Action(s):	
	1. Hold a Public Hearing;	
	2. Approve Conditional Use Permit No. 2019-0036, subject to the	
	proposed conditions of approval; and	
	3. Direct staff to prepare a Notice of Exemption for the applicant to record with the County Clerk.	
	Staff Report - Html	
	Attachment A - Draft Conditions of Approval	
	Attachment B - Site Plan	
	<u>Attachment C - Floor Plan</u> <u>Attachment D - General Plan</u>	
	<u>Attachment E - Zoning Map</u>	
	Attachment F - Aerial Photograph	
	<u>Attachment P Achar Hotograph</u>	
4.	Conduct a Public Hearing and Consider PLAN2019-0276 for an Amendment to the Beaumont Crossroads Logistics Center Sign Program Located at 1010 W. 4th Street in the Rolling Hills Ranch Industrial Specific Plan	49 - 133
	Recommended Committee Action(s):	
	1. Hold a Public Hearing, and	
	<ol> <li>Approve PLAN2019-0036 to amend the Beaumont Crossroads Logistics Center Sign Program as presented.</li> </ol>	
	Staff Report - Html	
	<u>Attachment A - Amended Sign Program Dated May 26, 2019</u>	
	Attachment B - Photo Simulation of Freeway Sign	
	Attachment C - Crossroads Sign Program Original Approved 2.14.17	
	Attachment D - General Plan	
	Attachment E - Zoning Map	
	Attachment F - Aerial Photograph	
5.	Proposed Amendment to Table 17.03-3 Permitted Uses in Base Zone District and Addition of Chapter 17.18 Regarding Wireless Telecommunications Facilities	135 - 170
	Recommended Committee Action(s):	
	1. Hold a public hearing; and,	

2. Forward a recommendation of approval of the ordinance to the City Council.

<u>Staff Report - Html</u> <u>Attachment A - Ordinance - 17.18 Wireless</u> <u>Attachment B - Surrounding Jurisdiction Info</u> <u>Handout 1</u> <u>Handout 2</u> <u>Handout 3</u>

# **COMMUNITY DEVELOPMENT DIRECTOR COMMENTS**

# Adjournment of the Special Planning Commission of the July 23, 2019 Meeting at \_\_\_\_ p.m.

The next regular meeting of the Beaumont Planning Commission is scheduled for Tuesday, August 13, 2019, at 6:00 p.m. or thereafter as noted on the posted Agenda at City Hall.

Beaumont City Hall – Online <u>www.BeaumontCa.gov</u>



MINUTES Planning Commission Meeting Council Chambers 550 E 6th St. Beaumont, Ca Regular Session: 6:00 PM Tuesday, June 25, 2019

#### **REGULAR SESSION**

CALL TO ORDER at 6:03 p.m. Present: Chairman Tinker, Vice Chairman St. Martin, and Commissioner Barr

Absent: Commissioner Smith, Commissioner Stephens

Pledge of Allegiance Approval/Adjustments to Agenda: **None** Conflict of Interest Disclosure: **None** 

#### PUBLIC COMMENT PERIOD (ITEMS NOT ON THE AGENDA)

Any one person may address the Planning Commission on any matter not on this agenda. If you wish to speak, please fill out a "Public Comment Form" provided at the back table and give to the City Clerk. There is a three (3) minute time limit on public comments. There will be no sharing or passing of time to another person. State Law prohibits the Commission from discussing or taking actions brought up by your comments.

#### No speakers

#### ACTION ITEMS/PUBLIC HEARINGS/REQUESTS

Approval of all Ordinances and Resolutions to be read by title only.

- 1. Approval of Minutes
  - Motion by Vice Chair St. Martin Second by Commissioner Barr \_absent\_ Commissioner Stephens \_√\_ Commissioner Barr \_absent\_ Commissioner Smith \_√\_ Vice Chair St. Martin \_√\_ Chairman Tinker To approve minutes dated May 28, 2019. Approved by a 3-0 vote.
- 2. Conduct a Public Hearing and Consider Conditional Use Permit CUP2019-0032 a Request to Allow a Fitness Center at 652 E 6th Street, Unit C, in the Commercial General (CG) Zone **Public Hearing opened at 6:08 p.m.**

*J. Windham* – Gave details as to the selection of the location and answered questions of the Commission.

Public Hearing closed at 6:14 p.m.

Motion by Commissioner Barr

Second by Vice Chair St. Martin

\_absent\_ Commissioner Stephens

\_✓\_ Commissioner Barr

\_absent\_ Commissioner Smith

\_✓\_ Vice Chair St. Martin

\_√\_ Chairman Tinker

To approve Conditional Use Permit CUP2019-0032, subject to the findings herein and the proposed conditions of approval.

Approved by a 3-0 vote.

3. Proposed Amendment to Table 17.03-3 Permitted Uses in Base Zone District and Addition of Chapter 17.18 Regarding Wireless Telecommunications Facilities

Public Hearing opened at 6:20 p.m.

H. Kulde – Spoke in favor of cell towers and approval of this item.
D. Jones – Spoke as representative of the proposed project, and spoke in favor of the addition of cell towers in residential areas.
R. Eaton – Spoke as a consultant of the applicant, to explain details of cell towers.

Public Hearing continued to July 23, 2019.

4. Consider a Request for a One-Year Extension of Time to the Approval of Plot Plan PP2018-0103

Motion by Vice Chair St. Martin Second by Commissioner Barr

absent Commissioner Stephens

\_\_\_\_ Commissioner Barr

\_absent\_ Commissioner Smith

\_√\_ Vice Chair St. Martin

\_√\_ Chairman Tinker

To approve a one-year extension of time for the approval of Plot Plan PP2018-0103. Approved by a 3-0 vote.

 Conditional Use Permit CUP2017-0001 a Request to Establish an Outdoor Recreational Vehicle (RV) Storage Facility on a 24.77 Acre-Site Located on the South Side of Brookside Avenue West of Deodar Road (APN 400-010-011) in the Residential Single Family (RSF) Zone and Adoption of a Mitigated Negative Declaration (SCH# 2019029071)

Motion by Vice Chair St. Martin Second by Commissioner Barr

Planning Commission June 25, 2019

\_absent\_ Commissioner Stephens
\_√\_ Commissioner Barr
\_absent\_ Commissioner Smith
\_√\_ Vice Chair St. Martin
\_√\_ Chairman Tinker
To continue Public Hearing to a date uncertain.
Approved by a 3-0 vote.

#### **Community Development Director Comments**

Cancellation of the regular meeting of July 9, 2019. Special Meeting to be held July 23, 2019.

#### ADJOURNMENT

#### Adjournment of the Planning Commission of the June 25, 2019 Meeting at 6:45 p.m.

The next regular meeting of the Beaumont Planning Commission is scheduled for Tuesday, July 9, 2019, at 6:00 p.m. or thereafter as noted on the posted Agenda at City Hall.

Beaumont City Hall – Online <u>www.BeaumontCa.gov</u>



**Staff Report** 

ТО:	Planning Commissioners
FROM:	Carole Kendrick, Senior Planner
DATE:	July 23, 2019
SUBJECT:	Conduct a Public Hearing and Consider Conditional Use Permit 2019-0035 for a Large Family Daycare at 1349 Quince Street (Play N' Learn Family Daycare)
APPLICANT:	Guadalupe Mendoza

#### Background and Analysis:

The Municipal Code of the City of Beaumont requires the approval of a conditional use permit by the Planning Commission for large family daycare centers. The purpose of this requirement is to establish a formal review of such proposals, which involves conducting a public hearing and giving written notice to property owners within a 300-foot radius of the site.

Through the conditional use permit process, the Planning Commission has the opportunity to determine if the proposed use, or the location of that use, is compatible with surrounding uses, or through conditions, can be made compatible. The Planning Commission can either deny or approve the proposal, and may establish conditions of approval for the business' operations to ensure that it will not be a detriment to the community.

The subject site has an existing 3,246 square foot, two story, single-family residence that was constructed in 2014. The project setting can also be seen in the following materials attached to this staff report:

- General Plan Land Use Map (Attachment C)
- Zoning Map (Attachment D)
- Aerial Photograph (Attachment E)

The applicant currently operates a small family daycare at this location which allows for up to 8 children, which was licensed by the State of California Department of Social Services on October 5, 2018. The state's website does not show that the facility has had any citations or complaints to date. The applicant has filed a Conditional Use Permit Application to expand

the in-home day-care for up to 14 children. The home is located in the Sundance community, which is zoned Specific Plan Area (SPA) and is a conforming use.

The nature of this project is child care. The business would be in operation 5 days a week, Monday through Friday, from 6:30 am to 6:00 pm. The daycare utilizes indoor and outdoor areas on the first floor. The first floor interior space includes a family room, living room, two (2) dining rooms, two (2) bathrooms, a bedroom and a kitchen. A fire extinguisher is located near the main entry to the home as well as fire alarms throughout the home. Staff feels that the available interior and exterior play areas should be suitable for a large home day-care facility; however, a final determination of adequacy of the site is to be made by the State of California as part of its facility licensing.

As with all applications of this type, concerns typically exist with compatibility of a singlefamily residential neighborhood. The consideration of this use functioning without impacts to the neighborhood should be evaluated in the public hearing process with neighborhood input. With a large-family daycare the requested scale of operations may potentially result in concerns, including noise, increased activity levels and parking and circulation problems associated with drop-off and pick-up traffic.

Staff has also added a condition that there shall be two driveway parking spaces available at all times to accommodate the pick-up and drop-off traffic. Staff feels two driveway parking spaces would be sufficient for this facility. Additionally, the applicant offers pick-up and drop-off service which alleviates some of the traffic. To date, the City has not received any complaints related to the existing daycare currently operating at the residence.

As with all in-home day care facilities, these businesses are subject to State of California licensing, inspection and monitoring. The City's role is limited to land use appropriateness, while all operational matters are handled by the state.

#### **CEQA Review:**

This project is exempt from review under the California Environmental Quality Act as it falls in a class of project which have been determined not to have a significant effect on the environment. Per CEQA Section 15274.(a), CEQA does not apply to the establishment or operation of a large family day care home, which provides in-home care for up to 14 children.

#### Findings:

The Planning Commission may approve and/or modify a Conditional Use Permit in whole or in part, with or without conditions, provided, all the following findings of fact are made

1. The proposed use is one conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this Zoning Ordinance. *Large Family Day Care uses with 7 to 14 children are conditionally permitted in the residential planning areas of the Sundance Specific Plan, per Table 10. The subject site* 

is located within Sundance Specific Plan and has a land use designation of low density residential. Approval of this use would be consistent with conditionally allowable uses and the intent of the Sundance Specific Plan.

- 2. The proposed use would not impair the integrity and character of the zone in which it is to be located. *The Sundance Specific Plan allows for large family day care uses subject to a Conditional Use Permit. Allowing this use in this zone would be not impair the integrity and character of the existing and surrounding uses in the area and is subject to the attached conditions of approval to further protect the character of the neighborhood.*
- 3. The subject site is physically suitable for the type of land use being proposed. *The location of the proposed use as a large family day care is physically suitable. The site is currently operating as a small family day care and wishes to expand the use to allow up to 14 children. The site has adequate access for circulation and emergency response. This application has been reviewed by the City's staff and is found to be compatible.*
- 4. The proposed use is compatible with the land uses presently on the subject property. The subject property is an existing single-family residence and is surrounded by single family residences. Allowing a large family day care at the location would be compatible with other existing residences in the area, as a large family day care are a conditionally permitted use in the Sundance Specific Plan and residential zones. The project has been conditioned to provide adequate parking and has limited hours of operation, to protect the character of the neighborhood.
- 5. The proposed use would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located. A large family day care is compatible with current and future land uses in the Sundance Specific Plan. The Sundance Specific Plan is intended to provide a variety of residential uses. The use is also consistent with what will be allowed in the future area zoning and in the general plan update.
- 6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety. *The site is adequately served by all public utilities and there is no public health or safety concerns.*
- 7. There would be adequate provisions for public access to serve the subject proposal. The site was constructed as a single-family residence. There is adequate access to the site to serve the public and provide for public safety access as was determined through project review of the underlying subdivision map and the conditions of approval.
- 8. The proposed use is consistent with the objectives, policies, general land uses, and programs of the City of Beaumont General Plan. *The proposed use is consistent with the overall General Plan and its contents. The City strives to provide a balance of land use and development types. Allowing this use in the Sundance Specific Plan works toward achieving these goals.*
- 9. The proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare. *The proposed use will not be detrimental to the public interest, health, safety, convenience, or welfare because as conditioned, the large family day care must comply with the proposed conditions of approval, the Sundance Specific Plan and the Municipal Code.*

- 10. The proposed design and elevations preserve and maximize the image, character, and visual quality of the neighborhood. *The residence is existing and as approved meets the City's development guidelines. The project is not proposing any modifications to the elevations and will maintain the residential character of the neighborhood.*
- 11. The Planning Commission shall find that the proposed use does not have a disproportionately high and adverse human health or environmental effect on minority and low-income populations. *The proposed use will provide child cares services in a residential setting. The services offered provide an alternative to commercial day care facilities. The allowance of a large family day care will not induce new environmental impacts as a result.*

Incorporated herein by Reference:

- City of Beaumont General Plan
- City of Beaumont Zoning Ordinance and Sundance Specific Plan
- Project Site's Riverside Conservation Authority Multi-Species Habitat Conservation Plan Informational Map
- Contents of City of Beaumont Planning Department Project File CUP2019-0035 and BP2014-00565

#### **Fiscal Impact:**

The proposed conditional use permit has no financial impact.

#### **Recommendation:**

- 1. Hold a Public Hearing;
- 2. Approve Conditional Use Permit No. 2019-0035, subject to the proposed conditions of approval; and
- 3. Direct staff to prepare a Notice of Exemption for the applicant to record with the County Clerk.

