



PLANNING COMMISSION SPECIAL MEETING

550 E 6th Street, Beaumont, CA

Tuesday, September 28, 2021 - 6:00 PM

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.

AGENDA

MEETING PARTICIPATION NOTICE

This meeting will be conducted utilizing teleconference communications and will be recorded for live streaming as well as open to public attendance subject to social distancing and applicable health orders. All City of Beaumont public meetings will be available via live streaming and made available on the City's official YouTube webpage. Please use the following link during the meeting for live stream access.

beaumontca.gov/livestream

Public comments will be accepted using the following options.

1. Written comments will be accepted via email and will be read aloud during the corresponding item of the meeting. Public comments shall not exceed three (3) minutes unless otherwise authorized by City Council. Comments can be submitted anytime prior to the meeting as well as during the meeting up until the end of the corresponding item. Please submit your comments to: **nicolew@beaumontca.gov**
2. Phone-in comments will be accepted by joining a conference line prior to the corresponding item of the meeting. Public comments shall not exceed three (3) minutes unless otherwise authorized by City Council. Please use the following phone number to join the call **(951) 922 - 4845.**
3. In person comments subject to the adherence of the applicable health orders and social distancing requirements.

In compliance with the American Disabilities Act, if you require special assistance to participate in this meeting, please contact the City Clerk's office using the above email or call **(951) 572 - 3196**. Notification 48 hours prior to a meeting will ensure the best reasonable accommodation arrangements.

REGULAR SESSION

6:00 PM

CALL TO ORDER

Chairman Patrick Stephens, Vice Chair Nathan Smith, Commissioner Paul St. Martin, Commissioner Anthony Colindres, Commissioner Jessica Black

Pledge of Allegiance

Adjustments to Agenda

Conflict of Interest Disclosure

PUBLIC COMMENT PERIOD (ITEMS NOT ON THE AGENDA):

Any one person may address the Committee 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 it to the Committee Chair or Secretary. There is a three (3) minute limit on public comments. There will be no sharing or passing of time to another person. State Law prohibits the Committee 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. Public Hearing and Consideration of an Amendment to Beaumont Municipal Code Chapter 17.14.030 "Definitions", Amendment to Table 17.03-3 "Permitted Uses in Base Zone Districts" and Addition of 17.11.160 "Energy Storage Facilities"**

Recommended Action:

Hold a public hearing; and

Forward a recommendation of approval to City Council for the Amendment to Beaumont Municipal Code Chapter 17.14.030 "Definitions", Amendment to Table 17.03-3 "Permitted Uses in Base Zone Districts" and Addition of 17.11.160 "Energy Storage Facilities".

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

ADJOURNMENT

The next regular meeting of the Beaumont Planning Commission is scheduled for Tuesday, October 12, 2021, at 6:00 p.m. or thereafter as noted on the posted Agenda at City Hall

Beaumont City Hall – Online www.BeaumontCa.gov



Staff Report

TO: Planning Commissioners

FROM: Christina Taylor, Community Development Director

DATE: September 28, 2021

SUBJECT: **Public Hearing and Consideration of an Amendment to Beaumont Municipal Code Chapter 17.14.030 “Definitions”, Amendment to Table 17.03-3 “Permitted Uses in Base Zone Districts” and Addition of 17.11.160 “Energy Storage Facilities”**

Background and Analysis:

The State of California has recently enacted policies and legislation related to alternative energy. Some of the most notable legislation includes:

- SB100 “The 100 Percent Clean Energy Act of 2018,”
- SB350 “The Golden State Energy Act” (2019),
- AB802 “Energy Efficiency” (2015),
- Executive Order N-79-20, and
- Numerous Emergency Proclamations related to energy use.

The Beaumont Municipal Code Chapter 17 “Zoning” regulates land uses within the City of Beaumont. The municipal code currently allows for a variety of utility related uses including water, sewer and wind. Other than wind, the code does not provide an option for alternative energy. In an effort to acknowledge the direction of the State and to provide options for a variety of alternative energy in the City, staff is proposing the addition of energy storage facilities to the Beaumont Municipal Code.

The proposed ordinance is aimed at providing the opportunity for energy storage while protecting the health and safety of the general public. This is achieved through properly classifying facilities, providing development standards, performance measures and ensuring proper decommissioning when the use is terminated. The ordinance contains the following key components which speak to these points:

- Classification of energy storage facilities and components,
- Development standards addressing site design,
- Standard conditions of approval, and

- Decommissioning plan including establishment of a decommissioning fund.

The proposed municipal code chapter in its entirety is included as an attachment to this staff report along with the definitions and permitted use table.

Recommended Action:

Hold a public hearing; and
Forward a recommendation of approval to City Council for the Amendment to Beaumont Municipal Code Chapter 17.14.030 “Definitions”, Amendment to Table 17.03-3 “Permitted Uses in Base Zone Districts” and Addition of 17.11.160 “Energy Storage Facilities”.

Attachments:

- A. Ordinance
- B. Draft Municipal Code Chapter 17.14.030 “Definitions”
- C. Draft Table 17.03-3 “Permitted Uses in Base Zone Districts”
- D. Draft Chapter 17.11.160 “Energy Storage Facilities”

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"
 AMENDING CHAPTER 17.14.030 "DEFINITIONS," OF THE BEAUMONT MUNICIPAL CODE
 AND
 ADDING CHAPTER 17.11.160 "ENERGY STORAGE FACILITIES"**

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 "Permitted Uses in Base Zone Districts" to include uses specifically set forth in Exhibit "A", which Exhibit is attached hereto and made a part hereof.

SECTION 5. The City Council hereby amends Title 17, Chapter 17.14.030 "Definitions" to include uses specifically set forth in Exhibit "B", which Exhibit is attached hereto and made a part hereof.

SECTION 6. The City Council hereby amends Title 17, adding Chapter 17.11.160 "Energy Storage Facilities" as specifically set forth in Exhibit "C", which Exhibit is attached hereto and made a part hereof.

SECTION 7. 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 5th day of October 2021, 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 19th day of October 2021.

AYES:

NOES:

ABSENT:

ABSTAIN:

Mike Lara, Mayor

Attest: _____

City Clerk

Approved as to form:

John O. Pinkney, City Attorney

17.14.030 Definitions (A through Z).

A

Above-ground/on-ground pool. See "Swimming pool".

Abut or Abutting. The same as meaning adjoining.

Access. The place, or way, by which pedestrians and vehicles are provided adequate and usable ingress and egress to a property or use as required by this Zoning Code.

Accessory Use. A use incidental to, related, and clearly subordinate to the principal use established on the same lot or parcel of land where such accessory use is located.

Adjacent. Two or more lots or parcels of land separated by an alley, street, highway or recorded easement, or two or more objects located near or in close proximity to each other.

Adjoining. Two or more lots or parcels of land sharing a common boundary line, or two or more objects in physical contact with each other.

Affordable Unit. Refers to a housing development project in which 80 percent of the units shall be designated for very low-income households and 20 percent reserved for low-income households as those terms are defined in the Health and Safety Code.

Alley. A public or private right-of-way, other than a street or highway, permanently reserved as a secondary means of vehicular access to adjoining properties.

Amendment. A change in the wording, context, content, or substance of this Zoning Code or in the zoning map. Such changes must be adopted by ordinance by the City Council in the manner prescribed by law.

Amusement Arcade. Any place open to the public where five or more amusement games are maintained for use by the public. When only a portion of the premises is used for the operation of amusement games, only that portion shall be considered as an amusement arcade.

Amusement Game. Any entertainment device for which a fee is paid to play, including, but not limited to, pinball, video or other electronic games.

Animal Hospital. Shall mean a place where animals or pets are given medical or surgical treatment and cared for during the time of such treatment. Use as a kennel shall be limited to short time boarding and shall be only incidental to such hospital use.

Animals—Retail Sales. The retail sales of small animals (such as dogs, cats, birds, and fish), provided such activities take place within an entirely enclosed building.

Antique Shop. An establishment primarily engaged in the sale of antiques.

Apartment House. A building, or a portion of a building, designed or used for occupancy by three or more households living independently of each other and containing three or more individual dwelling units within a single structure.

Apartment Unit. A room or suite of two or more rooms with a single kitchen in a multiple-family dwelling, suitable for occupancy as a dwelling unit for one household.

Arcade. See "Amusement arcade".

Artists' Studio. A building containing work space and retail sales space for artists and artisans producing individual one-of-a-kind works of art, including individuals practicing a fine art, or skilled in an applied art or craft, provided that the use does not impact any other use or property with noise, odor, dust, vibration, or other nuisance. This classification includes, but is not limited to, painter's studios, ceramic studios, and custom jewelry studios.

Assessor. The Assessor of the County of Riverside.

Automobile Parking or Storage Facility means a type of outdoor storage use whereby an outdoor lot, lot area, or parcel of land used, is designed and maintained primarily for the purpose of storing, parking, dispatching, or keeping automobiles or recreational vehicles (including RV's, boats, watercraft, off-road vehicles) or other vehicles, together with or without facilities necessary to service, dispatch, store or maintain aforementioned vehicles, their cargos and crews. Also applies to a business establishment providing towing and/or storage of operative or inoperative vehicles. This classification includes the storage of tow-aways, impound yards, and storage lots for buses and recreational vehicles, but does not include vehicle dismantling.

Automobile Wrecking or Automobile Dismantling. A business establishment engaged in the dismantling and/or wrecking of automobiles, used motor vehicles or trailers, and/or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or parts.

Automobile Service Station. An establishment providing gasoline oil and other additives, and/or performing minor repairs and other customary services for automobiles and light vehicles, but excluding painting, body work steam cleaning, and major repairs.