#### Attachments:

Attachment A - CUP2019-0035 COA draft Attachment B - Floor Plan Attachment C - General Plan Land Use Designation Map Attachment D - Zoning Map Attachment E - Aerial Photograph



# CITY OF BEAUMONT PLANNING DEPARTMENT CONDITIONS OF APPROVAL

# CONDITIONAL USE PERMIT NO. CUP2019-0035 CONDITIONAL USE PERMIT FOR ESTABLISHMENT OF A LARGE FAMILY DAYCARE LOCATED AT 1349 QUINCE STREET (APN 419-710-033)

PLANNING COMMISSION APPROVAL DATE:

#### STANDARD CONDITIONS

- 1. The permit for the above referenced Conditional Use Permit and property consists of all Conditions of Approval herein.
- 2. The use hereby permitted is for the establishment of a large family daycare.
- 3. The permittee shall defend, indemnify, and hold harmless the City of Beaumont, the Beaumont Redevelopment Agency, its agents, officers, consultants, and employees from any claims, action, or proceeding against the City of Beaumont or its agents, officers, consultants, or employees to attack, set aside, void, or annul, an approval of the City of Beaumont, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. CUP2019-0035. The City of Beaumont will promptly notify the permittee of any such claim, action, or proceeding against the City of Beaumont and will cooperate fully in the defense. If the City fails to promptly notify the permittee of any such claim, action or proceeding or fails to cooperate fully in the defense, the permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Beaumont.
- 4. This approval shall be used within one (1) year of the approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of operation permitted by this approval within the one (1) year period which is thereafter diligently pursued to completion and commencement of uses consistent with the land use entitlements authorized by this permit. Prior to the expiration of the one (1) year period the permittee may request a one (1) year extension of time in which to use this permit.
- 5. The development and uses entitled pursuant to the permit shall comply with the Beaumont Municipal Code and all other applicable City of Beaumont ordinances and state and federal codes. The development of the premises shall conform substantially with that as shown on the approved site plan, unless otherwise amended by these conditions of approval.

- 6. All subsequent submittals required by these conditions of approval, including but not limited to improvement plans, building plans, shall be subject to the payment of review fees by the permittee as set forth herein.
- 7. The hours of operation for the business are limited to 6:30am to 6:00pm Monday Friday.
- 8. A valid business license shall be maintained in force at all times.
- 9. Outdoor storage and/or discarded materials on the property are prohibited.
- 10. Any new signage on the site is subject to a sign permit application from the City.
- 11. Tenant Improvement Plans may be required dependent on the improvements made within the home. Please contact the Building and Safety Department with any questions concerning any building improvements.
- 12. For Sales Tax Purposes, this location shall be the "Point-of-Sale" for all transactions conducted.
- 13. The Community Development Director shall monitor the subject use to ensure that the scale of the use does not exceed the limitations of the existing site improvements. In the event that the Director determines that the scale of the use has exceeded site limitations, a hearing shall be scheduled before the Planning Commission to review the permit and consider modification or revocation thereof.
- 14. The scale of the operation shall be limited to a maximum of 14 clients, all of which are required to be minors. The care of adults is not permitted at this location.
- 15. The applicant shall be responsible for securing clearance, permits and approvals from all relevant agencies, including the Building Department, Fire Department and the State of California's Department of Social Services.
- 16. This permit shall be for the benefit of the applicant in whose name the permit was issued, for the specific approved location. The permit shall not be transferrable to another individual or location.
- 17. There shall be two (2) driveway parking space available at all times to accommodate the pick-up and drop-off traffic.

#### FIRE DEPARTMENT

- 18. Fire protection shall be provided in accordance with the requirements to be set forth by the Riverside County Fire Department.
- 19. New and existing buildings shall be provided with approved 4-inch address numbers on front of the building. CFC-section-505.
- 20. Provide 2A10BC Fire Extinguishers throughout the site. See fire department for locations and mounting height. CFC section-906.1.
- 21. Provide 'NO SMOKING' signs throughout the site. CFC section-31.
- 22. Submit a site and floor plan to the Riverside County Fire Department in Beaumont Ca. Along with an 850 form from Community Care License.
- 23. Address, Fire Alarm, Smoke Alarms, Carbon Monoxide Alarms, Exiting, garage separation, etc. will be required prior to fire final. To read more Office of the Fire Marshal has a handout and you can call for a pre-fire inspection prior to submittal to CCL.
- 24. F1. FIRE FINAL and life safety conditions will be addressed when the Office of the Fire Marshal reviews building plans. These conditions will be based on occupancy, use, California Building Code, California Fire Code, and other related codes which are in force at the time of building plan submittal.
- 25. F2. PREMISES IDENTIFICATION/COMMERCIAL BUILDING NUMBERS Prior to issuance of Certificate of Occupancy or building final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for building(s) up to 25 feet in height, and 24 inches in height for building(s) exceeding 25 feet in height. All addressing must be legible, of a contrasting color with the background, and (6) inches in height for suite identification on contrasting background. During construction of this project, the site address shall be clearly marked with a minimum of 24 inch numbers. Unobstructed lighting of the address (s) shall be by means approved by the Office of the Fire Marshal. In multiple suite centers (strip malls), business shall post the name of the business on the rear door (s). CFC section-505.1 & Riverside County Fire Ordinance 787.

- 26. F3. RAPID ENTRY KNOX BOX a Knox Box Rapid Entry System shall be provided. The Knox Box (s) and or a Knox Pad Lock shall be installed in an accessible location approved by the Fire Code Official (to the right of the door, 6 foot to the top of the box). The Knox Box may be supervised by the alarm system. Provide 3 sets of keys, and each key shall have a durable and legible tag affixed for identification. CFC section-506.1.
- 27. F4. SAFETY PRECAUTIONS Approval of the safety precautions for buildings being constructed, altered or demolished shall be required by the Fire Code Official in addition to other approvals for specific operations or processes associated with such construction, alteration or demolition. Structure, facilities and conditions which in the opinion of the fire code official, constitute a distinct hazard to life or property. The fire code official is authorized to order the posting of signs in a conspicuous location in each structure. The posting of signs shall not be obscured, removed, defaced, mutilated, or destroyed.
- 28. F5. FIRE DEPARTMENT INSPECTION APPROVAL Construction or work for which the Office of the Fire Marshal's approval is required shall be subject to inspection by the Fire Code Official and such construction or work shall remain accessible and exposed for inspection purposes until approved.
- 29. F6. AUTHORITY TO INSPECT The Office of the Fire Marshal shall maintain the authority to inspect as often as necessary for buildings and premises, including such other hazards or appliances designated by the Fire Code Official for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety.
- 30. F7. ALTERATIONS Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Office of the Fire Marshal with review and approval prior to installation.
- 31. F8. FIRE EXTINGUISHERS Install portable fire extinguishers with a minimum rating of 2A-10BC and signage. Fire extinguishers shall be mounted no higher than 5 feet above finished floor, measured to the top of the extinguisher. Extinguishers must have current CSFM service tags affixed; or within one year if from the date of month and year manufacture. Higher Hazards shall require a higher hazard fire extinguisher. CFC section- 906.1.
- 32. F9. BUILDING OPENINGS Access to building openings and roofs shall be maintained readily accessible for emergency access by the fire department. Finished grade to be flat and accessible on all sides of the building were ground ladder access is the only means to reach the highest point on the building from the exterior. Obstructions will not be placed

as to interfere with ground ladder placement. CFC Chapter 5, section 504.1 & RVC Ordinance 787.8.

### END CONDITIONS

BACK YARD





# CUP2019-0035 - General Plan Land Use Designation



# CUP2019-0035 - Zoning

# CUP2019-0035 - Aerial



City of Beaumont



**Staff Report** 

то:	Planning Commissioners
FROM:	Carole Kendrick, Senior Planner
DATE:	July 23, 2019
SUBJECT:	Conduct a Public Hearing and Consider Conditional Use Permit 2019-0036 for a Tattoo Studio (Roots Tattoo Studio) Located at 257 E. 6th Street, Suite A
APPLICANT:	Sam Enriquez & Mike Morales

#### Background and Analysis:

The Municipal Code of the City of Beaumont requires the approval of a conditional use permit by the Planning Commission for tattoo services. The purpose of this requirement is to establish a formal review of such proposals, which involves conducting a public hearing and giving written notice to property owners within a 300-foot radius of the site.

Through the conditional use permit process, the Planning Commission has the opportunity to determine if the proposed use, or the location of that use, is compatible with surrounding uses, or through conditions, can be made compatible. The Planning Commission can either deny or approve the proposal, and may establish conditions of approval for the business' operations to ensure that it will not be a detriment to the community.

The subject site is approximately 6,000 square feet and contains an existing building with three (3) suites and a detached garage. The site has partial improvements that include a monolithic sidewalk, curb and gutter on 6th Street. A paved alley is located to the south of the subject property and provides access to the parking area located south of Suite B and west of Suite A.

The project setting can also be seen in the following materials attached to this staff report:

- General Plan Land Use Map (Attachment D)
- Zoning Map (Attachment E)
- Aerial Photograph (Attachment F)

The land uses,	zoning, and	l General	Plan lan	l use	designations	of the	project	site a	nd
surrounding are	ea are shown	ı in the foll	lowing Ta	ble.					

	LAND USE	GENERAL PLAN	ZONING
PROJECT SITE	Existing multi- tenant retail building	General Commercial (GC)	Commercial General (CG)
NORTH	Existing single- family residence	General Commercial (GC)	Commercial General (CG)
SOUTH	Alley and single family residential	General Commercial (GC)	Commercial General (CG)
EAST	Cornerstone BBQ & single-family residence	General Commercial (GC)	Commercial General (CG)
WEST	Vacant land	General Commercial (GC)	Commercial General (CG)

#### Analysis:

The applicant is proposing a tattoo studio with operating hours from 12pm to 8pm, Monday thru Saturday. Service is provided by appointments that are typically made a month to six (6) weeks in advance. An average appointment is approximately 3-4 hours. The project only proposes two (2) tattoo stations, which on a typical day would serve a total of four (4) clients. The applicant is not proposing piercing services or any retail sales.

The suite is approximately 1,000 square feet and includes a lobby, restroom, break room, office and two (2) work stations. Two additional suites are located to the west of the subject site which include a vacant suite (Suite B) and Moore Construction in Suite C.

The parking area is currently accessed from a 25-foot-wide, unimproved private parcel located west of the subject property and from a 20 foot wide public alley that is located on the south side of the site. The Beaumont Municipal Code, Section 17.05.070.A does require that all parking spaces, maneuvering areas, turnarounds, and driveways shall be paved with asphaltic concrete or Portland cement in accordance with city standards. The project has been conditioned to improve the 25-foot-wide driveway area.

The applicant has also provided staff with a signed parking agreement with the property owner to the west, however Beaumont Municipal Code, Section 17.05.080.B.2 requires that a legal agreement shall be signed by all parties sharing parking facilities. The agreement shall be approved by the City Attorney and Community Development Director, and shall be recorded with the County Recorder's office, and continue to be valid upon change of ownership of any property. Staff has conditioned the project to provide a recorded parking agreement pursuant to the Municipal Code. Commercial parking requirements are broken down into 13 categories. The proposed use is unique in its parking demands and does not fall within the existing commercial categories. The Community Development has the authority under Section 17.05.040.B. to make a determination that an unspecified land use not specifically listed in the parking table is similar to another use. Based on the available categories and the characteristics of the use, the Community Development Director has determined that the use is similar in nature to a cinema, which accommodates customers for long periods of time. The parking requirement for cinemas is 1 space per 3 seats, therefore the proposed use would only require one (1) parking space based upon the two customer seats/stations. The site currently provides four (4) parking spaces behind the building, and three (3) tandem spaces on the property to the west, in addition to available street parking.

#### **CEQA Review:**

This project is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 in that information contained in the project file and documents incorporated herein by reference demonstrates that: Conditional Use Permit No. 2019-0036 is consistent with the General Commercial (GC) General Plan designation and all applicable General Plan policies as well as the applicable zoning designation of Commercial General (CG); the proposed project site is located within the boundaries of the City of Beaumont; Conditional Use Permit No. 2019-0036 has no value as habitat for endangered, rare or threatened species; there is no substantial evidence in the record that Conditional Use Permit No. 2019-0036 will result in significant effects related to traffic, noise, air quality or water quality in that the proposed design incorporates and otherwise is subject to air and water quality resource agency design requirements to avoid harmful effects; and the site is or can be adequately served by all required utilities and public services. As such, the project meets the criteria for application of a Class 01 (Existing Facilities) Categorical Exemption under the CEQA Guidelines. Additionally, none of the exceptions provided in CEQA Guidelines Section 15300.2 apply to this project.

#### Findings:

The Planning Commission may approve and/or modify a Conditional Use Permit in whole or in part, with or without conditions, provided, all the following findings of fact are made:

- 1. The proposed use is one conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this Zoning Ordinance. *Tattoo services are conditionally permitted in the Commercial General zone. Approval of this use would be consistent with conditionally allowable uses and the intent of the zone.*
- 2. The proposed use would not impair the integrity and character of the zone in which it is to be located. *The Commercial General (CG) allows for tattoo services. A tattoo service is subject to conditional use permit approval in this zone. Allowing this use in this zone would be consistent with existing and surrounding uses in the area and would not impair the zone's integrity.*
- 3. The subject site is physically suitable for the type of land use being proposed. *The location of the proposed use as a tattoo studio is physically suitable. The site is a multi-*

tenant center that is partially occupied, it is anticipated that operational hours for future users will vary and the site utilizes shared parking spaces with 271 E. 6th Street. The site has adequate access for emergency response. This application has been reviewed by the City's staff and is found to be compatible.

- 4. The proposed use is compatible with the land uses presently on the subject property. *The multi-tenant center is anticipated to a variety of uses and operating hours. Allowing a tattoo studio at the location would be compatible with future business at the site. The center was previously designed to accommodate a variety of retail and service-oriented business.*
- 5. The proposed use would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located. A tattoo studio is compatible with current and future land uses in the Commercial General (CG) zone. This zone is intended to provide for the general public a variety of uses including retail, food, personal services and commercial businesses. The use is also consistent with what will be allowed in the future area zoning and in the general plan update.
- 6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety. *The site is adequately served by all public utilizes. The business has completed an industrial wastewater survey and will be required to comply with appropriate pre-treatment measures to ensure there is no public health or safety concerns.*
- 7. There would be adequate provisions for public access to serve the subject proposal. The site was previously constructed to accommodate a variety of users. The site has been conditioned to provide adequate access to serve the public and provide for public safety access as was determined through project review and the conditions of approval.
- 8. The proposed use is consistent with the objectives, policies, general land uses, and programs of the City of Beaumont General Plan. *The proposed use is consistent with the overall General Plan and its contents. The City strives to provide a variety of businesses for its residents, job opportunities, and improvements to the aesthetics of the City. Allowing this use in the Commercial General (CG) zone works toward achieving these goals.*
- 9. The proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare. *The proposed use will not be detrimental to the public interest, health, safety, convenience, or welfare because as conditioned, the tattoo studio must comply with the proposed conditions of approval and the Municipal Code.*
- 10. The proposed design and elevations preserve and maximize the image, character, and visual quality of the neighborhood. *The center is existing, and the applicant is not proposing any changes to the elevations therefore there will be no impact to the image, character or visual quality of the neighborhood.*
- 11. The Planning Commission shall find that the proposed use does not have a disproportionately high and adverse human health or environmental effect on minority and low-income populations. *The proposed use will add to the mix of available personal service businesses already offered in the City. The allowance of a tattoo studio will not induce new environmental impacts as a result.*

Incorporated herein by Reference:

- City of Beaumont General Plan
- City of Beaumont Zoning Ordinance
- Project Site's Riverside Conservation Authority Multi-Species Habitat Conservation Plan Informational Map
- Contents of City of Beaumont Planning Department Project File CUP2019-0036 and CUP2017-0008

#### **Fiscal Impact:**

The proposed conditional use permit has no financial impact.

#### **Recommendation:**

- 1. Hold a Public Hearing;
- 2. Approve Conditional Use Permit No. 2019-0036, subject to the proposed conditions of approval; and
- 3. Direct staff to prepare a Notice of Exemption for the applicant to record with the County Clerk.

#### **Attachments:**

Attachment A - Draft Conditions of Approval Attachment B - Site Plan Attachment C - Floor Plan Attachment D - General Plan Attachment E - Zoning Map Attachment F - Aerial Photograph



# CITY OF BEAUMONT PLANNING DEPARTMENT CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. CUP2019-0036 CONDITIONAL USE PERMIT FOR ESTABLISHMENT OF A TATTOO PARLOR LOCATED AT 257 E. 6<sup>TH</sup> STREET, SUITE A (APN 418-092-004) PLANNING COMMISSION APPROVAL DATE:

DRAFT

#### STANDARD CONDITIONS

- 1. The permit for the above referenced Conditional Use Permit and property consists of all Conditions of Approval herein.
- 2. The use hereby permitted is for the establishment of a tattoo parlor.
- 3. The permittee shall defend, indemnify, and hold harmless the City of Beaumont, the Beaumont Redevelopment Agency, its agents, officers, consultants, and employees from any claims, action, or proceeding against the City of Beaumont or its agents, officers, consultants, or employees to attack, set aside, void, or annul, an approval of the City of Beaumont, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. CUP2019-0036. The City of Beaumont will promptly notify the permittee of any such claim, action, or proceeding against the City of Beaumont and will cooperate fully in the defense. If the City fails to promptly notify the permittee of any such claim, action or proceeding or fails to cooperate fully in the defense, the permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Beaumont.
- 4. This approval shall be used within one (1) year of the approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of operation permitted by this approval within the one (1) year period which is thereafter diligently pursued to completion and commencement of uses consistent with the land use entitlements authorized by this permit. Prior to the expiration of the one (1) year period the permittee may request a one (1) year extension of time in which to use this permit.
- 5. The development and uses entitled pursuant to the permit shall comply with the Beaumont Municipal Code and all other applicable City of Beaumont ordinances and state and federal codes. The development of the premises shall conform substantially

with that as shown on the approved site plan, unless otherwise amended by these conditions of approval.

- 6. All subsequent submittals required by these conditions of approval, including but not limited to improvement plans, building plans, shall be subject to the payment of review fees by the permittee as set forth herein.
- 7. The hours of operation for the business are limited to 12:00pm to 8:00pm Monday Saturday.
- 8. A valid business license shall be maintained in force at all times.
- 9. Outdoor storage and/or discarded materials on the property are prohibited.
- 10. All signage shall be developed in conformance with the zoning ordinance of the Beaumont Municipal Code. Any new signage on the site is subject to a sign permit application from the City.
- 11. Tenant Improvement Plans may be required dependent on the improvements made within the home. Please contact the Building and Safety Department with any questions concerning any building improvements.
- 12. For Sales Tax Purposes, this location shall be the "Point-of-Sale" for all transactions conducted.
- 13. The Community Development Director shall monitor the subject use to ensure that the scale of the use does not exceed the limitations of the existing site improvements. In the event that the Director determines that the scale of the use has exceeded site limitations, a hearing shall be scheduled before the Planning Commission to review the permit and consider modification or revocation thereof.
- 14. The applicant shall be responsible for securing clearance, permits and approvals from all relevant agencies, including the Building Department and Fire Department.
- 15. This permit shall be for the benefit of the applicant in whose name the permit was issued, for the specific approved location. The permit shall not be transferrable to another individual or location.
- 16. Prior to the issuance of a Certificate of Occupancy, per Beaumont Municipal Code Section 17.05.070 all parking spaces, maneuvering areas, turnarounds, and driveways shall be paved with asphaltic concrete or Portland cement in accordance with standards set by the City Engineer/Director of Public Works.

- 17. Prior to the issuance of a Certificate of Occupancy, per Beaumont Municipal Code Section 17.05.080:
  - a. The uses sharing the parking facilities shall be located on the same lot or contiguous lots.
  - b. A legal agreement shall be signed by all parties sharing parking facilities. Such agreement shall be approved by the City Attorney and Community Development Director, shall be recorded with the County Recorder's Office, and shall continue to be valid upon change of ownership of any property subject to the agreement or any lawfully existing building or structure on said properties.

#### **FIRE DEPARTMENT**

- 18. Fire protection shall be provided in accordance with the requirements to be set forth by the Riverside County Fire Department.
- 19. New and existing buildings shall be provided with approved 12-inch address numbers on front of the building. CFC-section-505.
- 20. Provide 2A10BC Fire Extinguishers throughout the site. See fire department for locations and mounting height. CFC section-906.1.
- 21. Provide 'NO SMOKING' signs throughout the site. CFC section-31.
- 22. Post an Occupant Load sign near the front entrance to the building.
- 23. F1. FIRE FINAL and life safety conditions will be addressed when the Office of the Fire Marshal reviews building plans. These conditions will be based on occupancy, use, California Building Code, California Fire Code, and other related codes which are in force at the time of building plan submittal.
- 24. F2. PREMISES IDENTIFICATION/COMMERCIAL BUILDING NUMBERS -Prior to issuance of Certificate of Occupancy or building final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for building(s) up to 25 feet in height, and 24 inches in height for building(s) exceeding 25 feet in height. All addressing must be legible, of a contrasting color with the background, and (6) inches in height for suite identification on contrasting background. During construction of this project, the site address shall be clearly marked with a minimum of 24-inch numbers. Unobstructed lighting of the address (s) shall be by means approved by the Office of the Fire Marshal. In multiple suite centers (strip malls), business shall post

the name of the business on the rear door (s). CFC section-505.1 & Riverside County Fire Ordinance 787.

- 25. F3. RAPID ENTRY KNOX BOX a Knox Box Rapid Entry System shall be provided. The Knox Box (s) and or a Knox Pad Lock shall be installed in an accessible location approved by the Fire Code Official (to the right of the door, 6 foot to the top of the box). The Knox Box may be supervised by the alarm system. Provide 3 sets of keys, and each key shall have a durable and legible tag affixed for identification. CFC section-506.1.
- 26. F4. SAFETY PRECAUTIONS Approval of the safety precautions for buildings being constructed, altered or demolished shall be required by the Fire Code Official in addition to other approvals for specific operations or processes associated with such construction, alteration or demolition. Structure, facilities and conditions which in the opinion of the fire code official, constitute a distinct hazard to life or property. The fire code official is authorized to order the posting of signs in a conspicuous location in each structure. The posting of signs shall not be obscured, removed, defaced, mutilated, or destroyed.
- 27. F5. FIRE DEPARTMENT INSPECTION APPROVAL Construction or work for which the Office of the Fire Marshal's approval is required shall be subject to inspection by the Fire Code Official and such construction or work shall remain accessible and exposed for inspection purposes until approved.
- 28. F6. AUTHORITY TO INSPECT The Office of the Fire Marshal shall maintain the authority to inspect as often as necessary for buildings and premises, including such other hazards or appliances designated by the Fire Code Official for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety.
- 29. **F7. ALTERATIONS** Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Office of the Fire Marshal with review and approval prior to installation.
- 30. F8. FIRE EXTINGUISHERS Install portable fire extinguishers with a minimum rating of 2A-10BC and signage. Fire extinguishers shall be mounted no higher than 5 feet above finished floor, measured to the top of the extinguisher. Extinguishers must have current CSFM service tags affixed; or within one year if from the date of month and year
## Conditions of Approval CUP2019-0036 Page 5

manufacture. Higher Hazards shall require a higher hazard fire extinguisher. CFC section- 906.1.

31. **F9. BUILDING OPENINGS** – Access to building openings and roofs shall be maintained readily accessible for emergency access by the fire department. Finished grade to be flat and accessible on all sides of the building were ground ladder access is the only means to reach the highest point on the building from the exterior. Obstructions will not be placed as to interfere with ground ladder placement. CFC Chapter 5, section 504.1 & RVC Ordinance 787.8.

## **END CONDITIONS**



257E SIXTH ST. SUITE A BERNMONT ROOTS TATTOO PARKING



# CUP2019-0036 General Plan



# CUP2019-0036 Zoning Map



# CUP2019-0036 Aerial





**Staff Report** 

ТО:	Planning Commissioners
FROM:	Carole Kendrick, Senior Planner
DATE:	July 23, 2019
SUBJECT:	Conduct a Public Hearing and Consider PLAN2019-0276 for an Amendment to the Beaumont Crossroads Logistics Center Sign Program Located at 1010 W. 4th Street in the Rolling Hills Ranch Industrial Specific Plan
APPLICANT:	Fast Signs

# Background and Analysis:

A sign program for the Crossroads Logistics Center (17-SN-03) was previously approved by the Planning Commission on February 14, 2017. The original sign program established sign criteria for the center and is provided as Attachment C to this staff report. The project applicant is requesting an amendment to the approved sign program to accommodate signage for the Amazon fulfillment center as well as freeway signage for the logistics center, as shown in Attachment A.

The Rolling Hills Ranch Industrial Specific Plan Section 4.14 states that all signs associated with non-residential uses shall comply with the sign regulations established by the Municipal Code. The Municipal Code of the City of Beaumont Section 17.07.030.L allows sign programs for specific developments, as well as special sign districts or special sign overlay zones, or in specific plans of land uses, when approved as required by applicable law, may modify the rules stated as to sign size, height, illumination, spacing, orientation or other non-communicative aspects of signs, but may not override or modify any of the basic policies.

The overall area of the Rolling Hills Ranch Industrial Specific Plan is 155.16 acres and is located south of the 60 Freeway, north of 4th Street and west of Distribution Way. The site contains a newly constructed warehouse for Wolverine and the Amazon fulfillment center that is currently under construction.

The project setting can also be seen in the following materials attached to this staff report:

• General Plan Land Use Map (Attachment D)

- Zoning Map (Attachment E)
- Aerial Photograph (Attachment F)

The land uses, zoning, and General Plan land use designations of the project site and surrounding area are shown in the following Table.

	LAND USE	GENERAL PLAN	ZONING
PROJECT SITE	Wolverine & Amazon Fulfillment Center (under construction)	Industrial	Rolling Hills Ranch Industrial Specific Plan
NORTH	Beaumont RV Sales & Yankee Mini Storage	Urban Village Overlay	Commercial General (CG)
SOUTH	Temporary Construction Staging Area	Industrial	County of Riverside
EAST	Rudolph Foods	Industrial	Manufacturing (M)
WEST	Vacant land	Commercial Industrial Overlay	County of Riverside

The applicant is proposing three (3) channel letter signs that will be wall mounted and internally illuminated. Two (2) of the wall mounted signs will be identification signs and will include the Amazon name and smile logo. The signs are proposed on the north and south elevations of the building and are 9'10" in height with an overall width of 32'7". The sign area is 320.4 square feet for each identification sign.

Signage in manufacturing zones is based on the lineal feet of the building primary frontage. One (1) square footage of sign area is allowed per one (1) linear foot. The code limits square footage not exceed 100 square feet or to occupy more than 70% of the building. However, a sign program does allow flexibility and the proposed identification signs are in scale with the building frontage which is 1,185 feet. The identification signage calculates at approximately 0.27 square feet for each linear foot of the building frontage, which less than the standard one (1) square foot required in standard manufacturing zones.

An additional wall sign is proposed on the north elevation at the main entry to the building and will be an internally illuminated channel sign with the Amazon smile logo. The smile logo is 2'8.5" high by 12' wide and is 32.5 square feet in size.

In addition to the wall signage, the applicant is proposing two (2) monument signs for Amazon. One of the signs is proposed at the 4th Street and Distribution Way. The second monument sign is proposed at the central driveway on Prosperity Way. Both signs are setback five (5) feet from property lines. The monument signs are double sided, internally

illuminated with an overall height of nine (9) feet, one (1) foot which is the base. The overall width is 13 feet and the square footage is approximately 88 square feet. The purpose of the monument signage is to provide way finding for the site.

An additional monument sign is proposed on the northeast corner of 4th Street and Distribution Way that identifies the Crossroads Logistics Center and is non-illuminated with a two (2) foot high base and an overall height of six (6) feet, nine (9) inches and a width of 22 feet.

Monument signs in a manufacturing zone are typically limited to 30 square feet and six (6) feet in height. As mentioned previously, the sign program provides relief from the traditional requirements and the proposed monuments signs will utilized for way finding and non-commercial messages.

Finally, the applicant is proposing a freeway sign that is proposed on Lot I of Parcel Map No. 34209, which is south of the 60 Freeway and west of the Wolverine building. The site of the proposed sign is located on a lot that was previously dedicated to the City for public road and utility purposes, but the City Council on July 3, 2018, adopted a resolution to vacate the several lots in Parcel Map No. 34209. Street vacation 18-SV-003 was recorded as DOC#2018-0414546 with the Riverside County Clerk Recorder on October 19, 2018. Therefore, the sign location is proposed on a lot owned by the Crossroads Logistics Center Association.

The proposed freeway sign location is 15 feet from the 60 Freeway right-of-way and 110 feet from the 60 Freeway. The sign is double sided with internal illumination with a 10-foot concrete base and an overall height of 50 feet. The sign base varies between 30 to 32 feet wide and the sign width is 28 feet wide. The applicant has prepared photo simulations of the freeway sign which included as Attachment B.

Staff has reviewed the amended sign program in relation to the size of the project, buildings and circulation and has determined that the revisions are in scale with the project as discussed within this staff report.

Incorporated herein by Reference:

- City of Beaumont General Plan
- City of Beaumont Zoning Ordinance
- Project Site's Riverside Conservation Authority Multi-Species Habitat Conservation Plan Informational Map
- Contents of City of Beaumont Planning Department Project File PLAN2019-0276, 17-SN-03, 18-SV-003, Parcel Map No. 34209 and the Rolling Hills Ranch Industrial Specific Plan

# **Fiscal Impact:**

The proposed amended sign program has no financial impact.