Advertising Structure. A structure of any kind or character, erected or maintained for outdoor advertising purposes, upon which any poster bill,

Awning. Either a fabric covered appendage or a temporary collapsible shelter of noncombustible materials supported entirely from the exterior wall of a building.

B

Balcony. A platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail, balustrade, or parapet on at least one side.

Balcony, Unenclosed. A balcony open to the sky and not fully enclosed on more than two sides.

Balloon. A floating air-filled or gas-filled object tethered to a fixed location (also see "Sign, balloon").

Banks and Savings. A state- or federally-chartered financial institution that provides retail banking

Barrier. A fence, a wall, a building wall or a combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

Bars and Cocktail Lounges. Establishments where alcoholic beverages are sold for consumption on the premises. This classification excludes restaurants and commercial recreation uses that may serve alcoholic beverages incidental to the primary use.

Basement. That portion of a building located between the ground level or first floor of a structure.

Battery. A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this chapter, batteries utilized in consumer products are excluded from these requirements.

Battery Energy Storage Management System. An electronic system that protects storage batteries from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected. The system generates an alarm and trouble signal for abnormal conditions

Battery Energy Storage System. A system consisting of electrochemical storage batteries, battery chargers, controls, power conditioning systems and associated electrical equipment, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle.

Billiard Parlor. An establishment that provides five or more billiard and/or pool tables.

Boarding. A residence or dwelling, other than a hotel, wherein three or more rooms are rented under three or more separate written or oral rental agreements, leases or subleases or combination thereof, whether or not the owner, agent or rental manager resides within the residence.

Building. Any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of persons, animals, or property of any kind.

Building; Accessory. A detached subordinate building, the use of which is incidental to that of the primary building or to the principal use of the land, and which is located on the same lot or parcel of land with the main building or principal use of the land.

Building, Height. The vertical distance as measured continuously along a line at existing grade bisecting the width of the lot to the highest point of a building or structure, except as provided elsewhere in this Zoning Ordinance.

Building, Main. A building in which is conducted a principal use of the lot or parcel of land upon which it is situated. In a residential or agricultural zone, any residential unit shall be deemed to be a main building upon the lot or parcel of land on which it is situated.

Building Material Sales. An establishment engaged in retailing or wholesaling of building supplies or equipment. This classification includes lumber yards and tool and equipment sales, but excludes businesses engaged in the retail sales of paint and hardware, building contractor's yards, and activities classified under "Equipment Leasing and Rentals."

Building Site. The ground area of one or the ground area of two or more lots when used in combination of a building or group of buildings together with all open spaces as required by this Ordinance.

Building Wall. The vertical surface, or any element thereof, including any structural member or group of structural members attached the vertical surface, that defines the exterior boundaries of a building.

Business and Trade School. An establishment which provides on-site training of business, commercial, and/or trade skills such as accounting, data processing, and computer repair. This classification excludes establishments providing training in an activity that is not otherwise permitted in the applicable zone. Incidental instructional services in conjunction with another primary use shall not be considered a business and trade school.

C

Cabana. A structure containing not more than 700 square feet, not containing a kitchen.

Camp, Day. A facility with an organized daytime program involving the supervision and care of children.

Canopy. Has the same meaning as "awning" as defined in this section, except that a canopy contains separate supporting posts and is not supported entirely from the exterior wall of a building. A fixed overhead shelter used as may or may not be attached to a building.

Carport. A permanently-roofed structure with no more than two enclosed sides, used or intended to be used for automobile shelter and storage.

Cell. The basic electrochemical unit, characterized by an anode and a cathode, used to receive, store, and deliver electrical energy.

Cellar. See "Basement".

Center-line. The center-line of any street, as established by the City Engineer by official surveys, and on file in the office of the City Engineer.

Check Cashing. A business that, for compensation, engages in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. This classification does not include a

state- or federally- chartered bank, savings association, credit union, or industrial loan company. Further, this classification does not include establishments selling consumer goods where the cashing of checks or money orders is incidental to the main purpose of the business.

Church. A facility used for religious worship and incidental religious education and/or activities, including a parsonage which shall be a maximum of 1,200 square feet or 50 percent of the assembly hall whichever is less. Setbacks and parking shall meet the residential single family requirements. This definition does not include private schools as defined in this section of the Zoning Ordinance.

Child Care Center. A facility that provides non-medical care to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. "Child care center" includes day care centers and family day care homes.

City. Refers to the City of Beaumont.

Club, Private. Any building or premises used by an association of persons, whether incorporated or unincorporated, organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise. This definition does not include "Adult" business establishments.

Clubs and Lodges. A private or nonprofit organization providing meeting, recreational, or social facilities primarily for use by members and/or guests.

Commercial Printing. A business providing printing, blueprinting, photocopying, engraving, binding, or related services.

Commercial Vehicle. A vehicle which, when operated on a street, is required to be registered as a commercial vehicle under the State Vehicle Code, and which is used or maintained for the transportation of persons for hire, compensation, or profit, or which is designed, used, or maintained primarily for the transportation of property.

Commission. Refers to the Planning Commission of the City of Beaumont.

Commissioning. A systematic process that provides documented confirmation that a battery energy storage system functions according to the intended design criteria and complies with applicable code requirements.

Communications Facilities. An establishment engaged in broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms. This classification includes, but is not limited to, radio, television, or recording studios, telephone switching centers, and telegraph offices.

Communications Facilities, Wireless. An unstaffed facility used for the transmission or reception of wireless telecommunication services, commonly consisting of an antenna array, connection cables, a support structure, and ancillary support facilities.

Community Center. A building, buildings, or portions thereof used for recreational, social, educational, and cultural activities where buildings and associated improvements are owned and/or operated by a public, nonprofit, or public serving group or agency.

Condominium. An undivided interest in common in a portion of real property coupled with a separate interest in space called a "unit," the boundaries of which are described on a recorded final map, parcel map, or condominium plan. The description of the unit may refer to: a) boundaries described in the recorded final map, parcel map, or condominium plan, b) physical boundaries, either in existence, or to be constructed, such as wall, floors, and ceilings of a structure or any portion thereof, c) an entire structure containing one or more units, or d) any combination thereof. An individual condominium within a condominium project may include, in addition, a separate interest in other portions of the real property. This term shall also include stock-cooperative developments.

Condominium Project. A common interest development consisting of condominiums.

Contractor or Building Materials Storage Yard means establishments which engage primarily in the outdoor storage of goods, materials (except temporary storage of construction materials associated with an active building permit), machines, vehicles, trailers, and other equipment associated with a construction or contractor's business licensed within the City of Beaumont.

Convalescent Facilities. A business establishment engaged in providing care on 24-hour basis for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services.

Convalescent Home. A home or establishment offering or providing lodging, meals, nursing, dietary, or other personal services to five or more convalescents, invalids, or aged persons, but shall not include surgery or the care of persons with contagious or communicable diseases.

Conversion (Condominium). A change in the type of ownership of a parcel or parcels of land, together with the existing structures, from rental housing, as defined in this section, to a condominium, community apartment, planned development, stock cooperative, or common interest development.

County. Refers to the County of Riverside.

Court. An open, unoccupied space, bounded on two or more sides by the walls of a building. "Inner court" is a court entirely enclosed within the exterior walls of a building. All other courts are referred to as outer courts.

Coverage. The percentage of total site area covered by structures, open or enclosed, excluding the following uncovered structures: steps, courts, patios, terraces, and swimming pools.

D

Dairy. Any premises where three or more cows, three or more goats or one or more cows and two or more goats, or two or more cows and one or more goats are kept, milked, or maintained.

Daycare Center, Adult. A state-licensed facility designed to provide necessary care and supervision to persons 18 years of age or older on less than a 24-hour basis. Adult day care centers include the various types of adult day services as defined under state law that include "adult day care facilities," "adult social day care facilities," and "adult day health care facilities."

Day Care Center, Children. A state-licensed facility, other than a family day care home, providing non-medical care and supervision to children under 18 years of age on less than a 24-hour basis. Child day care centers shall include "day care centers" as defined under state law, which include infant centers, preschools, and extended day care facilities.

Deck. A platform other than a balcony, either freestanding or attached to a building, without a roof, that is supported by pillars, posts, or walls.

Decommissioning Plan. A plan to retire the physical facilities of the Project, including decontamination, dismantlement, rehabilitation, landscaping and monitoring. The plan contains detailed information on the proposed decommissioning and covers the schedule, type and sequence of decommissioning activities; waste management, storage and disposal of the waste from decommissioning; the timeframe for decommissioning and site rehabilitation.

Director and Director of Planning and Planning Director. Refers to the Community Development Director or his or her designee.

Drive-in Restaurant. Any building or structure in which food and drink are prepared for service to customers outside of such building or structure, even though the same is served to customers inside said building or structure or to customers occupying vehicles outside such structure, and shall include self-service restaurants for take-out food.

Drive-thru. See "Establishment with drive-up service".

Driveway. An appropriately paved and privately-owned surface or road that provides access to off-street parking or loading facilities.

Dump. An area devoted to the disposal of combustible or non-combustible refuse.

Duplex. A structure consisting of two dwelling units.

Dwelling or Dwelling Unit. An attached or detached building containing one or more rooms wherein the occupants of each dwelling unit are living and functioning together as a single housekeeping unit, meaning that they have established ties and familiarity with each other, jointly use common areas, interact with each other, share meals, household activities, expenses and responsibilities, membership in the single housekeeping unit is fairly stable as opposed to transient and members have some control over who becomes a member of the single housekeeping unit.