### **Recommendation:**

- 1. Hold a Public Hearing, and
- 2. Approve PLAN2019-0036 to amend the Beaumont Crossroads Logistics Center Sign Program as presented.

## **Attachments:**

Attachment A - Amended Sign Program Dated May 26, 2019 Attachment B - Photo Simulation of Freeway Sign Attachment C - Crossroads Sign Program Original Approved 2.14.17 Attachment D - General Plan Attachment E - Zoning Map Attachment F - Aerial Photograph

# **CROSSROADS LOGISTICS CENTER**

PLANNED SIGN PROGRAM

1020 Prosperity Way, Beaumont, Ca. 1010 W. 4th Street, Beaumont, Ca.

January 20, 2017

ADDENDUM: 1 - May 26, 2019 - Amazon Wall and Monument ID/Wayfinding

ADDENDUM: 2 - May 26, 2019 - Pylon/ Main Project ID

PREPARED FOR:

MCDONALD PROPERTY GROUP 1140 N. Coast Highway, Laguna Beach, CA 92651

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Crossroads Logistics Center Planned Sign Program December 23, 2016 ADDENDUM May 26, 2019

# CROSSROADS LOGISTICS CENTER PLANNED SIGN PROGRAM

### **PURPOSE AND INTENT**

The purpose of this Planned Sign Program is to provide for adequate and aesthetically pleasing On-Building and Ground Mounted signage in accordance with the requirements set forth by the City of Beaumont Sign Ordinance.

The intent of this Planned Sign Program is to produce uniform standards for all signage required by the project known as Crossroads Logistics Center (CLC).

#### MAINTENANCE

All signs within CLC shall be maintained in an as-new condition. The property owner and/or manager, or City Staff shall make periodic inspections of all signs on site. Any deficiencies shall be immediately corrected (30 calendar days or less) by the owner/tenant responsible for the sign and at their expense.

#### APPROVALS

All signing must have written approval of CLC or its Designee, and the City of Beaumont to be implemented. Prior to review, eligible sign applicants shall first obtain the approval of CLC or its Designee by submitting the following:

- 1. For <u>Approval</u>, submit shop drawings with the following information:
  - A. Site plan and scaled building elevation(s) showing proposed sign location(s), size(s) and dimensions.
  - B. Details including: materials, finishes, colors, method of attachment and color samples (if required).
- Final Color, Size and Location of all signs shall be approved by CLC or its Designee and the City
  of Beaumont prior to installation of the signs. Final drawings must be submitted to CLC or its
  Designee for approval.
- For the City approval, submit (1) Colored and (2) Black & White sets of drawings showing approval by the owner CLC or its designee to the Planning Department. After receiving Planning Department approval, proceed to the Building Department to obtain building permits and pay applicable fees.

Crossroads Logistics Center Planned Sign Program December 23, 2016

### **UNCERTAINTY OF SIGN STANDARDS**

If a situation arises that is not covered by these sign standards or there is ambiguity, the sign applicant is referred to CLC or its Designee for clarification and determination. CLC shall then approve signing that best meets the intent of the Planned Sign Program. However, no sign shall be installed without the City of Beaumont approval and all necessary City Permits.

### **COMPLIANCE REQUIREMENT**

No person shall erect, re-erect, construct, enlarge, move, improve, remove, convert or equip any sign or structure, or cause or permit the same to be done contrary to or in violation with any of the provisions of this Planned Sign Program. Conformance will be strictly enforced by CLC or its Designee and the City of Beaumont. All non-conforming or unapproved sign(s) must be brought into conformance at the expense of the tenant responsible for the installation of the sign(s).

# **DESIGN CRITERIA**

#### **GENERAL SIGN STANDARDS**

- Sign area is defined as the entire area within a rectangle defined by a continuous line composed of right angles which enclose the extreme outer limits of lettering, logo or trademarks together with any frame of structural trim forming a part of the display used to differentiate the sign from the background against which it is placed (NOTE: allowance for logos with ascenders and descenders may be given at the discretion of CLC and/or the City of Beaumont).
- Registered logos or Corporate (non-registered) logos are symbols, brands and/or letter styles that are consistently used to identify a Company. The logo symbol or brand may be used alone or accompanied with copy.
- 3. The location of all applicable ground mounted signs shall conform with the City of Beaumont "Visibility Triangle" (that portion of both public and private property at any corner bounded by the curb line or edge of a roadway of the intersecting streets and a line joining points on the curb or edge of the roadway 15 feet from the point of intersection of the extended curb lines or edges of the roadway).
- 4. All Tenant Wall Signs are fabricated from aluminum. All paint on aluminum shall be Matthew's semigloss acrylic polyurethane over proper primer.
- 5. All signs attached to the building shall be formed by individual letters and/or corporate or registered logos, and shall be pin mounted. All signs shall be single-line-of-copy signs. Two-line signs may be allowed subject to review and approval of CLC. No "cabinet signs" or signs painted directly on the building will be allowed.
- All metals and/or attachment hardware to be stainless steel, aluminum or other non-ferrous material to preclude rust staining of architectural surfaces and to permit ease of future removal and/or servicing (the use of steel or sheet metal is prohibited).

Crossroads Logistics Center Planned Sign Program December 23, 2016

#### GENERAL SIGN STANDARDS (cont.)

- 7. All on-building signs shall be pin mounted to the building surface. No "Raceways" or other visible means of attachment may be used. Letters or logos may not be located closer than half the letter height to any building edge or architectural feature unless approved by CLC.
- 8. Owners/Tenants are responsible for the cost(s) of returning building surface(s) to its original condition upon termination of their lease and/or removal of their sign.
- 9. Installation of all signing and graphics shall be secure. The Owner and Designer assume no responsibility or liability for installation.
- 10. At its discretion, CLC or its Designee retains the right to approve or disapprove the design, dimensions, color, materials and/or location of any sign.

#### SIGN DESCRIPTIONS

The following describes the types of signs allowed within the project:

#### Sign Type / Item 1: Owner/Tenant Wall Sign (Pages S1 & S2)

This sign type is provided for on-building business identification. The copy shall be limited to company name in the project letter style (Helvetica Neue Medium Expanded 110%). Registered and/or Corporate trademarks and letter styles may be permitted upon approval from CLC or its Designee. Graphics shall be fabricated from aluminum. This sign type may be illuminated or non-illuminated. For locations, see sign location plan (page S1) and elevation (page S2).

Maximum Sign Area: 384.25 Square Feet Maximum Sign Length: 53'-0" (636") Maximum Sign Height: 7'-3" (87") Maximum Logo Height: 7'-3" (87") Maximum Letter Height: 4'-0" (48")

Sign Type / Item 2: Owner/Tenant Employee Entrance Wall Sign (Pages S1 & S3)

This sign type is provided for on-building business identification. The copy shall be limited to company name in the project letter style (Helvetica Neue Medium Expanded 110%). Registered and/or Corporate trademarks and letter styles may be permitted upon approval from CLC or its Designee. Graphics shall be fabricated from aluminum. This sign type may be illuminated or non-illuminated. For locations, see sign location plan (page S1) and elevation (page S3).

Maximum Sign Area: 42.66 Square Feet Maximum Sign Length: 21'-4" (256") Maximum Sign Height: 2'-0" (24") Maximum Logo Height: 2'-0" (24") Maximum Letter Height: 1'-4" (16")

Crossroads Logistics Center Planned Sign Program December 23, 2016

Sign Type / Item 3: Building Address (Pages S1 & S4, AM-2)

This sign type is provided for on-building address identification. The copy shall be limited to the project letter style (Helvetica Neue Medium Expanded 110%). Graphics shall be fabricated from aluminum. This sign type may be illuminated or non-illuminated. For locations, see sign location plan (page S1) and elevation (page S4).

Maximum Sign Area: Varies Maximum Sign Length: Varies Maximum Sign Height: 1'-10" (22") Maximum Letter Height: 1'-10" (22")

Sign Type / Item 4: Owner/Tenant Monument Sign (Pages S1, S5, MID-1 thru MID-2)

This sign type is provided for ground mounted business identification. The copy shall be limited to company name in the project letter style (Helvetica Neue Medium Expanded 110%). Registered and/or Corporate trademarks and letter styles may be permitted upon approval from CLC or its Designee. This sign type may be down lighting illuminated and/or internally illuminated or non-illuminated. Graphics shall be fabricated from aluminum (down lighting or non-Illuminated) or acrylic (internally illuminated). For locations, see sign location plan (page S1) and elevation (page S5).

Maximum Sign Area:148.50 Square FeetMaximum Sign Length:22'-0" (264")Maximum Sign Height:6'-9" (81")Maximum Copy Area:43.33 Square FeetMaximum Copy Length:17'-4" (208")Maximum Logo Height:2'-6" (30")Maximum Letter Height:1'-6" (18")

Sign Type / Item 5: Owner/Tenant Directional Sign (Pages S1 & S6)

This sign type is provided for ground mounted vehicular and pedestrian directional information. The copy shall be limited to the project letter style (Helvetica Neue Bold Expanded 110%). This sign type may be down lighting illuminated and/or internally illuminated or non-illuminated. Graphics shall be fabricated from aluminum (down lighting or non-illuminated) or acrylic (internally illuminated). For locations, see sign location plan (page S1) and elevation (page S6).

Maximum Sign Area:27.00 Square FeetMaximum Sign Length:4-0" (48")Maximum Sign Height:6'-9" (81")Maximum Copy Area:8.16 Square FeetMaximum Copy Length:2'-0" (24")Maximum Copy Height:4'-1" (49")Maximum Symbol Height:1'-6" (18")Maximum Letter Height:4"

Crossroads Logistics Center Planned Sign Program December 23, 2016 ADDENDUM May 26, 2019

Sign Type / Item 6: Life Style Graphics (Pages S1, LP1.00 & A01.00 thru A01.03)

This sign type is provided for on-building Life Style Graphic identification. The copy shall be limited to Wolverine Products, Logo/Brand, Images and Words. All graphics are subject to the approval of CLC or its Designee. This sign type may be down lighting illuminated or non-illuminated. For locations, see sign location plan (page S1 & LP1.00) and elevations (page A01.00, A01.01, A01.02 & A01.03).

Maximum Sign Area:432.00 Square FeetMaximum Sign Length:24'-0" (288")Maximum Sign Height:18'-0" (216")

Sign Type / Item 7: Monument/Wayfinding (Amazon Standard)

This sign type is provided for Amazon Identification, Main Tenant ID, and Vehicular Wayfinding. All graphics are subject to the approval of CLC or its Designee. For Project Name, and wayfinding copy, to be internally illuminated. Copy to use Amazon Standard (ARIAL) For location, see sign location plan (page AM-1) and elevations (pages AM-3).

Sign Type / Item 8: Pylon Main ID (Pages ID-1 thru ID-7)

This sign type is provided for Project-Wide Identification, Main Tenant ID, and Management ID. All graphics are subject to the approval of CLC or its Designee. This sign type may have architectural up-lit illumination. For Project Name, Tenant Logos, Management Logo, Rules are to be internally illuminated as shown on pages ID-6 thru ID-7. For location, see sign location plan (page ID-2) and elevations (pages ID-3 & ID-4).

Maximum (Usable) Sign Area: 1120.00 Square Feet - Total Sign Area: 1421.7 Square Feet Maximum Sign Length: 32'-0" (384") Maximum Sign Height: 50'-0" (600")

#### **PROHIBITED SIGNS:**

Specifically prohibited signs include (but not limited to) banners, window treatments, flashing, blinking or any other sign not approved by CLC or its designee and/or The City of Beaumont.

#### **EXHIBITS**

The exhibits following this text are included to aid in interpreting the intent of this Planned Sign Program. Together the text and exhibits describe the number, size, location, colors and types of materials permitted for signs in this project known as Crossroads Logistics Center.

Crossroads Logistics Center Planned Sign Program December 23, 2016 ADDENDUM May 26, 2019













ARCDFFGHLIKI	ARCDEFGHLIKI
MNOPQRSTUWW	MNOPQRSTUWW
ZYZ	ZXX
abcdefghijklmno	abcdefghijklmno
pgrstuvwxyz	pgrstuvwxyz
1234567890	1234567890
HELVETICA NEUE MEDIUM (EXPANDED 110%)	HELVETICA NEUE BOLD (EXPANDED 110%)

SCALE: NONE

PROJECT FONTS

S7

ZSS 5030-16 12-23-16


















Page 75 of 170







QUANTUM SIGNS 5 GRAPHCS numerous angreen 1949.454.5078. Resonant Action	Mount Crossroads - Addendum 1 Amazon Wall and Monument (ID/ Wayfinding	Amazon Wall and Monument ID/ Mayfinding	Crossnads Logistic Center Crossnads Logistic Center 1010 W. 4th Street Beaumont, CA 92223	Deniel May 26, 2019 Dreamy Tile	As Noted Drawn By.	Ryan To RC Revisions:	9.2019 This is an original unsublished drawing created by Dourne Signs. The animales of travia- section of the Dourne Signs. The animales of the trav- sportation of the design is and by Quantum Signs. Ownership of this design must be obtained by Quantum Signs.
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## **CROSSROADS** LOGISTICS CENTER

CROSSOADS LOGISTIC CENTER - ADDENDUM 1 - AMAZON WALL AND MONUMENT ID/ WAYFINDING 1010 W. 4TH STREET - BEAUMONT, CA 92223

MAY 26, 2019







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# **CROSSROADS** LOGISTICS CENTER

CROSSOADS LOGISTIC CENTER - ADDENDUM 2 - PYLON/MAIN PROJECT ID 1010 W. 4TH STREET - BEAUMONT, CA 92223

MAY 26, 2019







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Drawn By: RC

A01.01.02

SCALE/PROPORTION REFERENCE - LOCATION A: FACING EAST



SCALE/PROPORTION REFERENCE - LOCATION A: FACING WEST

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SCALE/PROPORTION REFERENCE - LOCATION A: FACING EAST





SCALE/PROPORTION REFERENCE - LOCATION A: FACING EAST

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Legal Project Description Pylon/ID Sign	1
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Crossroads Logistic 1010 W. 4th Street Beaumont, CA 922	
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organization, reproduce Ownership of this desig Authorization to use this Quantum Signs.	riginal, unpublished drawing gns. It is submitted for your shown to anyone outside your d or copied in any fashion. n is held by Quantum Signs. design must be obtained by aphic representaion. Refer to a to he used



SCALE/PROPORTION REFERENCE - LOCATION A: FACING EAST

## **CROSSROADS LOGISTICS CENTER**

PLANNED SIGN PROGRAM

BUILDING #1: 1020 Prosperity Way, Beaumont, Ca.

January 20, 2017

CITY OF BEAUMONT 2 BY MING DIVISION 2-14-17 DATE

\* Approved by Planning Commission on 2-14-17.

PREPARED FOR:

MCDONALD PROPERTY GROUP 450 Newport Center Drive, Suite 625 Newport Beach, Ca. 92660-7610

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PROJECT FONTS:
LIFE STYLE GRAPHICS DRAWINGS LP1.00 & A01.00 thru A01.03 & 1 of 1
WOLVERINE SIGNS DRAWINGS

Crossroads Logistics Center Planned Sign Program December 23, 2016

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## **CROSSROADS LOGISTICS CENTER**

PLANNED SIGN PROGRAM

### PURPOSE AND INTENT

The purpose of this Planned Sign Program is to provide for adequate and aesthetically pleasing On-Building and Ground Mounted signage in accordance with the requirements set forth by the City of Beaumont Sign Ordinance.

The intent of this Planned Sign Program is to produce uniform standards for all signage required by the project known as Crossroads Logistics Center (CLC).

### MAINTENANCE

All signs within CLC shall be maintained in an as-new condition. The property owner and/or manager, or City Staff shall make periodic inspections of all signs on site. Any deficiencies shall be immediately corrected (30 calendar days or less) by the owner/tenant responsible for the sign and at their expense.

### APPROVALS

All signing must have written approval of CLC or its Designee, and the City of Beaumont to be implemented. Prior to review, eligible sign applicants shall first obtain the approval of CLC or its Designee by submitting the following:

- 1. For Approval, submit shop drawings with the following information:
  - A. Site plan and scaled building elevation(s) showing proposed sign location(s), size(s) and dimensions.
  - B. Details including: materials, finishes, colors, method of attachment and color samples (if required).
- Final Color, Size and Location of all signs shall be approved by CLC or its Designee and the City
  of Beaumont prior to installation of the signs. Final drawings must be submitted to CLC or its
  Designee for approval.
- For the City approval, submit (1) Colored and (2) Black & White sets of drawings showing approval by the owner CLC or its designee to the Planning Department. After receiving Planning Department approval, proceed to the Building Department to obtain building permits and pay applicable fees.

Crossroads Logistics Center Planned Sign Program December 23, 2016

### UNCERTAINTY OF SIGN STANDARDS

If a situation arises that is not covered by these sign standards or there is ambiguity, the sign applicant is referred to CLC or its Designee for clarification and determination. CLC shall then approve signing that best meets the intent of the Planned Sign Program. However, no sign shall be installed without the City of Beaumont approval and all necessary City Permits.

### COMPLIANCE REQUIREMENT

No person shall erect, re-erect, construct, enlarge, move, improve, remove, convert or equip any sign or structure, or cause or permit the same to be done contrary to or in violation with any of the provisions of this Planned Sign Program. Conformance will be strictly enforced by CLC or its Designee and the City of Beaumont. All non-conforming or unapproved sign(s) must be brought into conformance at the expense of the tenant responsible for the installation of the sign(s).

## **DESIGN CRITERIA**

### **GENERAL SIGN STANDARDS**

- 1. Sign area is defined as the entire area within a rectangle defined by a continuous line composed of right angles which enclose the extreme outer limits of lettering, logo or trademarks together with any frame of structural trim forming a part of the display used to differentiate the sign from the background against which it is placed (NOTE: allowance for logos with ascenders and descenders may be given at the discretion of CLC and/or the City of Beaumont).
- Registered logos or Corporate (non-registered) logos are symbols, brands and/or letter styles that are consistently used to identify a Company. The logo symbol or brand may be used alone or accompanied with copy.
- 3. The location of all applicable ground mounted signs shall conform with the City of Beaumont "Visibility Triangle" (that portion of both public and private property at any corner bounded by the curb line or edge of a roadway of the intersecting streets and a line joining points on the curb or edge of the roadway 15 feet from the point of intersection of the extended curb lines or edges of the roadway).
- 4. All Tenant Wall Signs are fabricated from aluminum. All paint on aluminum shall be Matthew's semigloss acrylic polyurethane over proper primer.
- 5. All signs attached to the building shall be formed by individual letters and/or corporate or registered logos, and shall be pin mounted. All signs shall be single-line-of-copy signs. Two-line signs may be allowed subject to review and approval of CLC. No "cabinet signs" or signs painted directly on the building will be allowed.
- All metals and/or attachment hardware to be stainless steel, aluminum or other non-ferrous material to preclude rust staining of architectural surfaces and to permit ease of future removal and/or servicing (the use of steel or sheet metal is prohibited).

Crossroads Logistics Center Planned Sign Program December 23, 2016

### GENERAL SIGN STANDARDS (cont.)

- All on-building signs shall be pin mounted to the building surface. No "Raceways" or other visible means of attachment may be used. Letters or logos may not be located closer than half the letter height to any building edge or architectural feature unless approved by CLC.
- 8. Owners/Tenants are responsible for the cost(s) of returning building surface(s) to its original condition upon termination of their lease and/or removal of their sign.
- Installation of all signing and graphics shall be secure. The Owner and Designer assume no responsibility or liability for installation.
- 10. At its discretion, CLC or its Designee retains the right to approve or disapprove the design, dimensions, color, materials and/or location of any sign.

### SIGN DESCRIPTIONS

The following describes the types of signs allowed within the project:

Sign Type / Item 1: Owner/Tenant Wall Sign (Pages S1 & S2)

This sign type is provided for on-building business identification. The copy shall be limited to company name in the project letter style (Helvetica Neue Medium Expanded 110%). Registered and/or Corporate trademarks and letter styles may be permitted upon approval from CLC or its Designee. Graphics shall be fabricated from aluminum. This sign type may be illuminated or non-illuminated. For locations, see sign location plan (page S1) and elevation (page S2).

Maximum Sign Area: 384.25 Square Feet Maximum Sign Length: 53'-0" (636") Maximum Sign Height: 7'-3" (87") Maximum Logo Height: 7'-3" (87") Maximum Letter Height: 4'-0" (48")

Sign Type / Item 2: Owner/Tenant Employee Entrance Wall Sign (Pages S1 & S3)

This sign type is provided for on-building business identification. The copy shall be limited to company name in the project letter style (Helvetica Neue Medium Expanded 110%). Registered and/or Corporate trademarks and letter styles may be permitted upon approval from CLC or its Designee. Graphics shall be fabricated from aluminum. This sign type may be illuminated or non-illuminated. For locations, see sign location plan (page S1) and elevation (page S3).

Maximum Sign Area: 42.66 Square Feet Maximum Sign Length: 21'-4" (256") Maximum Sign Height: 2'-0" (24") Maximum Logo Height: 2'-0" (24") Maximum Letter Height: 1'-4" (16")

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Sign Type / Item 3: Building Address (Pages S1 & S4)

This sign type is provided for on-building address identification. The copy shall be limited to the project letter style (Helvetica Neue Medium Expanded 110%). Graphics shall be fabricated from aluminum. This sign type may be illuminated or non-illuminated. For locations, see sign location plan (page S1) and elevation (page S4).

Maximum Sign Area: Varies Maximum Sign Length: Varies Maximum Sign Height: 1'-10" (22") Maximum Letter Height: 1'-10" (22")

Sign Type / Item 4: Owner/Tenant Monument Sign (Pages S1 & S5)

This sign type is provided for ground mounted business identification. The copy shall be limited to company name in the project letter style (Helvetica Neue Medium Expanded 110%). Registered and/or Corporate trademarks and letter styles may be permitted upon approval from CLC or its Designee. This sign type may be down lighting illuminated and/or internally illuminated or non-illuminated. Graphics shall be fabricated from atuminum (down lighting or non-Illuminated) or acrylic (internally illuminated). For locations, see sign location plan (page S1) and elevation (page S5).

Maximum Sign Area: 148.50 Square Feet Maximum Sign Length: 22'-0" (264") Maximum Sign Height: 6'-9" (81") Maximum Copy Area: 43.33 Square Feet Maximum Copy Length: 17'-4" (208") Maximum Logo Height: 2'-6" (30") Maximum Letter Height: 1'-6" (18")

Sign Type / Item 5: Owner/Tenant Directional Sign (Pages S1 & S6)

This sign type is provided for ground mounted vehicular and pedestrian directional information. The copy shall be limited to the project letter style (Helvetica Neue Bold Expanded 110%). This sign type may be down lighting illuminated and/or internally illuminated or non-illuminated. Graphics shall be fabricated from aluminum (down lighting or non-illuminated) or acrylic (internally illuminated). For locations, see sign location plan (page S1) and elevation (page S6).

Maximum Sign Area:27.00 Square FeetMaximum Sign Length:4-0" (48")Maximum Sign Height:6'-9" (81")Maximum Copy Area:8.16 Square FeetMaximum Copy Length:2'-0" (24")Maximum Copy Height:4'-1" (49")Maximum Symbol Height:1'-6" (18")Maximum Letter Height:4"

Crossroads Logistics Center Planned Sign Program December 23, 2016

Sign Type / Item 6: Life Style Graphics (Pages S1, LP1.00 & A01.00 thru A01.03)

This sign type is provided for on-building Life Style Graphic identification. The copy shall be limited to Wolverine Products, Logo/Brand, Images and Words. All graphics are subject to the approval of CLC or its Designee. This sign type may be down lighting illuminated or non-illuminated. For locations, see sign location plan (page S1 & LP1.00) and elevations (page A01.00, A01.01, A01.02 & A01.03).

Maximum Sign Area: 432.00 Square Feet Maximum Sign Length: 24'-0" (288") Maximum Sign Height: 18'-0" (216")

### **PROHIBITED SIGNS:**

Specifically prohibited signs include (but not limited to) banners, window treatments, flashing, blinking or any other sign not approved by CLC or its designee and/or The City of Beaumont.

### **EXHIBITS**

The exhibits following this text are included to aid in interpreting the intent of this Planned Sign Program. Together the text and exhibits describe the number, size, location, colors and types of materials permitted for signs in this project known as Crossroads Logistics Center.

Crossroads Logistics Center Planned Sign Program December 23, 2016



12-23-16 5030-16

SCALE: 1/16" = 1'-0"










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234567890

HELVETICA NEUE MEDIUM (EXPANDED 110%)

HELVETICA NEUE BOLD (EXPANDED 110%)

PROJECT FONTS

SCALE: NONE

S7 ZSS 5030-16 12-23-16

































# PLAN2019-0276 General Plan



PLAN2019-0276 Zoning Map



# PLAN2019-0276 Aerial





City of Beaumont



**Staff Report** 

ТО:	Planning Commissioners
FROM:	Carole Kendrick, Senior Planner
DATE:	July 23, 2019
SUBJECT:	Proposed Amendment to Table 17.03-3 Permitted Uses in Base Zone District and Addition of Chapter 17.18 Regarding Wireless Telecommunications Facilities

#### Background and Analysis:

At the April 16, 2019 City Council meeting, the Council engaged in a discussion regarding wireless telecommunications facilities within the City. The majority of the discussion was related to wireless telecommunication facilities proposed within the City's right-of-way, however it was determined that there is a need for guidelines and standards for facilities proposed on private property.

The draft ordinance was provided to the Planning Commission on June 25, 2019. During the public hearing portion of the project, three (3) members of the public spoke and provided comments that the proposed ordinance be more progressive in relation to allowing wireless facilities on residential properties, concerns regarding future service in residential areas and information regarding radio frequency emissions. The Planning Commission indicated that aesthetic issues would be a primary concern for wireless facilities in residential zones.

On July 2, 2019, staff provided an update to the City Council regarding the proposed wireless ordinance. No members of the public spoke, but the Council discussed the item and asked staff to provide their comments to the Planning Commission. The topics discussed include:

- The fees for small devices and concern if the City would end up subsidizing the projects due to the safe harbor rate (\$270).
- Allowing major facilities in residential or on vacant residential lots, to reduce the impact of small equipment in the right-of-way.
- Health concerns related to wireless facilities.
- Aesthetic concerns of major facilities in residential.
- Requiring more attractive stealth design.
- Require providers to justify that the site is warranted.

- Provide more information regarding City's control on permitting small cell devices.
- Indicate if small cell devices can provide collocating opportunities.
- Determine if a standard drawing can be approved to help streamline process.

Staff is working with the City Attorney and Public Works Director to research and determine the parameters in which the City can regulate small cell devices within the public right-of-way. In addition to the Council update, staff provided the City Council with a table that included information regarding 12 surrounding cities and their policies regarding major wireless facilities in residential zones. The table is included as Attachment B to this staff report.

The Municipal Code Chapter 17.03.120 of the City of Beaumont includes Table 17.03-3 for Permitted Uses in Base Zone Districts. The purpose of these tables and the zoning code is to regulate uses throughout the City and ensure compatibility in and among zones. The table currently allows cellular communication facilities and cellular stealth as conditionally permitted uses in the Recreation and Conservation (RC), Commercial General (CG), Community Commercial (CC), Manufacturing (M) and Commercial Manufacturing zones. Non-stealth facilities require a conditional use permit in the stealth zones with the exception of the Recreation and Conservation zone.

In order to provide clarity in the code and promote camouflaged wireless designs, staff is recommending that the cellular communication facility and cellular non-stealth be removed from the permitted use table. Staff is also recommending that "cellular – stealth" be modified to read as "wireless telecommunication facility – stealth", which is consistent with industry language.

The Permitted Uses for Overlay Zone District (Table 17.03-4) currently requires a conditional use permit for "Cellular Communication Facilities (stealth)". The overlay districts do not currently allow non-stealth facilities. No changes are proposed to Table 17.03-4.

The draft ordinance provides guidance to staff and applicants regarding the requirements and guidelines for future wireless applications within the City limits. Aspects of the draft ordinance include sections regarding processing, distances, application requirements, standards and guidelines and removal of facilities.

The proposed ordinance, Section 17.18.180.B, also includes language regarding small cell devices in the right-of-way (ROW) and requires that applicants must provide a valid certificate of public convenience and necessity, an administrative plot plan for aesthetics, and an encroachment permit. Because the ROW does not have a zoning or land use designation, small cell devices could not be added to the permitted use tables. In addition, staff determined that an administrative plot plan would be an appropriate application, as other planning applications such as conditional use permits, require findings that the project is consistent with the zoning and General Plan.

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## Permitted Land Uses For Base Zone Districts

It is important to note that zones in which cell sites can be conditionally permitted limits heights between 35'-50' feet and the majority of major facilities have varying heights that typically exceed the current height limits established in the commercial and manufacturing zones. Each project that exceeds the prescribed height limit will be required to concurrently apply for a modification of standards (minor variance) or variance depending on the amount of height that is requested unless the City provides exceptions for wireless masts. The City may want to consider establishing a maximum height exception for wireless masts in each zone and/or requiring justification for the proposed height.