Dwelling, Multiple Family Residential. One or more buildings located on a lot containing a total of two or more dwellings within a structure.

Dwelling, Single-Family. An attached or detached building not to contain more than one kitchen wherein the occupants of the dwelling unit are living and functioning together as a single housekeeping unit, meaning that they have established ties and familiarity with each other, jointly use common areas, interact with each other, share meals, household activities, expenses and responsibilities, membership in the single housekeeping unit is fairly stable as opposed to transient and members have some control over who becomes a member of the single housekeeping unit.

Dwelling, Tri-plex. A building designed for occupancy by three families living independently of each other and containing three dwelling units under one common roof.

Dwelling, Two-Family or Duplex. An attached or detached building containing two Dwelling Units wherein the occupants of each Dwelling Unit are living and functioning together as a single housekeeping unit, meaning that they have established ties and familiarity with each other, jointly use common areas, interact with each other, share meals, household activities, expenses and responsibilities, membership in the single housekeeping unit is fairly stable as opposed to transient and members have some control over who becomes a member of the single housekeeping unit.

E

Energy Storage System. A system which stores energy and releases it in the same form as was input.

Establishment with Drive-up Service. A business or institution providing services accessible to persons who remain in their automobiles.

F

Family. One or more persons living together as a single housekeeping unit in a dwelling unit. A family includes the residents of residential care facilities and group homes for people with disabilities. A family does not include larger institutional group living situations such as dormitories, fraternities, sororities, monasteries or nunneries.

Family Day Care Home, Large. A dwelling that regularly provides care, protection, and supervision for 12 or fewer children under the age of ten, in the provider's own home, for periods of less than 24 hours per day.

Family Day Care Home, Small. A dwelling that regularly provides care, protection, and supervision for one to six children inclusive, including children under the age of ten.

Fire Arm Sales or Firearms Business. An establishment having at least 25 percent of its gross floor area devoted to the sale of fire arms, ammunition and ammunition components, and hunting or shooting equipment.

Floor Area, Gross. The total horizontal area of all the floors of a building included within the surrounding walls, exclusive of vent shafts and courts.

Floor Area, Net. The total useable floor area within all floors of a building included within the surrounding walls.

Floor Area Ratio. The numerical value obtained through dividing the gross floor area of a building or buildings by the total area of the lot or parcel of land on which such building or buildings are located.

Food and Beverage Sales. A business establishment where the primary use involves the retail sales of food and beverages for off-site preparation and consumption. Typical uses include grocery markets and delicatessens. This category does not include liquor stores.

Food Manufacturing. A business establishment engaged in manufacturing, processing, and/or packaging of food products for wholesaling and distribution. This use may include incidental direct sale to consumers of the products manufactured on-site, souvenirs, and ancillary tasting facilities for the public.

Frontage. The frontline of a site, separating the site from the street.

G

Garage, Parking Garage. A structure with a common vehicular entrance and exit which is used by vehicles in parking spaces and which otherwise conforms to the requirements of this Zoning Code.

Garage, Private. A detached accessory building, or a portion of a main building on the same lot, enclosed on three sides and with a door capable of enclosing the fourth side, for the parking or temporary storage of vehicles owned by the occupants of the premises.

General Plan. The General Plan of the City of Cudahy, consisting of the General Plan and Map, adopted by the City Council.

Grade, Existing. The surface of the ground or pavement at a specific location as it existed prior to disturbance in preparation for a construction project.

Grade, Finished. The finished surface elevation of the ground or pavement at a specific location after the completion of a construction project.

Grade, Ground Level. The average level of the finished ground surface surrounding a building, measured at the center of all walls of the building.

Gradient. The rate of vertical change of a ground surface expressed in a percentage and determined by dividing the vertical distance by the horizontal distance.

Group Home (Unlicensed) or Unlicensed Group Home. A single family dwelling unit with six or fewer occupants who are all (other than the house manager) considered disabled under state or federal law, but not licensed by the state.

Guest House. Refers to living quarters, having no kitchen facilities, located within an accessory building located on the same premises with a main building and occupied solely by members of the family, temporary guests, or persons permanently employed on the premises.

Guest Room. A room designed for or occupied as sleeping quarters by one or two persons, providing lodging for compensation.

H

Hazardous Waste. Any waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may: a) exhibit toxicity, corrosivity, flammability, and/or reactivity; b) cause, or significantly contribute to, an increase in serious irreversible, or incapacitating reversible, illness; or, c) present a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

Hazardous Waste Facility. All contiguous land, structures, other appurtenances, and improvements within a property, used for handling, treating, storing, or disposing of hazardous wastes.

Health and Physical Fitness Facility. A private athletic clubs and gymnasiums including, but not limited to, weight training facilities, aerobic exercise floors, racquetball courts, swimming pools, and similar athletic facilities.

Height. See "Building height".

Home Occupation. An occupational activity carried on by the occupant(s) of a residential dwelling as a secondary use in connection with which there is no display, no walk-in customers, no stock-in-trade, nor commodity sold upon the premises, no person employed, and no mechanical equipment used, except such as is necessary for housekeeping purposes.

Hospital. A facility providing medical, surgical, psychiatric, and/or emergency medical services to sick or injured persons, primarily on an inpatient basis. This classification includes incidental facilities for out-patient treatment, as well as training, research, and administrative services for patients and employees.

Hotel or Motel. One or more buildings containing guest rooms or dwelling units, with one or more such rooms or units having a separate entrance leading directly from the outside of the building or from an interior court. Such facilities are designed to be used, or intended to be used, rented, or hired out for temporary or overnight accommodations for guests, and are offered primarily to patrons by signs or other advertising media. This classification may contain public meeting rooms and eating, drinking, and banquet services associated with the facility.

Hot Tub. See "Swimming pool".

Household. A single individual or group of individuals, unrelated or related by blood or marriage, residing in a dwelling unit.

Household Pet. A domesticated animal commonly maintained within a residence.

I

Industrial Complex. Any group of three or more industrial uses on a parcel or combination of parcels which are generally served either by common access or common parking, or single industrial use occupying at least 100,000 square feet of floor area.

In-ground pool. See "Swimming pool".

J

Junk Yard. The use of a lot, or the use of any portion of a lot, for the dismantling of machinery or for the storage or keeping for sale of parts and equipment resulting from such dismantling or wrecking, or for the storage or keeping of junk, including scrap metals or other scrap materials.

K

Kennel. Any lot or premises on which four or more dogs or cats at least four months of age are boarded or trained.

Kitchen. A room in a building or dwelling unit that is used in the cooking or preparation of food.

L

Laboratory. An establishment providing analytical or testing services, including, but not limited to, chemical labs, dental-medical labs, optical labs, and labs conducting mechanical, electrical, physical, or environmental tests, as well as research and development.

Landscaping. The planting and maintenance of live trees, shrubs, ground cover, and lawn areas, including the installation of irrigation systems required by the provisions of this Zoning Code. "Landscaping" may include inorganic decorative materials of natural or man-made origin if used to accent or complement, but in no case

imitate, the natural vegetation. Inorganic decorative materials used in landscaping may include rock, stone, wood, waterfall, fountains, pools, sculptures, benches, and architectural screens, walls, and fences.

Liquor Store. A business establishment having at least 50 percent of its gross floor area used for the sale of alcoholic beverages intended for off-site consumption.

Loading Space. An off-street space on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of commercial vehicles while loading or unloading, and which has access from a street, alley, or other permanent means of ingress and egress.

Lodging House. A residence or dwelling, other than a hotel, wherein lodging and meals are provided to four or more persons for compensation, whether direct or indirect. In determining the number of persons lodging in a lodging house, all residents shall be counted, including an owner, agent or manger.

Lot. Real property with a separate and distinct number or other designation shown on a plat recorded in the office of the County Recorder as a part of an approved subdivision, shall also mean (1) a parcel of real property when shown as a delineated parcel of land with a number of other designations on a plat recorded in the Office of the County Recorder of Riverside County; or (2) a parcel of land the dimensions or boundaries of which are defined by a record of survey recorded pursuant to the provisions of the Subdivision Map Act of the State of California in the Office of the County Recorder of Riverside County; (3) a parcel of real property not delineated as in (1) or (2) above, and containing not less than the prescribed minimum square footage required in the zone in which it is located and which abuts at least one public street, and alley or a private easement determined by the Commission to be adequate for purposes of access from a street; (4) a parcel of land registered under Land Title Law (Torrens Title) and held under separate ownership from adjacent property on the effective date of this Ordinance.

Lot, Area. The total area, measured in a horizontal plane, included within the lot lines of a lot or parcel of land.

Lot, Corner. A lot located at the intersection of two or more streets at an angle of not more than 135 degrees. If the angle is greater than 135 degrees, the lot shall be considered an interior lot.

Lot, Cul-de-sac. A lot fronting on, or with more than one-half of its lot frontage, on the turnaround end of a cul-de-sac street.

Lot, Depth. The horizontal distance between the front and rear lot lines, measured in the mean direction of the side lot lines.

Lot, Interior. A lot other than a corner or reverse corner lot.

Lot, Key. Any lot where the side property line abuts the rear property line of one or more lots, and where such lots are not separated by an alley or any public way.

Lot Line. Any line bounding a lot as defined in this section.

Lot Line, Exterior. A lot line abutting a street.

Lot Line, Front. On an interior lot, the front lot line of the property line abutting the street, except in those cases where the latest tract deed restrictions specify another line as the front lot line. On a corner or reversed corner lot, the front lot line is the shorter property line abutting a street. On a through lot, or a lot with three or more sides abutting a street, or a corner or reversed corner lot with lot lines of equal length, the Zoning Administrator shall determine which property line shall be the front lot line for purposes of compliance with the setback provisions of this Zoning Code.