### CEQA:

The City has analyzed this proposed project and has determined that is exempt from the California Environmental Quality Act (CEQA) under section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The proposed ordinance in itself does not relate to any physical project and will not result in any physical change to the environment and does not affect the land use or density limitations of the General Plan. Therefore, it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, and therefore, the adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

#### Findings:

In order to approve a zoning text amendment, the Municipal Code Chapter 17.020.080 (I) requires that the City Council make the following findings to be made:

- 1. That the proposed zoning ordinance text amendment is consistent with the goals, policies, and objectives of the General Plan; and
- 2. That the proposed zoning ordinance text amendment will not adversely affect surrounding properties; and
- 3. That the proposed zoning ordinance text amendment promotes public health, safety, and general welfare and serves the goals and purposes of this zoning Ordinance.

All of these findings can be made in a positive manner.

#### **Incorporated herein by Reference:**

- City of Beaumont General Plan
- City of Beaumont Zoning Ordinance
- Project Site's Riverside Conservation Authority Multi-Species Habitat Conservation Plan Informational Map
- Contents of City of Beaumont Planning Department Project File

### **Fiscal Impact:**

Staff estimates that the research and preparation of staff reports regarding the proposed ordinance is approximately \$1,000.00.

#### **Recommendation:**

- 1. Hold a public hearing; and,
- 2. Forward a recommendation of approval of the ordinance to the City Council.

### Attachments:

Attachment A - Ordinance - 17.18 Wireless Attachment B - Surrounding Jurisdiction Info

#### ORDINANCE NO.

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEAUMONT, CALIFORNIA AMENDING TABLE 17.03-3 "PERMITTED USES FOR BASE ZONE DISTRICTS" AND ADDING CHAPTER 17.18 "WIRELESS TELECOMMUNICATIONS FACILITIES," OF THE BEAUMONT MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEAUMONT, RIVERSIDE COUNTY, STATE OF CALIFORNIA AS FOLLOWS:

**SECTION 1. CEQA.** The City Council finds that the actions contemplated by this Ordinance are exempt from the California Environmental Quality Act ("CEQA") pursuant to 15061(b)(3), CEQA review is not required because there is no possibility that this Ordinance may have a significant effect upon the environment and the proposed text amendments constitute a minor alteration in a land use limitation under CEQA Guidelines Section 15305, and such a land use limitation is a permissible exercise of the City's zoning powers.

**SECTION 2.** Severability. The City Council hereby declares that if any provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid or unconstitutional by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, such invalidity shall not affect the other provisions, sections, paragraphs, sentences, or words of this Ordinance, and to this end the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance enforced.

**SECTION 3. Prosecution of Prior Ordinances.** Neither the adoption of this Ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution of any violation of any City ordinance or provision of the City of Beaumont Municipal Code, committed prior to the effective date hereof, nor be construed as a waiver of any penalty or the penal provisions applicable to any violation thereof.

**SECTION 4**. The City Council hereby amends Title 17, Table 17.03-3, entitled "Permitted Uses for Base Zone Districts" to the Beaumont Municipal Code, to modify the table as follows.

Table 17.03-3 Permitted Land Uses For Base Zone Districts										
	RC	PF	RR	RSF	RMF	CG	сс	м	СМ	
Cellular Communication Facilities	C	N	N	N	N	C	c	c	c	
Cellular - <u>Wireless</u> Telecommunication Facility – Stealth	С	N	N	N	N	С	С	с	С	
Cellular - Non-Stealth	N	N	N	N	N	c	c	C	C	

**SECTION 5.** The City Council hereby amends Title 17, Chapter 17.18, entitled "Wireless Telecommunication Facilities" to the Beaumont Municipal Code, to read as specifically set forth in Exhibit "A", which Exhibit is attached hereto and made a part hereof.

**SECTION 6.** Effective Date and Publication. The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and cause the same or a summary thereof to be published within 15 days after adoption in accordance with Government Code Section 36933. This Ordinance shall take effect 30 days after adoption in accordance with Government Code Section 36937.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Beaumont, California, approves an amendment to the City Code.

INTRODUCED AND READ for the first time and ordered posted at a regular meeting of the City Council of the City of Beaumont, California, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by the following roll call vote:

AYES: NOES ABSENT ABSTAIN

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Beaumont, California, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

AYES: NOES: ABSENT: ABSTAIN:

Julio Martinez, Mayor

Attest:

City Clerk

Approved as to form:

John O. Pinkney, City Attorney

### Exhibit A

#### WIRELESS TELECOMMUNICATION FACILITIES ORDINANCE

Section 17.18.120. Definitions Section 17.18.130. Applicability Section 17.18.140. Exempt facilities Section 17.18.150. Nonconforming facilities Section 17.18.160. Distances Section 17.18.170. Processing procedures Section 17.18.180. Application requirements Section 17.18.190. General development standards and guidelines for wireless facilities Section 17.18.200. Additional development standards for wireless facilities Section 17.18.210. Public property facilities Section 17.18.220. Review, modification, and revocation of permits Section 17.18.230. Removal of facilities Section 17.18.240. Severability

#### 17.18.110 Purpose and intent.

Section 17.18.110. Purpose and authority

- A. Purpose. The purpose of this chapter is to regulate the location and design of wireless telecommunication facilities.
- B. Intent. The intent of this chapter is to facilitate the orderly development and deployment of wireless telecommunication facilities in a manner that promotes the public health, safety, and welfare of the city's residents and is consistent with the goals and policies of the City of Beaumont's General Plan. It is furthermore intended that, the protection of property values and the enhancement of the city's aesthetic appearance be achieved by maintaining the architectural and structural integrity of wireless telecommunication facilities and the protection of views from obtrusive and unsightly accessory structures. It is further the intent of this chapter to create reasonable regulations in conformance with the provisions of the Telecommunications Act of 1996 and other applicable federal law while ensuring access to telecommunication services and promoting fair competition among telecommunication service providers. Additionally, the intent includes establishing regulations that do not preclude antennas from receiving a signal of acceptable quality or unreasonably delay, prevent, or increase the cost of installation, maintenance, or use of such antennas.
- C. The city has found and determined that the regulations established in this chapter are necessary to attain the purpose and intent as stated. These regulations shall supersede any applicable provisions of the Beaumont Municipal Code pertaining to such wireless telecommunication facilities, including antennas, support structures, and accessory structures.
#### <u>17.18.120</u> Definitions.

For the purposes of this article, and where not otherwise inconsistent with the context of a particular section, the following words, terms, phrases, abbreviations, and derivations shall have the meanings given herein. The word "shall" is always mandatory and not merely directory. If a definition is not listed in this section, Section 17.14.030 of the Beaumont Municipal Code shall be referenced.

Antenna means a device or system of wires, poles, rods, dishes, disc or similar devices used for the transmission and/or receipt of electromagnetic waves.

Antenna structure means an antenna, any structure designed specifically to support an antenna, and/or any appurtenances mounted on such structure or antenna.

*Camouflaged facility* means any wireless telecommunication facility which is designed to blend into the surrounding land, typically one that is architecturally integrated into a building or other concealing structure, also known as a disguised or stealth facility.

*Cell* means the coverage area through which wireless receiving and transmitting equipment from a particular cell site successfully propagates.

CEQA means the California Environmental Quality Act, Section 21000 et seq. of the Public Resources Code of the State of California.

City refers the City of Beaumont, California.

*Colocated* or *colocation* means the location of multiple antennas which are either owned or operated by more than one service provider at a single location and mounted to a common supporting structure, wall, or building.

*Commercial mobile service* means any mobile service that (1) is offered in return for monetary compensation, (2) is available to the public or a substantial portion of the public, and (3) provides subscribers with the ability to access or receive communication from the public switched telephone network. Commercial mobile service includes, but is not limited to, paging service, wireless data transmission, cellular telephone service, specialized mobile radio service (SMR), and personal communications services (PCS).

*Fixed wireless service* means any service providing radio communication to or from antenna structures at fixed and specified locations which are not designed to be moved during operation and which offers the ability to access or receive communication from the public switched telephone network.

*Ground mounted* means a wireless telecommunication facility that is mounted to a monopole or other freestanding structure that is specifically constructed for the purpose of supporting an antenna.

*Lattice tower* means a tower-like structure used to support antennas and comprised of up to two or more steel support legs.

*Microwave communication* means the transmission or reception of radio communication at frequencies of a microwave signal (generally, in the 2GHz to 300GHz frequency spectrum).

Mobile service means any temporary service providing radio communication to or from at least one antenna that is designed to be moved during operation or used during halts at unspecified locations; or as otherwise defined in 47 USCS Section 153 and interpreted by the Code of Federal Regulations and the Federal Register.

*Monopole* means a structure composed of a single spire, pole, or tower used to support antennas or related equipment.

*Mounted* means any manner of attachment, support, or connection, whether on the ground or on a structure.

*Multipoint distribution service* means a microwave communications service that delivers video programming directly to subscribers, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, or as otherwise defined by Section 207 of the Telecommunications Act of 1996, Section 1.4000 of Title 47 of the Code of Federal Regulations and any interpretive decisions thereof issued by the Federal Communications Commission.

*Radio communication* means the transmission and/or reception of impulses, writing, signs, signal, pictures, and sounds of all kinds through space by means of electromagnetic waves.

*Roof mounted* means a facility that is mounted on any structure that is not specifically constructed for the purpose of supporting antennas, does not meet the definition of a ground, wall, or utility mounted facility, and is typically mounted on the roof of a building.

Satellite antenna means a device used to transmit and/or receive radio or electromagnetic waves between terrestrially and orbitally-based uses. This definition is meant to include, but not limited to, what are commonly referred to as satellite earth stations, TVROs (Satellite Television Receiving Antenna), and satellite microwave antennas.

Structure is as defined in section 17.14.030.

Surplus space or surplus capacity means that portion of usable space on a utility pole or other telecommunication facility which has the necessary clearance from other users, as required by the orders and regulations of the California Public Utilities Commission to allow its use by a telecommunication carrier.

*Telecommunication* means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

Utility mounted means a facility that is mounted to an existing above-ground structure that is specifically designed and originally installed to support electrical power lines, cable television lines, street lighting, traffic signal equipment, park lighting or a structure on public or private property deemed by the city to be similar in nature.

*Wall mounted* means a facility that is mounted on any vertical surface or nearly vertical surface of a building or other existing structure that is not specifically constructed for the purpose of supporting an antenna: the exterior walls of a building, an existing parapet, the side of a water tank, the face of a church steeple, or the side of a freestanding sign such that the highest point of the antenna is at an elevation equal to or lower than the highest point of the surface on which it is mounted.

Wireless telecommunication carrier, wireless carrier, or carrier means 1) any owner, by way of fee ownership, lease, or management agreement of any wireless telecommunication system or wireless telecommunication facilities, or 2) the direct or indirect provider of wireless telecommunication services whether the wireless telecommunication service is offered by the owner of the wireless telecommunication system, an affiliate, or related entity, by way of ownership, lease, control, or operation of a wireless telecommunication system. A person shall be deemed a wireless telecommunication carrier, even if it does not directly provide wireless telecommunication services, if it rents or leases a wireless telecommunication system and/or wireless telecommunication facilities to another person which provides wireless telecommunication services.

Wireless telecommunication accessory equipment, wireless accessory equipment, accessory equipment, or equipment means any equipment installed, mounted, operated, or maintained in close proximity to an antenna structure or to receive, transmit, or store signals or information received by or sent from an antenna. For the purposes of this chapter, facilities are categorized by the manner in which antennas are mounted and not by the placement of accessory equipment. It is presumed that all facilities shall include accessory equipment, which shall not affect how the facility is mounted.

*Wireless telecommunication facility, wireless facility,* or *facility* means an antenna structure and any accessory structure or accessory equipment that is used in connection with the provision of wireless telecommunication service.

Wireless telecommunication service, wireless service, or service means any type of service providing radio communications that satisfies the definition of commercial

mobile service, fixed wireless service, wireless video service, wireless cellular service, or wireless voice service.

*Wireless video service* means any service providing radio communication which delivers video programming.

#### 17.18.130 Applicability.

Subject to the exemptions established in section 17.18.140 and 17.18.210, wireless telecommunication facilities shall comply with the provisions of this chapter as follows:

- A. All wireless telecommunication facilities which are erected, located, or modified within the city on or following the effective date of this section shall comply with the provisions of this chapter.
- B. All wireless telecommunication facilities for which a conditional use permit application was determined by the city to be complete prior to the effective date of this section but did not receive approval of the conditional use permit prior to the effective date of this ordinance shall comply with the provisions of this chapter.
- C. All wireless telecommunication facilities for which a conditional use permit, building permits and any extension thereof have expired shall comply with the provisions of this chapter.

#### <u>17.18.140.</u> Exempt facilities.

- A. The following uses shall be exempt from the provisions of this chapter until such time as federal regulations are repealed or amended to eliminate the necessity of the exemption:
  - 1. Any antenna structure that is one meter (39.37 inches) or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite service, as defined by Section 207 of the Telecommunications Act of 1996, Title 47 of the Code of Federal Regulations, and any interpretive decisions thereof issued by the Federal Communications Commission.
  - 2. Any antenna structure that is two meters (78.74 inches) or less in diameter located in a commercial or industrial zone and is designed to transmit or receive radio communication by satellite antenna.
  - 3. Any antenna structure that is one meter (39.37 inches) or less in diameter or diagonal measurement and is designed to receive multipoint distribution service, provided that no part of the antenna structure extends more than 12 feet above the principal building on the same lot.

- B. The following uses shall be exempt from the provisions of this chapter, so long as the antenna structure complies with all other zoning requirements:
  - 1. Any antenna structure that is designed and used solely to receive UHF, VHF, AM, and FM broadcast signals from licensed radio and television stations.
  - 2. Any antenna structure that is designed and used solely in connection with authorized operations of an amateur radio station licensed by the FCC (i.e., a "HAM" radio transmission).

#### 17.18.150. Nonconforming facilities.

- A. All wireless telecommunication facilities for which a request for final approval or equivalent certificate was completed by the city prior to the effective date of this article shall be subject to Chapter 17.08 of the Beaumont Municipal Code regarding non-conformities and any additions and/or modifications to the facility or its use shall comply with the provisions of this chapter.
- B. All wireless telecommunication facilities for which a conditional use permit was approved by the city prior to the effective date of this chapter and a request for final approval or equivalent certificate has been completed by the city within 90 days of the effective date of this article shall be subject to Chapter 17.08 of the Beaumont Municipal Code regarding non-conformities and any additions and/or modifications to the facility or its use shall be subject to the provisions of this chapter.
- C. All wireless telecommunication facilities constructed or erected prior to the effective date of this chapter that are in violation of applicable laws, ordinances, or other regulations shall be considered an illegal nonconforming facility and shall be subject to abatement as a nonconforming use pursuant to Chapter 17.18 of the Beaumont Municipal Code.

### <u>17.18.160.</u> Distances

A. For the purposes of this chapter, all distances shall be measured in a straight line without regard to intervening structures, from the nearest point of the proposed wireless telecommunication facility to the relevant property line at a point five feet above the ground.

### <u>17.18.170.</u> Processing procedures.

A. All stealth and non-stealth facilities shall be permitted in the applicable zone subject to the following table:

Zone	Stealth Facility	Non-Stealth Facility
RC, CG, CC, M, CM, 6 <sup>th</sup> St, BAO & UVO	CUP	Not permitted
PF, RR, RSF & RMF	Not permitted	Not permitted

B. All conditional use permits required for stealth facilities shall be subject to the city's design review committee. No application for a wireless telecommunication facility shall be considered by the planning commission prior to receiving the design review committee's recommendation. Wireless telecommunication facilities within the city right of way shall only be permitted to applicants holding a valid certificate of public convenience and necessity and shall require an administrative plot plan and encroachment permit provided that aesthetic impact shall be the sole criteria under the administrative plot plan application for consideration.

#### <u>17.18.180.</u> Application requirements.

- A. Each applicant applying for a conditional use permit to construct, locate, mount, operate, and maintain a telecommunication facility shall submit a completed conditional use permit application per the requirements of section 17.02.100 of the Beaumont Municipal Code.
- B. In addition to the requirements of section 17.02.100 for submittal of a conditional use permit application, each submittal to construct, locate, mount, operate, and maintain a wireless telecommunication facility shall provide, as part of the application submittal, supplemental information as required in this section and determined by the community development director to be necessary to provide sufficient information to meet the intent of this chapter.
- C. Each application shall contain an accurately dimensioned site plan that shows
  - 1. The location of the entire facility, including antenna structure, accessory structures and support equipment;
  - 2. The location of all guy-wires;
  - 3. The location of all above and below ground wiring and connection cables;
  - 4. The location of existing and proposed easements on the property affecting any part of the facility;
  - 5. The location, size and type of existing and proposed landscaping; and
  - 6. The distance between the antenna structure and any existing or proposed accessory structures and supporting equipment.
- D. Each application shall provide accurately dimensioned elevations that show

- 1. Each side of the entire facility, including antenna structure, accessory structures and support equipment, with dimensions identified;
- 2. The height of any existing and proposed structure(s) and support equipment; and
- 3. The height of any panels, microwave dishes, or antennas.
- E. Each application shall contain a letter of justification accompanied by written documentation that explains the applicant's efforts to locate the facility in accordance with the screening and site selection criteria contained in sections 17.18.190 and 17.18.200.
- F. Each application shall contain a narrative, photographs, and a map that discloses the exact location and illustrates the type and construction of any and all existing facilities that are owned, operated or used by the applicant within the city, or within one mile of its borders, as well as any proposed or planned sites within said boundary that may reasonably be known to the applicant at the time the application is made.
- G. Each application shall contain a narrative and appropriate map that disclose the purpose of the facility and the service to be provided, the geographic area(s) within the city that will be serviced by the proposed facility, and the geographic area(s) bordering the city, if any, that will be serviced by the proposed facility.
- H. Each application shall contain a radio-frequency (RF) report prepared by a qualified RF engineer to demonstrate that the proposed facility, as well as any colocated facilities, complies with current Federal RF emission standards. This RF report shall also include signal strength exhibits, including calculations and measurements under maximum loading conditions.
- I. Each application shall contain computerized visual assessments or other exhibits equivalent in form and manner acceptable to the planning director showing the before and after visual appearances of the proposed facility.
- J. Each application shall contain a description of the required maintenance visits to the site and security proposed to protect the site from vandalism and trespass.
- K. Each application shall contain a preliminary environmental review in accordance with the city submittal requirements, with special emphasis placed on the nature and extent of visual and public health and safety impacts to the extent permitted by federal law.
- L. Each application shall contain evidence of any required licenses and approvals to provide wireless telecommunication service.
- M. Applicants are separately required to obtain all applicable federal, state and local permits, including building and construction permits that may be required prior to

erecting or installing the facility, including, but not limited to, a certificate of public convenience and necessity for a facility in the public right of way.

- N. Each application shall provide any other necessary information as may be required by the planning director.
- O. The community development director shall determine applicable entitlement processing fees and deposits for the application, as established by city council resolution, including any applicable contract staff fees and/or deposits for the purpose of review of the application.
- P. Any application that is improperly submitted or fails to contain all of the information as required by the Beaumont Municipal Code, including this chapter, shall be deemed incomplete.

#### <u>17.18.190.</u> <u>General development standards and guidelines for wireless facilities.</u>

- A. Development standards for stealth facilities. All wireless telecommunication facilities shall comply with each of the following requirements:
  - 1. A facility shall not bear any signs or advertising devices other than certification, public safety, warning, or other required seals or required signage.
  - 2. Any and all accessory equipment associated with the operation of the facility, including but not limited to transmission cables, shall be located within a building, an enclosure, or underground vault in a manner that complies with the development standards of the zone in which such accessory equipment is located. In addition, if equipment is located above ground, it shall be visually compatible with the surrounding buildings and natural features and either shrouded by sufficient landscaping or natural features to screen the equipment from view or designed to match the architecture of adjacent buildings. If accessory equipment will be visible from a residential area or an arterial street, the applicant shall provide a solid masonry block wall that will screen the equipment or other material that is determined acceptable through the approval process.
  - 3. The facility's exterior finish shall be comprised of non-reflective material(s) and painted, screened, or camouflaged to blend with the materials and colors of surrounding buildings or structures.
  - 4. All screening used in connection with a wall mounted and/or roof mounted facility shall be compatible with the architecture, color, texture, and materials of the building or structure to which it is attached.

- 5. All antennas shall be designed to prevent unauthorized climbing.
- 6. Facilities shall not be illuminated unless specifically required by the Federal Aviation Administration or other governmental agencies.
- 7. The applicant and the property owner if different from the applicant shall consent to future colocation of other facilities on or with the applicant's facility, unless technological or structural requirements preclude that colocation.
- 8. For the purpose of determining setback requirements, a wireless telecommunication facility shall be considered a principal structure and shall comply with the setback requirements of the zone in which it is located. Except that if a wireless telecommunication facility is located within 200 feet of a residential zone, then it shall comply with the setback requirements for such residential zone.
- B. Development guidelines for wireless facilities. In review of all wireless telecommunication facilities, the city shall, in addition to the above requirements, consider the following guidelines in conjunction with the processing of a conditional use permit:
  - 1. The proposed facility should blend into the surrounding environment or be architecturally integrated into a concealing structure.
  - 2. The proposed facility should be screened or camouflaged by existing or proposed new topography, vegetation, buildings, or other structures. Any such improvements shall be appropriate for and compatible with the site and surrounding area.
  - 3. The total size of proposed facility should be compatible with the surrounding and supporting structures.
  - 4. If feasible, the location of the proposed facility should conform to the following in order of preference:
    - <del>a</del>.
    - a. Colocated with an existing facility or located at a pre-approved location.
    - b. Attached to an existing structure such as an existing building, communication tower, church steeple or utility.
    - c. Located in an industrial zone.
    - d. Located in a commercial zone.

- 5. The proximity of the proposed facility to residential structures and to boundaries of residential zones.
- 6. The availability of suitable alternative locations for the facility.
- 7. The nature of existing uses on adjacent and nearby properties.
- 8. Proposed ingress and egress to the facility.

#### 17.18.200. Additional development standards for stealth facilities.

- A. Additional development standards for stealth facilities. In addition to the requirements of section 17.18.190, the following requirements shall apply to wireless facilities:
  - 1. All wireless facilities.
    - a. No portion or extension of a wireless facility shall protrude beyond property lines or extend into any portion of property where such facility is not itself permitted; provided, however, that the city may approve the location of guy wires in a required setback if such approval is consistent with the guidelines and requirements set forth in this chapter.
    - b. Construction of new lattice towers and the extension or expansion of an existing lattice tower shall not be permitted.
    - c. If a proposed wireless facility cannot be colocated, it must be sited at least 1,500 feet from any existing wireless facility unless the approving authority finds that a shorter distance is required for technological reasons, or that it would result in less visual obtrusiveness in the surrounding area. If the approving authority finds that colocation is not a feasible option and that a new facility may be located less than 1,500 feet from an existing wireless facility, the new facility should be located at least 500 feet from the existing facility.
    - d. A wireless facility should not be located within 200 feet of any property containing a residential use.
  - 2. Ground mounted facilities.
    - a. A ground mounted facility shall not be located in a required parking area, vehicle maneuvering area, vehicle/pedestrian circulation area

or area of landscaping such that it interferes with, or in any way impairs, the utility or intended function of such area.

- b. A ground mounted facility should be located in close proximity to existing above ground utilities, such as electrical tower or utility poles (not scheduled for removal or under-grounding in the next 18 months), light poles, trees of comparable height, water tanks and other areas where the facility will not detract from the image or appearance of the city.
- c. No part of a ground mounted facility should be located in any required setback.
- d. A ground mounted facility shall not be permitted unless the approving authority finds that based upon evidence submitted by the applicant, no existing building or support structure can reasonably accommodate the proposed the facility. Evidence supporting this finding may consist of any of the following:
  - No existing buildings or support structures are located within the geographic area proposed to be served by the applicant's facility.
  - Existing buildings or support structures are not of sufficient height or structural strength to satisfy the applicant's operational or engineering requirements.
  - 3) The costs, fees, or contractual provisions required by a property owner, or by an incumbent wireless telecommunication service provider, in order to colocate a new antenna array on an existing building or structure, or to adapt an existing building or structure for the location of the new antenna array, are unreasonable.
  - 4) There are other limiting factors that render existing buildings and structures unsuitable for use by the applicant.
- e. A ground mounted facility shall be secured from access by the general public with a fence or other form of screening approved by the approving authority.
- f. A ground mounted facility shall be covered with a clear anti-graffiti material of a type approved by the community development director. The community development director may grant an exception to this requirement if the applicant demonstrates to the satisfaction of the community development director that the design of the facility is adequate to prevent graffiti.

- g. No ground mounted facility shall exceed the maximum building height for the applicable zone in which it is located unless both of the following findings are made by the approving authority:
  - The applicant has satisfactorily demonstrated that exceeding the height limitation is necessary for operation of the facility; and
  - 2) The facility is colocated, or contains adequate space suitable for future colocation, and the height in excess of zoning requirements is necessary to the proposed shared use.
- 3. Roof mounted facilities.
  - a. A roof mounted facility may only exceed the height of the building on which it is mounted by a maximum of 15 feet, but only if one of the following findings is made by the approving authority:
    - 1) The applicant has satisfactorily demonstrated that the proposed height is the minimum necessary for proper operation of the facility.
    - 2) The facility is colocated, or contains adequate space suitable for future colocation, and the height in excess of the existing building is necessary for the proposed shared use.
  - b. A roof mounted facility that extends above the existing height of the building on which it is mounted shall be screened by a material and in a manner that is compatible with the existing design and architecture of the building.
  - c. A roof mounted facility, requiring the placement of any guy wires, supporting structures, or accessory equipment shall be located and designed so as to minimize the visual impact as viewed from surrounding properties and public streets, including any pertinent public views from higher elevations.
- 4. Utility mounted facilities.
  - a. A utility mounted facility shall not exceed the maximum building height for the applicable zone in which it is located unless the approving authority determines the applicant has satisfactorily

demonstrated that exceeding the height limitation is necessary for proper operation of the facility.

- b. A utility mounted facility shall not exceed the height of the existing utility pole or structure by more than four feet unless the approving authority determines the applicant has satisfactorily demonstrated that exceeding the four-foot limitation is necessary for proper operation of the facility.
- c. A utility mounted facility shall not protrude or extend horizontally more than 18 inches from the existing utility pole or structure unless the approving authority determines the applicant has satisfactorily demonstrated that exceeding the 18-inch limitation is necessary for proper operation of the facility or required by the owner of the existing utility pole or structure.

#### <u>17.18.210.</u> Public property facilities.

- A. Private telecommunication facilities located on city-owned or operated property, other than public rights of way.
  - Privately owned or operated telecommunication facilities may be located on property owned or operated by the city, subject to the city council's approval of a negotiated lease agreement between the telecommunication service provider and the city or its representative. Telecommunications facilities to be located on city-owned or operated property shall not be required to obtain a conditional use permit under the provisions of sections 17.18.100 et seq. The lease agreement shall set forth requirements for a wireless facility which are substantially consistent with the development standards and conditions of sections 17.18.100 et seq and Chapter 5.36. The lease agreement shall also contain operating covenants substantially consistent with the objectives of sections 70.18.100 et seq and Chapter 5.36. in order to protect the public health, safety and welfare.
  - 2. Notwithstanding subsection (1) above, the lease agreement approving the location of privately owned or operated telecommunications facilities on city-owned or operated property shall be subject to all applicable environmental regulations including but not limited to the California Environmental Quality Act and the Western Riverside County Multiple Species Habitat Conservation Plan.
- B. Public telecommunication facilities.
  - 1. The location, installation, and operation of any telecommunication facilities or other communication facilities owned or operated by the city on property owned or operated by the city, or within its right-of-way shall not be subject to the provisions of this article.

2. The location, installation, and operation of any telecommunication facilities or other communication facilities owned or operated by any other governmental entity other than the city on property owned or operated by the City, or within its right-of-way, shall be subject to the provisions of subsection (a) above, unless the city council, by four-fifths vote of its membership and a finding of public necessity, exempts the facility from such requirements.

#### 17.18.220. Review, modification, and revocation of permits.

- A. Any permit granted or approved pursuant to this chapter shall be granted or approved by the city with the reservation of the right and jurisdiction to review and modify the permit (including the conditions of approval) based on changed circumstances. Changed circumstances include, but not limited to, the following in relation to the approved facility as described and diagramed in the approved application materials: increased height or size of the facility; additional impairment of the views from surrounding properties; change in the type of antenna or supporting structure; changed color or materials; substantial change in location on the site; and an effective increase in signal output above or near the maximum permissible exposure limits imposed by the revised radio frequency emissions guidelines by the federal communications commission.
- B. The reservation of right to review any permit approved hereunder by the city is in addition to, and not in lieu of, the right of the city to review, suspend, revoke, or modify any permit approved hereunder for any violations of the conditions imposed on such permit.
- C. Upon review, any changed circumstance as determined by the community development director shall require the application and approval of a modification to the original administrative plot plan or conditional use permit, provided that any modification to accommodate colocated facilities may be approved administratively.
- D. Any review, suspension, revocation, or modification of a permit shall be in accordance with the procedures set forth in section 17.02.070 for an administrative plot plan and section 17.02.100 for a conditional use permit.