Lot Line, Interior. A lot line not abutting a street.

Lot Line, Rear. A lot line not abutting a street that is opposite and most distant from the front lot line. For triangular lots where there is no rear lot line, the rear lot line shall be defined as the point at which the side lot lines intersect.

Lot Line, Side. Any lot line that is not classified as a front lot line or rear lot line.

Lot Line, Zero. A lot line that does not have any side-yard setback.

Lot, Reverse Corner. A corner lot, the side line of which is substantially a continuation of the front lot lines of the lot to its rear.

Lot, Through. A lot having frontage on two parallel or approximately parallel streets. A through lot may have no rear lot line.

Lot; Width. The horizontal distance between the side lot lines measured at right angles to the lot depth line at a distance located midway between the front and rear lot lines.

M

Main Building. A building that is designed, and used for, or intended to be used, to accommodate the principal use on the lot. In residential zones, any dwelling shall be considered the main building on the lot.

Maintenance and Repair Services. An establishment providing household appliance repair, furniture repair, office machine repair, bicycle repair, or building maintenance services. This classification excludes maintenance and repair of motor vehicles, boats, or ships.

Mansard or Mansard Roof. A roof having two slopes on all sides with the lower slope steeper than the upper one.

Manufactured Housing. A mobile home, or manufactured housing unit, as defined by and installed in accordance with California Health and Safety Code Section 18008 and 18551, respectively, and factory-built housing as defined by California Health and Safety Code Section 19971.

Medical Clinic. Any facility providing physical or mental health service, and medical or surgical care of the sick or injured, but shall not include inpatient or overnight accommodations. Activities included within this definition are health centers, health clinics, and doctors' offices.

Mini-storage, Mini-warehouse, Self-storage or Public-storage means an operation serving the public where customers rent or lease, or self-store and have direct access to, individual storage areas, compartments, or facilities rooms within a larger structure or structures provided for storage use. This use may also include limited caretaker facilities.

Mobile Home. A movable or transportable vehicle, other than a motor vehicle, intended for occupancy for one family, and having no foundation other than jacks, piers, wheels or skirtings. All mobile homes located on lots must be a minimum of 450 square feet, with a minimum of ten feet in width. All mobile homes must have a complete sanitary facilities, including a lavatory, flush type toilet, tub or shower, and kitchen sink, all connected to sewage outlets in conformity with state, county and health requirements.

Mortuary. An establishment providing services such as preparing the deceased for burial, and arranging and managing funerals and related services, and may include limited caretaker facilities. This classification excludes cemeteries, crematoriums, and columbariums.

Motel. One or more buildings containing more than five completely furnished individual guest rooms with one or more such rooms or units having a separate entrance leading directly from the outside of the building or an inner court. Such facilities are designed, used, or intended to be used, rented or hired out as temporary or overnight accommodations for guests, and are offered primarily to automobile tourists or transients. Motels include auto courts, motor lodges, and tourist courts.

N

Nonconforming. A building and/or improvement, or portion thereof, which does not conform improvement to current Zoning Code regulations. Nonconforming use, any use of land or property that was lawfully established and in effect at the lawful or legal time this Zoning Code or any amendment became effective, but no longer

complies with all of the applicable regulations and standards of the zone in which the use is located. Nonconforming any structure or improvement that was lawfully established and in existence structure, lawful at the time this Zoning Code or any amendment became effective, but no or legal longer complies with all of the applicable regulations and standards of the zone in which the structure or improvement is located.

O

Offices. Administrative, clerical, or public contact offices of a government agency, government including postal facilities, together with incidental storage and maintenance of vehicles.

Offices, Medical. Offices or health facilities providing health services, including without limitation, preventative and rehabilitation treatment, diagnostic services, and testing and analysis, but excluding inpatient services and overnight accommodations. This classification includes without limitation offices providing medical, dental, surgical, rehabilitation, podiatric, optometric, chiropractic, and psychiatric services, and medical or dental laboratories incidental to such offices.

Offices, Professional. Offices for firms or organizations providing professional, executive, management or administrative services, such as architectural, engineering, real estate, insurance, investment, or legal offices. This classification excludes savings and loan associations, banks, and medical offices.

Off-Street Parking Facility. A lot, or portion thereof, improved and used for the parking of vehicles, including, but not limited to, enclosed garages and parking structures, open parking areas, aisles, driveways, and appurtenant landscaped planters and their improvements.

Open Space, Useable (Useable Open Space). Open space upon the lot or parcel to which it is appurtenant, which can be used by inhabitants of the property for outdoor living, activity and/or recreation and may include landscaping. Each linear dimension of such space shall be a minimum of six feet. Balconies may be credited as "usable open space" provided they each have linear dimensions of a minimum of five feet. Enclosed recreation or multi-purpose activity rooms may be credited as "usable open space." All such areas shall be readily accessible to the inhabitants of the property. "Usable open space" does not include driveways, open or covered parking areas, utility space such as trash or garbage areas, or space occupied by the required front yard setback. For the R-MF zone, the following minimum usable open space is required for:

1. Each studio apartment, 200 square feet;
2. Each one-bedroom apartment, 200 square feet;
3. Each two-bedroom apartment, 200 square feet plus 100 square feet making a total of 300 square feet;
4. Each additional bedroom an additional 100 square feet.

The computation of usable open space provided shall be as follows:

1. The following areas shall be computed at 1.25 times the area actually devoted to such use:
 - a. Private patios, when directly accessible to the dwelling unit to which it is appurtenant; such patios shall be completely enclosed on all sides by a fence which is a minimum of five feet in height;
 - b. Balconies and lanais, when directly accessible to the unit to which they are appurtenant; such balconies and lanais must have a minimum dimension of five feet; and
 - c. Swimming pool areas, including the hard surface deck, which normally surrounds such pools. Deck area more than 25 feet from the edge of the pool will not be counted as open space under this recreation activity rooms, provided these rooms are permanently maintained for the use of tenants for various recreation activities. Such activity rooms shall not include lobbies, but may include common steam rooms, sauna baths, or the like.

2. All other areas meeting usable open space requirements shall be credited with the actual area (square feet) provided.
3. No area will be considered as usable open space if it has any dimension less than six feet except balconies.

Outdoor Advertising. The use of signs or other measures soliciting public support or directing public attention to the sale, lease, hire, or use of any objects, products, services, or functions which are not produced, sold, or otherwise available on the premises where such signs are erected or maintained.

Outdoor Living Space. Either an open passive landscaped area specifically designed, improved, and maintained to enhance the architectural design, privacy, and general environmental quality of a residential development or an easily accessible public or private activity area specifically designed, improved, and maintained for outdoor living and/or recreation by occupants of the residential development.

Outdoor Storage use means establishments that engage primarily in the outdoor storage of goods, materials (except temporary storage of construction materials associated with an active building permit), machines, vehicles, trailers, and other equipment.

P

Parcel. A contiguous quantity of land owned by, or recorded as the property of, the same claimant or person.

Parking Space. A space within an off-street parking facility that has the minimum attributes of size, location, and design specified in Article 21 (Parking requirements) of this Zoning Code.

Parks and Recreation Facilities. Uses that include, but are not limited to, land and interests in land; swimming pools; tennis, volleyball and basketball courts; baseball grounds; play areas; turf; sprinkler systems; community center buildings; recreation buildings; and other works, properties, structures, and facilities necessary or convenient for public park, playground, or recreation purposes.

Pawn Shop. A business establishment engaged in the buying or selling of new or secondhand merchandise and offering loans secured by personal property.

Performance Art. A public building used for theatrical performances, concerts, recitals, and facilities similar entertainment. This classification excludes commercial cinemas or theaters.

Personal Convenience Service. A business establishment providing recurrently-needed services of a personal nature. This classification includes, but is not limited to, barber and beauty shops, seamstresses, tailors, shoe repair shops, photocopying, retail dry cleaning establishments (excluding wholesale dry cleaning plants), self-service laundromats, and similar services. This classification excludes massage parlors, tattoo parlors, and/or skin piercing establishments.

Personal Improvement Service. A business establishment providing instructional services or facilities, including, but not limited to, photography, fine arts, crafts, dance or music studios, driving schools, modeling agencies, reducing salons, and health or physical fitness clubs. Incidental instructional services associated with a retail use shall be classified as "retail sales" rather than "personal improvement services."

Planned Unit Development. The planning, construction, or implementation and operation of any use or structure, or a combination of uses and structures, on a single parcel of land based on a comprehensive and complete design or plan treating the entire complex of land, structures, and uses as a single project.

Plant Nursery. A site used to raise trees, shrubs, flowers, and other plants for sale or for transplanting, and where all merchandise (other than plants) is kept within an enclosed building or fully-screened enclosure, and fertilizer of any type is stored and sold in package form only.

Pre-existing. In existence prior to the effective date of this Ordinance.

Public Building. A building owned and operated by a public agency for public use.

Public Safety Facility. A public facility providing public safety and emergency services, including police and fire protection, and associated support and training facilities.

Public Utility Facility. A building or structure used by any public utility including, but not limited to, any gas treatment plant, reservoir, tank, or other storage facility, water treatment plant, well, reservoir, tank or other storage facility, electric generating plant, distribution or transmission substation, telephone switching or other communications plant, earth station or other receiving or transmission facility, any storage yard for public utility equipment or vehicles, and any parking lot for parking vehicles or automobiles to serve a public utility. The term "public utility" shall include every gas, electrical, telephone and water corporation serving the public or any portion thereof for which a certificate of public convenience and necessity has been issued by the State Public Utility Commission.

Q

R

Recreational Facility. A publicly-owned and operated recreational structure or building, such as a tennis court, swimming pool, multi-purpose community building, or similar use.

Recyclable Material. A reusable material, including, but not limited to, metals, glass, plastic, and paper, and which is intended for reuse, re-manufacture, or reconstitution for the purpose of using the altered form. "Recyclable material" shall not include refuse or hazardous materials. "Recyclable material" may include used motor oil collected and transported in accordance with Section 25250.11 and Section 25143.2(b)(4) of the State Health and Safety Code.

Recycling Facility. A center for the collection and/or processing of recyclable materials. "Certified recycling facility" or "certified processor" refers to a recycling facility certified by the State Department of Conservation as meeting the requirements of the State Beverage Container Recycling and Lifter Reduction Act of 1986. A recycling facility does not include storage containers or processing activities located on the premises of a residential, commercial, or manufacturing use, and used solely for the recycling of material generated by such residential property, business, or manufacturer.

Recycling, Collection Facility. A center for the acceptance of recyclable materials from the public by donation, redemption, or purchase.

Recycling, Processing Facility. A building or enclosed space used for the collection and processing of recyclable materials. "Processing" means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and re-manufacturing.

Renewable Energy. Energy sources that constantly renew themselves or are regarded as practically inexhaustible. Renewable energy includes energy derived from solar, wind, geothermal, hydroelectric, wood, biomass, tidal power, sea currents, and ocean thermal gradients

Rental Units. A housing unit leased for the occupancy of a residential household.

Residence. One or more rooms designed, used, or intended to be used as permanent living quarters for a household, and not as temporary or overnight accommodations.

Residential Care Facility, Licensed. A residential care facility licensed or supervised by any federal, state, or local agency, which provides housing and nonmedical care for children, elderly persons, or physically and mentally handicapped persons in a family-like environment. These facilities include the following:

- (a) An intermediate care facility, developmentally disabled habilitative and intermediate care facility/developmentally disabled-nursing or a congregate living facility as identified in State of California Health and Safety Code section 1267.8;

- (b) A community care facility as identified in State of California Health and Safety Code section 1566.3;
- (c) A residential care facility for the elderly as identified in State of California Health and Safety Code section 1569.85;
- (d) An alcoholism or drug abuse recovery or treatment facility as identified in State of California Health and Safety Code section 11834.02;
- (e) A home for the care of mentally disordered or otherwise handicapped persons as identified in State of California Welfare and Institutions Code section 5116;
- (f) A home for the care of dependent and neglected children as identified in the State of California Welfare and Institutions Code section 300, but not including wards of the court as identified in the State of California Welfare and Institutions Code section 601ff.

Rest Home. See "Convalescent home".

Restaurant, Sit Down. A business establishment that is maintained, operated, and/or advertised or held out to the public as a place where food and beverage are served to the public on demand from a menu during stated business hours, served in and on reusable containers and dinnerware, to be consumed on the premises primarily inside the building at tables, booths, or counters, with chairs, benches, or stools. This use may include incidental delivery service utilizing no more than two delivery vehicles.

Restaurant, Fast-Food. A business establishment that is maintained, operated, and/or advertised or held out to the public as a place where food and beverage are served to customers from a serving counter in disposable containers or wrappers and where food and meals are generally prepared in advance for immediate sale, and which may include inside seating, drive-through service, delivery service, and take-out/carry-out service.

Restaurant, Delivery. A place where orders for food and beverages may be placed in person or by telephone, facsimile, copier, or other off-site means of communication, from a limited menu, and which orders are delivered to a location directed by the customer.

Restaurant, Take-out. A business establishment that is maintained, operated, and/or advertised or held out to the public as a place where food and beverages are served in disposable containers or wrappers from a serving counter for consumption exclusively off the premises.

Retail Sales. A business establishment engaged in the retail sale of merchandise not specifically listed under another use classification as defined in this section. This classification includes, but is not limited to: department stores, clothing stores, furniture stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies, books, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, antiques, art supplies, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation). This classification excludes thrift shops and pawnshops.

Room. An unsubdivided portion of the interior of a dwelling, excluding bathrooms, kitchens, closets, hallways, and service porches.

S

School, Elementary, Junior High, and High. An institution of learning which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of California.

School, Private. An educational institution having a curriculum comparable to that required in the public schools of the State of California.

Secondary (or second) Unit. A detached dwelling unit that provides complete, independent living residential unit facilities for one or more persons. A secondary residential unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot on which the primary unit is situated.

Senior Housing. A housing development project in which 100 percent of the project rental units are intended to be occupied by persons who are 62 years of age or older, or married couples, of which one spouse is over 62 years of age.

Service Station. See "Vehicle, service station".

Setback. A required open space on an improved lot that is unoccupied by buildings and unobstructed by structures from the ground upward, except for projections and accessory buildings permitted by the provisions of this Zoning Code. Setbacks shall be measured as the shortest distance between a property line and the nearest vertical support or wall of the building, enclosed or covered porch, or other structure.

Setback, Between. A required open space between separate buildings or between separate buildings or dwelling units on the same lot or building site. Such setback shall be setback between measured as the minimum distance between the nearest vertical support dwelling units or wall of each building or enclosed or covered porch.

Setback, Exterior Side. A side setback abutting a street.

Setback, Front. A setback extending across the full width of the front of the lot, the minimum and/or average dimensions of which are determined by the property development standard of the applicable zone in which such lot is located.

Setback, Rear. A setback extending across the full width of the rear of a lot, the minimum and/or average dimensions of which are determined by the property development standards of the applicable zone in which such lot is located.

Setback, Side. A setback extending from the required front setback to the required rear setback, or to the front and/or rear property lines where no front and/or rear setback is required by the provisions of this Zoning Code, the minimum and average dimensions of which are determined by the property development standards of the applicable zone in which such lot is located.

Sign. Any card, cloth, plastic, paper, metal or other material or painted character visible from outside of a structure for advertising purposes, mounted to the ground or any, tree, building, wall, bush, rock, fence or structure, whether privately or publicly owned. "Sign", means any graphic announcement, declaration, demonstration, display, illustration, insignia or object used to advertise or promote the interest of any person or business when the same is placed out-of-doors in view of the general public. This definition shall not include the display of the American flag, flag of the State, county, public entity or City flag.

Sign, A-Frame. A freestanding sign usually hinged at the top or attached in a similar manner, and widening at the bottom to form a shape similar to the letter "A." Such signs are usually designed to be portable, and are not considered to be permanent signs or displays.

Sign, Animated Signs. Signs designed to attract attention through movement or the semblance of movement of the whole or any part including, but not limited to, signs which swing, twirl, move back and forth or up and down; or signs which change color or shades of color; or any other method or device which suggests movement. Animated signs do not include flags and banners, time and temperature signs.

Sign, Announcement or Bulletin Board Signs. Signs permanent in character designed to accept changeable copy, handbills, posters and matters of a similar nature.

Sign, Area of Sign. The area of a sign shall include the entire area within a series of rectangles whose outermost borders are defined by the outermost extent of any writing, representation, emblem, figure, character or separate sign surface. When letters comprising a sign message are placed on a background or field which is different in color or materials from the architectural features of the building on which the sign is mounted, the sign area shall be calculated as the entire area comprising the overall sign feature. In the case of a two-sided sign, the area shall be computed as including only the maximum single display surface that is visible from any ground position at one time. The supports or uprights on which any sign is supported should not be included in determining the sign area unless such supports or uprights are designed in such a manner as to form an integral

background of the sign. In the case of any cylindrical or spherical sign, the total area shall be computed on the total area of the surface of the sign.

Sign, Awning Sign. A sign painted or printed on the exterior surface of an awning. An alternative to a wall sign, permitted as same.

Sign, Balloon. One or more balloons used as a permanent or temporary sign or as a means of directing attention to any business or profession, or to a commodity or service sold, offered, or manufactured, or to any entertainment.

Sign, Banner. A fabric or fabric-like material on which an advertising message is painted or otherwise affixed.

Sign, Billboard. A sign that directs attention to a business, profession, product, commodity or service offered on the site on which the sign is located.

Signs, Changeable Copy. Copy for temporary use which is changed at periodic intervals and which may be utilized on pylon, monument, wall, bulletin board or announcement signs.

Sign, Commercial Complex. Any group of three or more commercial uses on a parcel or combination of parcels which are generally served either by common access or common parking, or large single commercial use occupying at least two and one-half acres with a minimum of 200 feet of street frontage.

Sign, Construction Signs. Signs stating the names of those individuals or businesses, such as architects, engineers, contractors, or owners directly connected with a construction project and/or the name of the project, the address of the business, and emergency telephone numbers.

Sign, Directional Signs. Signs which contain any of the following words: "Entrance", "enter", "out", "one-way" or other words, or words which contain nonflashing arrows or other characters indicating traffic direction.

Sign, Electronic Message Sign. A sign having the capability of presenting variable message displays, including time and temperature, by projecting an electronically controlled light pattern against a contrasting background and which can be programmed to change the message display periodically.

Sign, Flag. A device, generally made of flexible materials, usually cloth, paper or plastic, usually used as a symbol of a government, school, religion, etc. It may or may not contain any copy.

Sign, Flashing Signs. Lighted signs which in whole or in part disappear and reappear at periodic intervals, or are intermittently on and off, and which are placed so as to attract vehicular traffic with emphasis on the recurrence of lights as in those types generally referred to as "nervous" signs, arrows, stars, etc., and/or beacon signs.