17.18.230. Removal of facilities.

A. The operator of a lawfully erected facility, and the owner of the premises upon which it is located, shall promptly notify the community development director in writing in the event that use of the facility is discontinued for any reason. In the event that discontinued use is permanent, then the owner(s) and/or operator(s) shall promptly remove the facility, repair any damage to the premises caused by such removal, and restore the premise as appropriate such as to be in conformance with applicable zoning codes. All such removal, repair and restoration shall be completed within 90 days after the use is discontinued, and shall be performed in accordance with all applicable health and safety requirements. For the purposes of this paragraph, a discontinued use shall be permanent unless the facility is likely to be operative and used within the immediately following three-month period.

- B. A facility that is inoperative or unused for a period of six continuation months shall be deemed abandoned. Written notice of the city's determination of abandonment shall be provided to the operator of the facility and the owner(s) of the premises upon [which] the facility is located. Such notice may be delivered in person, or mailed to the address(es) stated on the facility permit application, shall be deemed given at the time delivered or placed in the mail. A written notice of the city's determination of abandonment shall be mailed or delivered to the operator of the facility at the address stated in the relevant permit application.
- C. The operator of the facility and the owner(s) of the property on which it is located, shall within 30 days after notice of abandonment is given either (1) remove the facility and restore the premises, or (2) provide the planning department with written objection to the city's determination of abandonment and request for hearing before the planning commission. If a written objection is timely received and a hearing is properly requested, the hearing shall be set and notice given as prescribed in section 17.02.050. The operator and/or owner shall be given the opportunity to provide evidence that the facility was in use during the relevant sixmonth period and that it is presently operational. The operator and/or owner shall be given the contrary. The planning commission shall review all evidence, determine whether or not the facility was properly deemed abandoned, and provide the operator notice of its determination.
- D. The city may remove the abandoned facility, repair any and all damage to the premises caused by such removal, and otherwise restore the premises as is appropriate to be in compliance with applicable Code at any time: 1) after 30 days following the notice of abandonment, or 2) following a notice of decision by the planning director, if applicable, subject to the owner/operator's right of appeal under this Code. The city may, but shall not be required to, store the removed facility (or any part thereof). The owner of the premises upon which the abandoned facility was located, and all prior operators of the facility shall be jointly liable for the entire cost of such removal, repair, restoration and storage, and shall remit payment to the city promptly after demand therefore is made. The city may, in lieu of storing the removed facility, convert it to the city's use, sell it, or dispose of it in any manner deemed by the city to be appropriate.
- E. The operator of the facility, and the owners of the premises upon which it is located shall be in violation of this chapter for failure to timely comply with any requirements hereunder. Each such person shall be subject to penalties for each such violation, pursuant to this Code.

F. Until the cost of removal, repair, restoration and storage is paid in full, a lien shall be placed on the personal property and any real property on which the abandoned facility was located, for the full amount of the cost of removal, repair, restoration and storage. The planning director shall cause the lien to be recorded in the Riverside County Recorder's Office.

### 17.18.240. Severability.

A. If any provisions or clause of this Chapter or application thereof to any person or circumstance is held unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other Chapter provisions, clauses or applications thereof which can be implemented without the invalid provision, clause or application thereof, and to this end the provisions and clauses of this Chapter are declared to be severable.

Jurisdiction	Zone	Lot Size	Entitlement	Code Section	Notes	
Banning	R/A (Ranch Agriculture)	10 acres	Conditional Use Permit	Table 17.08.020		
	All other SFR & MFR	n/a	Prohibited	Table 17.08.020		
Calimesa	All residential	n/a	Prohibited	Table 18.20.030		
					Unless attached to light	
Perris	All residential	n/a	Prohibited	18.85.040(1)(2)	standard subject to CUP	
Hemet	Residential - Minor Facility	n/a	Administrative Use Permit	90-1617(a)	Wall, ulitilty or roof mounted	
	Residential - Major Facility	n/a	Prohibited	90-1617(a)		
					Least preferred and not on	
San Jacinto	Residential Estate	2 acres	Conditional Use Permit	17.430.360	with SFR	
					Least preferred and not on	
	Rural Residential	.50 acre	Conditional Use Permit	17.430.360	with SFR	
					Least preferred and not on	
	Residential Low Density	2.1-5 du/acre	Conditional Use Permit	17.430.360	with SFR	
					Adopted County of Riversid	
Menifee	Residential	varies	Plot Plan	19.404.a	Ordinance	
Murrieta	Rural Residential	2.5 acres	Conditional Use Permit	Table 16.08-1 & 16.44.170B		
	Estate Residential 1	1 acre	Conditional Use Permit	Table 16.08-1 & 16.44.170B		
	Estate Residential 2	.50 acre	Conditional Use Permit	Table 16.08-1 & 16.44.170B		
	Estate Residential 3	10,000 sq. ft.	Conditional Use Permit	Table 16.08-1 & 16.44.170B		
	Single Family Residential 1	7,200 sq. ft.	Conditional Use Permit	Table 16.08-1 & 16.44.170B		
	Single Family Residential 2	5,000 sq. ft.	Conditional Use Permit	Table 16.08-1 & 16.44.170B		
					Accommodate minimum	
					setback, undeveloped or	
Moreno Valley	Residential District	n/a	Conditional Use Permit	9.09.040.E.3	unimproved. No SFR on lot	
					Least preferred. Wall, roof,	
Highland	Residential Land Use District - Minor Facility	n/a	Minor Design Review	16.45.040.D.6	small cell, or alternative to	
	Residential Land Use District - Major Facility	n/a	Prohibited	16.45.040.D.6		
Palm Desert	Residential Districts	n/a	Prohibited	Table 25.10-1		
		· ·				
					Must be sited at least 100'	
Redlands	Any zone	n/a	Conditional Use Permit	18.178	any existing residential stru	
					Roof top allowed, Towers n	
	Areas not zoned for manufacturing, commercial				allowed per Richard in	
Palm Springs	or professional	n/a	Building Permit	93.23.08	, Plannning Department	
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## Wireless in Residential - Surrounding Jurisdictions (6.19.19)



https://www.pe.com/2019/07/17/hundreds-of-new-cell-antennas-could-come-to-redlands-despiteresidents-concerns/

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# Hundreds of new cell antennas could come to Redlands, despite residents' concerns



Crown Castle provided this photo simulation of a small cell wireless facility on top of a street light near the corner of East Palm Avenue and Roosevelt Road in Redlands at a planning commission meeting in April 2019. The commission approved the permit and a variance for it to be built within 100 feet of homes. (Courtesy of City of Redlands)

Concerns over the effects of small cell antennas on health, property values and aesthetics brought dozens of residents to Tuesday night's Redlands City Council meeting for the discussion on standards and processes for placement of the facilities.

There could be hundreds of applications coming in the next few years, staff said in agenda documents, as carriers aim to fill coverage gaps and prepare for the rollout of <u>new technology</u>, dubbed 5G.

The city has little choice, according to staff, as federal government regulations change.

But that didn't stop residents, some of whom had been attending council and planning commission meetings for months.

Nancy Baker, a medical doctor, worries about cancer and other health effects or electromagnetic radiation from the antennas. She said residents have proposed several options to the city regarding location preferences.

"We are not against deployment of 5G, we're saying put them in safe places," she said. "Don't put them in front of our children."

Other cities have adopted regulations prohibiting antenna placement within 300 feet of residences, or relegating them to industrial or commercial areas, she told the City Council on Tuesday.

She asked that councilmembers continue the item to a future meeting, so staff could look into such ideas.

"This is your opportunity to work for the citizens who are here today," Baker said.

The push is no longer to install large towers, which often resemble trees, according to Development Services Director Brian Desatnik, but now the concept is to use small antennas, which often go on top of utility poles, street lights or new stand-alone poles.

Locations are governed by line-of-sight requirements, and availability of public space, thus placement of the antennas near residences is sometimes necessary, according to city staff.

Another problem, said Gail Karish, special counsel for the city, is that "local authority has been chipped away by state and federal laws."

The Federal Communicationc Commission requires actions be made in a "reasonable" amount of time, she told the council, and "you can't create rules or make decisions that would effectively prohibit the provision of personal wireless services."

Federal law also does not allow local governments to consider "any effects of radio frequency emissions if the applicant can demonstrate that they meet the FCC standards," Karish said.

Rules created by other cities that don't meet these, might not stand the test of litigation, she said.

Tim Brown with Crown Castle, which installs the facilities, said more than half of homes in the country are solely reliant on wireless services, and about 85% of 911 calls are made on cell phones.

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"We absolutely stick to the FCC guidelines in all that we do," he said. "We insure that when people do pick up the phone, either out of luxury or out of necessity, that they have coverage."

The proposal in front of the Council includes:

- An ordinance to let wireless companies obtain a permit through an administrative process, instead of sending every permit to the planning commission or the City Council. It also requires nearby property owners to be told, and gives affected parties the chance to appeal, Desatnik said.
- Design and development standards requiring the facilities to be small, low profile and concealed.

The City Council voted 3-1 in favor of introducing the ordinance and approving the standards. Councilman Eddie Tejeda dissented saying he wanted to represent the will of the community. Councilman Paul Barich recused himself over possible the perception of bias due to business interests in another county, though the city attorney said that did not cause a conflict of interest.

The ordinance will come back for a final vote at a future meeting.

A licensing agreement to install facilities on city-owned structures will also come before the council at a later date, as will a contract for a consultant who would review projects to be paid for out of application fees.

Editor's note: This story has been updated to correct the reason for Councilman Paul Barich's recusal. It was over the possible perception of bias.

RETWORDSTORRISTOPHER MIMS 5G Is Great. The Rollout, Not So Much

Promise meets reality: Overwhelmed cities, torn-up streets---and the work won't be done for a decade

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ha so we can do more stant on mo-bile devices. This is the paradox of 5G, the col-lection of technologies behavior. They generation wireless networks: They require a gargantana quantity of wires. This is because 5G requires many more small towers, all of which must be wired to the interwhich must be writed to the inter-net. The consequences of this un-avoidable reality are myriad. The 5G build-out, which could take more than a decade, could disrupt our commutes, festoon nearly every city

769,000 Estimate of additional small-cell antenna sites needed in the U.S. by 2026

block with antennas, limit what cit-ies can charge for renting spots on their infrastructure to carriers on which to place their antennas, and

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billion and \$150 billion in order for most American-including those in voiders of high-speed broadband and twieless. The level of investment required been used, by Federal Communica-tion of the sector of the sector been used, by Federal Communica-tion of the sector of the sector been used, by Federal Communica-tion of the sector of the sector been used, by Federal Communica-tion of the sector of the sector been used, by Federal Communica-tion of the sector of the sector been used, by Federal Communica-tion of the sector of the sector been used by Federal Communica-tion of the sector of the sector sector of the sector of the sector and the sector of the sector of the sector of the sector of the sector the sector of the sector of the sector of the sector of the sector the sector of th

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limited how much cities can charge companies to install small cells and dictates that they must decide whether to allow or disallow them

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The real observation has now yet we grav, "he says." **Costly Decisions** Meanwhile, the time and expense of covering an entire dity mean Com-ing's customers are deploying in parts of diss where they can re-coup their appearse fastest, says Manazati. A Wall Street Journal and when and the weathings on the second comparison of the second parts of distance of the weathings on the product of the weathings on the second comparison of the second on the second comparison of the second means of the second comparison of the weather the distance of the second these who do and do not have as-cess to high-speed wheness intermet. We deploy based on many these, including density of people, usage and strategic locations," says the thebrana, vice president of technology and planning at Verizon. Then there are other things that dictate deployments such as local times, including the ability to access loca-tions," ATRI also starts with capac-tion second customer demand in deciding where to roll out 5G first, says a company spokesman.

#### Nicole,

Can you please be sure to share this with my fellow commissioners at the hearing tonight?

The next generation of wireless technology has the potential to be transformative to any community. The advantage is very high speed wireless internet connections that have the ability to bring fiber speeds to locations that do not currently have that service ability. The disadvantage is that the signals have a much shorter range than current wireless technology, which brings us to this discussion tonight.

We have been a part of several discussions on wireless communication sites over the last several years. Most are non-controversial, but some have brought up community concerns and were ultimately recommended to locate in a different location. We may not always have that possibility with shorter range radio signals. Below are my points to consider for tonight's hearing, without any advantage of public discussion, or discussion with the rest of the group, so please takes these thoughts as just that. Below are the points council asked for input on.

- Fees: I would defer this item to council, as to me that seems to be their authority to set.
- Residential Locations: While we are bound to federal and FCC regulations, I think that any application within residential and vacant parcels in residential zones should continue to be reviewed through a CUP process. Collecting more major facilities is attractive as a concept, but only if an applicant is able to show that the facility is consistent with the character of the neighborhood, and consistent with all federal and FCC regulations.
- Health: As we are aware from previous discussions, we are limited in how much this can factor in to any decision by federal statute. Any applicant should be required to indicate that the facility is compliant with all federal and FCC regulations, and that inspection reports be provided to the City for ongoing compliance throughout the life of the facility.
- Aesthetics: It is our obligation through a CUP to ensure that any facility in a residential area is consistent with the character of that community, utilizing façade work, stealthing, as well as location on a site. Special consideration should be given to proposed facilities within multifamily sites, as many of these would serve customers that do not yet have access to high speed internet services that would be provided by this service.
- Justification: We have seen this before from applicants, and I feel that it is a good idea moving forward that coverage maps are provided for new sites to assist in decision making by the PC.

I would encourage staff to be proactive in reaching out to design professionals for wireless sites about what is necessary equipment, and what we can include as part of a standard set of expectations for installations. I would be interested in a presentation from a design professional to the PC on what options exist as we develop those standards. I am not necessarily opposed to wireless facilities in residential areas, but we do need to proceed with caution. Facilities should be considerate in stealth and appropriate 'furniture' in the R/W to mask the use and not create a public eyesore. I feel that in coordinating with a design professional, we can work to develop a standard that would stand up to scrutiny from applicant who would challenge it. The draft ordinance is a good step, and now we need to craft design standards to go with it.

Hopefully that makes sense. I hope that the discussion is lively, and thank you for allowing me my two cents.

Nate Smith