Sign, Freestanding. A sign that is completely supported by structures or other supports that are placed on or anchored in the ground and are independent from any building or other structure.

Sign, Height of Signs. The distance from the average ground level immediately surrounding the base of the sign to the top of its highest element, including any structural or architectural element. Landscape mounding shall not be used to artificially increase the height of a sign.

Sign, Monument Signs. A sign with an overall height of six feet or less, standing directly on the ground or on a base of where supporting poles or structures, if any, are enclosed by decorative covers.

Sign, Nameplate. Signs naming the occupant of the premises, the business and/or address.

Sign, Off-site Signs. Any sign which advertises or informs in any manner businesses, services, goods, persons or events at some location other than that upon which the sign is located.

Sign, Painted Signs. Signs painted on the exterior surface of a building or structure. Painted signs do not

Sign, Pennant. A device generally made of flexible materials, usually cloth, paper or plastic. A pennant may or may not contain any copy and is primarily intended to draw attention.

Sign, Pylon Sign. A sign with an overall height exceeding six feet and having one or more decorative supports permanently attached directly into or upon the ground.

Sign, Political Signs. Political signs are signs setting forth a political message with respect to an upcoming federal, State or local governmental election.

Sign, Portable Signs. Signs not designed to be attached to a building or anchored to the ground, including "A" boards, sandwich signs and signs attached to a fence/wall.

Sign, Poster Signs. Any sign attached to the ground in a manner approved by the building official, which may be visible from adjacent streets or highways.

Sign, Projecting Signs. Signs including wall signs which are suspended from or supported by a building or wall and which project from said building or wall.

Sign, Real Estate Signs. All signs and sign structures relating to the sale, lease or other disposition of the real property on which the sign is located and which are temporary in nature.

Sign, Revolving Signs. Signs, all or a portion of, which rotate in a constant, circular manner.

Sign, Roof Signs. Any sign supported by or attached to or projecting through the roof of a building or structure, or projecting above the eave line or parapet wall of the building or structure.

Sign, Special Event Sign. A temporary sign, which advertises special events and activities such as grand openings, charitable events, Christmas trees, fireworks, or as specified by the Planning Director.

Sign Structure. The supports, uprights, bracings, guy rods, cables and other structural framework of a sign or outdoor display.

Sign, Temporary Signs. Signs erected for a temporary purpose not exceeding 45 days, including banners, pennant valances, streamers, balloon signs, inflated devices, search lights, beacons, costumed or live persons, moving stuffed animals, or advertising light or similar materials used for advertising purposes attached to or pinned on or from any structure, staff, pole, line, framing, vehicle or other object.

Sign, Time and Temperature Sign. An electronically controlled sign with illuminated flippers or light bulbs for the sole purpose of displaying the time, and temperature (F. and/or C.) at intermittent intervals. Under Canopy Signs. A sign with a single or double face copy attached to the underside of a projecting canopy perpendicular to the building frontage.

Sign, Unofficial (Non-Regulatory) Signs. Signs located on public property (e.g., street or median island, parkway, sidewalk, traffic control sign posts, utility poles, park land, trees, etc.).

Sign, Vehicle Signs. Signs on or affixed to trucks, vans, automobiles, trailers, or other vehicles which advertise or provide direction to a use or activity not related to its lawful making of deliveries or sales of merchandise or rendering of service from such vehicles.

Sign, Wall Signs. Signs which are in any manner affixed to any exterior wall of a building or structure, the exposed face of which is in a plane parallel to the plane of the wall and which projects not more than 12 inches from the building or structure wall.

Sign, Window Signs. Signs painted, attached, glued or otherwise affixed to a window or otherwise easily visible from the exterior of the building.

Sign, Wall Murals. The decoration on the exterior surface of a structure with scenic, architectural or artistic paints which in themselves do not identify or advertise any product, service or business. A wall mural is a sign if it is related by language, logo or pictorial depiction to the advertisement of any product or service or the identification of any business.

Snack Shop. A business establishment that is maintained, operated, and/or advertised or held out to the public as serving snack foods, such as donuts, ice cream, yogurt, candy, cookies, bakery items, beverages, and similar items to be consumed either on the premises or off the premises.

Solid Fill. Any noncombustible materials insoluble in water, such as soil, rock, sand, or gravel, that can be used for grading land or filling depressions.

Spa, Non-Portable. See "Swimming pool".

Spa, Portable. A non-permanent structure intended for recreational bathing, in which all controls, water-heating, and water-circulating equipment are an integral part of the product and which is cord-connected (not permanently electrically wired).

Story. "Story" as defined in the currently adopted and effective Uniform Building Code of the City.

Story-Half. A story with at least two of its opposite sides situated immediately under a sloping roof, with the floor area of said story not in excess of two-thirds of the floor area of the floor immediately below it.

Street. A public thoroughfare or right-of-way acquired for use as such, or an approved private thoroughfare or right-of-way, other than an alley, which affords the principal means of access to abutting property. "Street" shall include all major and secondary highways, traffic collector streets, and local streets.

Street, Center line. See "Center line".

Street Line. The boundary line between the street right-of-way and abutting property.

Structural Alteration. Any change in the supporting members of a building, such as bearing walls, columns, beams, girders, floor joists, ceiling joints, or roof rafters.

Structure. Any physical improvement constructed or erected, including an edifice or building of any kind, or any piece of work artificially constructed or composed of parts jointed together in some definite manner, and which structure requires location on or in the ground or is attached to another improvement or in the ground, including fences, walls, swimming and wading pools, and patios.

Swap Meet. Any indoor or outdoor place, location, or activity where new or used goods or secondhand personal property is offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces; and, where a fee may be charged to prospective buyers for admission, or a fee may be charged for the privilege of offering or displaying such merchandise. The term "swap meet" is interchangeable with, and applicable to, flea markets, auctions, open air markets, farmer's markets, or other similarly named or labeled activities; but the term does not include the usual supermarket or department store retail operations.

Swimming Pool. Any structure intended for swimming, diving, or recreational bathing that contains water over 24 inches deep. This includes in-ground, above-ground, and on-ground swimming pools, hot tubs, and spas.

Swimming Pool, Indoor. A swimming pool which is totally contained within a residential structure and surrounded on all four sides by walls of said structure.

Swimming pool, Outdoor. Any swimming pool which is not an indoor pool.

Structure Advertising. A structure existing, erected, or maintained to serve exclusively as a stand, frame, or background for the support or display of signs.

T

Thrift Shop. A business establishment primarily engaged in the sale of used clothing, household goods, furniture, or appliances. This classification does not include antique shops.

Tire - a rubber covering, typically inflated or surrounding an inflated inner tube, placed around a wheel to form a flexible contact with the road. May include new or used tires.

Tire Repair – the process of mending a hole, tear, fissure or blemish in a tire by including but not limited to grinding, gouging, applying adhesive or filling a hole or crevice with rubber.

Tire Store - an establishment where the sale, installation or storage of new or used or retread tires and tubes is conducted with or without other products or services. Tire store does not include a retreading establishment, collection, reduction or transfer of tires.

Townhouse. A single-family dwelling which visually appears to share one or more common walls with an adjacent single-family dwelling, but which, in fact, is structurally and functionally independent of any other single-family dwelling.

Trailer Coach. Any vehicle, with or without motor power, designed or used for human habitation and constructed to travel on the public thoroughfares in accordance with the provisions of the California State Vehicle Code.

Trailer Park. A site designed and equipped for the harboring, parking, or storing of one or more mobile home park trailers or mobile homes being used as living and/or sleeping quarters.

Trailer Site. That portion of a trailer park designated for use or occupancy of one trailer coach and including all appurtenant facilities.

Transfer Station. An area, including any necessary building or structures, for the temporary waste storage and the salvage of rubbish, garbage, or industrial waste. This definition also includes material recovery facilities.

Triplex. A structure containing three individual residential dwelling units.

Truck Yard or Truck Terminal means a type of outdoor storage use whereby an outdoor lot, lot area, or parcel of land used, is designed and maintained primarily for the purpose of storing, parking, dispatching, or keeping trucks, tractors, construction equipment and associated equipment together with or without facilities necessary to service, dispatch, store or maintain aforementioned vehicles, their cargos and crews. Also applies to a business engaged in the storage and distribution of goods having more than five heavy trucks (having a rating of more than 10,000 pounds and/or an unladen weight of more than 6,000 pounds) on the premises at any one time but excluding trucking accessory to another industrial use on the site.

U

Uniform Sign Program. All applications for approval of signs in a shopping center, commercial, industrial or office complex, a group of three or more businesses on a parcel or project site or for commercial recreation uses shall be submitted in the form of a construction, including connections and electrical plans, if any, and shall delineate the typical size, shape, design, material, coloring, lettering, lighting and position of the signage in relationship to the building form or place where it will be displayed. Scaled sketches of existing signs on the premises shall accompany the application.

Use. The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied, utilized, or maintained.

V

Variance. A modification of a literal provision of this Zoning Code, granted by an administrative or quasi-judicial act in accordance with the provisions of this Zoning Code.

Vehicle. A business engaged in the washing, waxing, cleaning, and/or detailing of automobile washing automobiles or similar light vehicles.

Vehicle Body. A business establishment involved in the repairing, restoring, and/or painting and fender shop of the bodies of motor vehicles.

Vehicle Rentals. A business engaged in the sale, lease and/or rental of automobiles and light trucks (having a rating of less than 10,001 pounds, an unladen weight of less than 6,001 pounds, and equipped with an open box-type bed less than nine feet in length), including storage and incidental maintenance and repair.

Vehicle Repair Garage. Any site and improvements used for the repair and maintenance of automobiles, motorcycles, light trucks (having a rating of less than 10,001 pounds, an unladen weight of less than 6,001 pounds, and equipped with an open box-type bed less than nine feet in length), or other similar passenger vehicles licensed by the State Department of Motor Vehicles. This classification shall not include the repair or maintenance of motor homes or commercial vehicles as defined in Section 3-7.901 of this Zoning Code. "Motor vehicle repair garage" shall be construed broadly to include the place where the following types of commonly-known garage or shop activities occur: tune-up and muffler work, parts and tire sales and installation, wheel and brake work, engine and transmission overhaul, and installation of car alarms and car stereos. "Motor vehicle repair garage" shall not include automobile wrecking, dismantling, or salvage, motor vehicle body and fender shops, or tire retreading or recapping.

Vehicle, Service. A business establishment primarily engaged in the retail sale of vehicle fuel station and lubricants. This classification includes facilities having service bays for vehicle service and repair. Such service and repair may include the sale of tires, batteries, and other parts and products related to the operation of a motor vehicle; minor tune-up; lubrication and parts replacement; non-mechanical car-washing, polishing, and waxing; and other light work related to preventive maintenance and upkeep, but may not include maintenance and repair of large trucks or other large vehicles, or body and fender work on any vehicles.

Vehicle Towing/Storage. A business establishment providing towing and/or storage of operative or inoperative vehicles. This classification includes the storage of parking tow-aways, impound yards, and storage lots for buses and recreational vehicles, but does not include vehicle dismantling.

Visual Obstruction. Any physical obstruction which limits the visibility of persons in motor vehicles or pedestrians approaching intersecting or intercepting streets, alleys, driveways, or other public rights-of-way.

W

Wall or Fence. A structure forming a physical barrier, including, but not limited to, concrete, concrete block, wood, or other materials which are solid and are so assembled as to form a barrier.

Warehouse Retail. An off-price or wholesale retail/warehouse establishment exceeding 70,000 square feet of gross floor area and offering a full range of general merchandise to the public.

Warehouse Retail, Specialty. An off-price or wholesale retail/warehouse establishment exceeding 30,000 square feet of gross floor area and offering a limited range of merchandise, serving both wholesale and retail customers.

Washroom. Any building, which contains individual laundry facilities and/or bathroom facilities, but does not include kitchen facilities.

Wholesaling, Distribution and Storage. A business engaged in storage and distribution, and having five or fewer heavy trucks (having a rating of more than 10,000 pounds and/or an unladen weight of more than 6,000 pounds) on the premises at any one time. Wholesaling establishments may include no more than ten percent or 1,000 square feet of floor area, whichever is less, for the incidental direct sale to consumers of only those goods distributed wholesale. This classification excludes "Mini-warehouses or self-storage facilities" and "Vehicle towing/storage."

Wholesale Dry-Cleaning Plant. A dry cleaning establishment having at least 51 percent of its gross sales to licensed dry cleaners.

X

Y

Yard. An open space on a lot or parcel of land, other than a court, unoccupied and unobstructed by a building from the ground upward.

Yard, Front. A yard extending across the full width of the lot or parcel of land. The depth of a required front yard shall be a specified horizontal distance between the front lot line, where the front lot line is coterminous with the street line, and the front elevation of the structure located on the parcel.

Yard, Rear. A yard extending across the full width of the lot or parcel of land. The depth of a required rear yard shall be a specified horizontal distance between the rear lot line and a line parallel thereto on the lot or parcel of land.

Yard, Side. A yard extending from the required front yard, or the front lot line where no front yard is required, to the required rear yard or the rear lot line where no rear yard is required. The width of a required side yard shall be a specified horizontal distance between each side lot line and a line parallel thereto on the lot or parcel of land. Where a side yard is bounded by a street, the width of such required side yard shall be a specified horizontal distance between the side lot line on the street side, where said side lot line is coterminous with the street line of a fully-widened street or the ultimate street line of a partially-widened street, and a line parallel thereto on the lot or parcel of land.

Z

Zoning Map. The Official Zoning Map delineating the boundaries of zones within the City of Beaumont.
(Ord. 977, 12/07/2010; Ord. No. 1025, § 3, 9-18-2012)

17.03.120 Permitted uses for Base Zone Districts.

The permitted uses for the Base Zone Districts (identified in Section 17.03.040 through 17.03.110) are listed in Table 17.03-3.

Table 17.03-3										
Permitted Land Uses For Base Zone Districts¹										
	RC	PF	RR	RSF	RTN	RMF	CN	CC	M	UV
Administrative Professional Services										
Administrative/Professional Offices	N	N	N	P	N	N	P	P	P	P
Advertising Agencies	N	P	N	N	N	N	P	P	C	P
Architectural/Engineering/Design Services	N	P	N	N	N	N	P	P	P	P
Attorney/Legal Services	N	P	N	N	N	N	P	P	C	P
Business Management Services	N	P	N	N	N	N	P	P	C	P
Government Offices	P	P	P	P	P	P	P	P	P	P
Travel Agencies	N	P	N	N	N	N	P	P	C	P
Agricultural Uses										
Animal Keeping (Commercial Use)	N	N	P	C	C	N	C	C	C	C
Animal Keeping (Accessory Use)	N	A	A	A	A	A	C	C	C	C
Animal Rescue Facilities	N	N	P	C	C	N	N	N	C	N
Apiaries	N	N	P	C	C	N	N	N	N	N
Aviaries	N	N	P	N	N	N	N	N	C	N
Catteries	N	N	P	C	C	N	C	C	C	C
Commercial Growing Establishments	N	N	P	N	N	N	N	N	C	N
Community Gardens	N	N	P	P	P	P	P	P	N	P
Dairies	N	N	P	N	N	N	N	N	N	N
Kennels (all Classes)	N	N	P	C	C	N	C	C	C	C
Produce Stands	N	N	P	N	N	N	N	N	P	N
Stables	N	N	P	N	N	N	N	N	N	N
Alcohol Service and Sales										
Bars or Cocktail Lounges ²	C	N	N	N	N	N	C	C	C ⁷	C
Liquor Stores ^{2, 4}	N	N	N	N	N	N	C	C	N	C
Restaurants with Alcoholic Beverage Sales	C	N	N	N	N	N	C	C	C	C
Automotive Services										
Automobile, Motorcycle, and Marine Craft Sales (New and Used)	N	N	N	N	N	N	C	P	C	C
Automobile Parking Facilities	N	N	N	N	N	N	C	P	P	C
Automobile Rental Agencies	N	N	N	N	N	N	P	P	P	C
Automobile Repair Facilities	N	N	N	N	N	N	C	P	P	N

Automobile Towing and/or Wrecking Facilities	N	N	N	N	N	N	N	N	C	N
Body and Paint Shops	N	N	N	N	N	N	C	C	C	N
Car Wash	N	N	N	N	N	N	C	C	C	C
Gas/Service Stations	N	N	N	N	N	N	C	C	C	C
Limousine Services	N	N	N	N	N	N	P	P	P	N
Recharging Stations	Allowed (P) in any area designed for the parking or loading of vehicles.									
Tire Repair	N	N	N	N	N	N	N	P	P	N
Tire Store	N	N	N	N	N	N	N	P	P	N
Towing Services with Indoor Vehicle Service	N	N	N	N	N	N	C	C	C	N
Towing Services with Outdoor Vehicle Storage	N	N	N	N	N	N	N	N	C	N
Truck/Trailer Rentals	N	N	N	N	N	N	C	C	P	N
Communications Facilities										
Ham Radio Antennae (Private Use)	N	N	P	P	P	P	P	P	P	P
Radio and Television Broadcasting Studios	N	N	N	N	N	N	N	P	P	P
Recording and Sound Studios	N	N	N	N	N	N	N	P	P	P
Satellite Dishes (Non-Private)	N	N	N	N	N	N	P	P	P	P
Satellite Dishes (Private Use)	N	N	P	P	P	P	N	N	C	P
Wireless Telecommunication Facility—Stealth	C	N	N	N	N	N	C	C	C	C
Daycare Facilities										
Commercial Day Care Facilities	N	N	N	C ⁵	C ⁵	N	P	P	C	C
Educational Establishments										
Elementary, Junior, and High Schools/Private & Charter	N	P	C	C	C	C	C	C	C	C
Elementary, Junior, and High Schools/Public	N	P	P	P	P	P	C	C	C	C
College or University	N	P	C	C	C	C	C	C	C	C
Tutoring & Testing	N	P	A	A	A	A	C	C	C	C
Vocational and Trade Schools	N	P	C	C	C	C	C	C	C	C
Food and Beverage Sales										
Bakeries	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	P	P
Catering Establishments	N	N	N	N	N	N	P	P	P	P
Convenience Markets	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	P	P
Grocery Stores/Supermarkets	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	N	P
Grocery Store, Alcohol Sales	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	N	P

General Merchandise and Trade										
Antique Sales	N	N	N	N	N	N	P	P	A	P
Appliance Sales	N	N	N	N	N	N	P	P	C	P
Art Galleries and Supplies	N	N	N	N	N	N	P	P	N	P
Beauty Supplies	N	N	N	N	N	N	P	P	N	P
Books and Magazines	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	N	P
Building Materials	N	N	N	N	N	N	N	P	P	N
Building Materials with outdoor sales/storage	N	N	N	N	N	N	N	C	P	N
Camera and Photographic Supplies	N	N	N	N	N	N	P	P	N	P
Candy Stores	N	N	N	N	N	N	P	P	N	P
Cigar/Cigarette Shops ²	N	N	N	N	N	N	C	C	N	C
Clothing Stores	N	N	N	N	N	N	P	P	N	P
Department Stores	N	N	N	N	N	N	P	P	N	P
Discount Stores	N	N	N	N	N	N	P	P	N	P
Electronic Equipment Sales	N	N	N	N	N	N	P	P	C	P
Equipment Sales and Rentals	N	N	N	N	N	N	C	C	P	N
Florists	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	N	P
Freight Forwarding Services	N	N	N	N	N	N	P	P	P	P
Furniture and Home Furnishings	N	N	N	N	N	N	P	P	N	P
Garden Supply	N	N	N	N	N	N	P	P	N	P
Gifts, Crafts, and Novelties	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	N	P
Guns and Ammunition	N	N	N	N	N	N	N	C	C	P
Hardware Stores	N	N	N	N	N	N	P	P	N	P
Hobby, Toy and Game Stores	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	N	P
Indoor Swap Meets	N	N	N	N	N	N	N	C	C	N
Jewelry Sales and Repair	N	N	N	N	N	N	P	P	N	P
Leather Goods	N	N	N	N	N	N	P	P	N	P
Luggage Sales	N	N	N	N	N	N	P	P	N	P
Office Equipment, Furniture, and Supplies	N	N	N	N	N	N	P	P	P	P
Pet Sales and Supplies	N	N	N	N	N	N	P	P	P	P
Records, Tapes, and Videos	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	N	P
Retail, Other Specialty	N	N	N	N	N	N	P	P	N	P
Sporting Goods and Equipment	N	N	N	N	N	N	P	P	P	P
Surplus Stores	N	N	N	N	N	N	P	P	C	N
Thrift and Second-Hand Stores	N	N	N	N	N	N	C	C	N	N
Variety Stores	N	N	N	N	N	N	P	P	N	C
Wholesale Establishments	N	N	N	N	N	N	P	P	C	P
Lodging										

Bed and Breakfast Facilities	C	N	C	C	C	C	P	P	N	P
Emergency Shelters	N	N	N	N	N	N		P		N
Hotels and Motels	C	N	N	N	N	N	P	P	C	P
Residence Inns	C	N	N	N	N	N	P	P	N	P
Single-Room Occupant (SRO) Facilities	N	N	N	N	N	N	C	C	N	N
Trailer Parks and Campsites	C	N	N	N	N	C	N	N	N	N
Transitional Housing	N	N	N	N	C	C	C	C	N	N
Manufacturing and Industrial										
Apparel/Textile Products	N	N	N	N	N	N	N	N	P	N
Assembly Plants	N	N	N	N	N	N	N	N	P	N
Bottling Plants	N	N	N	N	N	N	N	N	P	N
Bulk Postal Service Facilities	N	N	N	N	N	N	N	N	P	N
Chemicals	N	N	N	N	N	N	N	N	P	N
Contract Construction Services	N	N	N	N	N	N	N	N	P	N
Data Services	N	N	N	N	N	N	N	N	P	N
Exterminating Services	N	N	N	N	N	N	C	C	P	N
Feed and Fuel Yards	N	N	N	N	N	N	N	N	P	N
Food and Kindred Products	N	N	N	N	N	N	N	N	P	N
Furniture	N	N	N	N	N	N	N	N	P	N
Lumber/Wood Products	N	N	N	N	N	N	N	N	P	N
Moving and Storage Establishments	N	N	N	N	N	N	N	N	P	N
Metal Salvage Yards	N	N	N	N	N	N	N	N	P	N
Paper Products	N	N	N	N	N	N	N	N	P	N
Petroleum-Related Materials	N	N	N	N	N	N	N	N	C	N
Primary Metal Industries (Electroplating)	N	N	N	N	N	N	N	N	C	N
Printing/Publishing	N	N	N	N	N	N	N	N	P	N
Professional/Scientific/Electronic Products	N	N	N	N	N	N	N	N	P	N
Research Services and Laboratories	N	N	N	N	N	N	N	N	P	N
Retail Sales of Products Manufactured or Stored On-Site	N	N	N	N	N	N	N	N	P	N
Sandblasting and Beadblasting	N	N	N	N	N	N	C, A	C, A	C	N
Taxidermy	N	N	N	N	N	N	N	N	C	N
Medical/Health Care										
Ambulance Services	N	N	N	N	N	N	P	P	P	N
Animal Hospitals/Veterinaries	N	N	N	N	N	N	P	P	P	P
Clinics	N	N	N	N	N	N	P	P	C	P
Convalescent Homes	N	N	C	C	C	C	P	P	N	C

Chemical Dependency Clinics	N	N	N	N	N	C	C	N	N	C
Hospitals	N	N	N	N	N	N	P	P	N	C
Medical/Dental Offices	N	N	N	N	N	N	P	P	N	P
Pharmacies	N	N	N	N	N	N	P	P	N	P
Pharmacies, with drive-through	N	N	N	N	N	N	C	C	N	P
Personal Services										
Banking, Credit Unions, Financial Services	N	N	N	N	N	N	P	P	N	P
Barbers and Beauty Parlors	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	N	P
Cemeteries	N	C	C	C	C	C	C	C	C	N
Check Cashing Services	N	N	N	N	N	N	P	P	N	N
Commercial Pet Grooming Services	N	N	N	N	N	N	P	P	C	P
Dry Cleaners	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	N	P
Funeral Parlors, Mortuaries	N	N	N	N	N	N	C	C	C	C
Laundries, Laundromats	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	C	P
Locksmith and Key Shops	N	N	N	N	N	N	P	P	P	P
Pawnbrokers	N	N	N	N	N	N	C	C	N	N
Massage Establishment	N	N	N	N	N	N	C	C	N	C
Photocopying and Photo Developing Services	N	N	N	N	N	N	P	P	P	P
Photography Studios	N	N	N	N	N	N	P	P	N	P
Shoe Repair Shops	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	C	P
Tailors	N	N	N	C ⁵	C ⁶	C ^{5,6}	P	P	C	P
Tattoo/Body Piercing Services	N	N	N	N	N	N	C	C	N	C
Public and Quasi-Public Uses										
Community Recreation Centers	P	P	P	P	P	P	N	N	N	P
Cultural Facilities		P	P	P	P	P	N	N	N	P
Libraries	P	P	P	P	P	P	C	C	N	P
Museums	P	P	P	P	P	P	C	C	N	P
Parks	P	P	P	P	P	P	P	P	N	P
Public Safety Facilities	N	P	P	P	P	P	P	P	P	P
Senior Citizen Activity Centers	N	P	P	P	P	P	P	P	N	P
Recreation and Entertainment										
Adult-Oriented Businesses	N	N	N	N	N	N	N	N	C	N
Amusement Parks	N	N	C	N	N	N	C	C	C	C
Athletic Fields	N	P	P	P	P	P	N	N	N	P
Batting Cages	N	N	N	N	N	N	C	C	C	P
Billiard and Pool Halls	N	N	N	N	N	N	C	C	N	C
Bowling Alleys	N	N	N	N	N	N	P	P	N	P
Commercial Athletic Facility	N	N	N	N	N	N	C	C	C	C

Dance Studios	N	N	N	N	N	N	P	P	N	P
Golf Driving Ranges	C	N	N	N	N	N	N	C	C	C
Health Clubs and Gymnasiums	N	N	N	N	N	N	C	C	C	C
Miniature Golf Courses	N	N	C	N	N	N	C	C	N	P
Off-Road Mini-Bike and Motorcross Courses	C	N	C	N	N	N	N	C	C	N
Public Auditorium/Auditoriums	N	P	N	N	N	N	P	P	N	P
Shooting Range (Indoor)	N	N	N	N	N	N	N	N	C	N
Skating Rinks	N	N	N	N	N	N	N	C	C	P
Video Arcades	N	N	N	N	N	N	C	C	N	C
Recycling										
Collection Facilities	N	N	N	N	N	N	C	C	C	N
Processing Facilities	N	N	N	N	N	N	C	C	C	N
Religious Institutions										
Churches	N	C	C	C	C	C	P	P	C	P
Monasteries, Convents, or Similar Religious Use	N	C	C	C	C	C	P	P	C	P
Repair Services										
Electrical and Household Appliances Repair	N	N	N	N	N	N	P	P	P	N
Furniture Refinishing	N	N	N	N	N	N	P	P	P	N
Furniture Reupholstering	N	N	N	N	N	N	C	C	P	N
Lawnmower Repair/Sales Shops	N	N	N	N	N	N	P	P	P	N
Machine Shops	N	N	N	N	N	N	C	C	P	N
Welding Shops	N	N	N	N	N	N	C, A	C, A	P	N
Residential Uses										
Accessory Guest Houses	N	N	P	P	P	P	N	N	N	P
Accessory Dwelling Units	N	N	P	P	P	P	N	N	N	P
Boarding or Rooming Houses	N	N	C	C	C	C	N	N	N	P
Caretaker's Unit	N	N	P	N	P	P	P*	N	C	P
Congregate Care Facilities	N	N	N	N	C	C	C	C	N	P
Day Care Centers, Small Family—1 to 8 Children	N	N	P	P	P	P	N	N	N	P
Day Care Centers, Large Family—7 to 14 Children	N	N	P	P	P	P	C	N	N	P
Duplexes	N	N	N	N	P	P	N	N	N	P
Group or Community Care Facilities—6 or fewer persons)	N	N	P	P	P	P	N	N	N	P

Group or Community Care Facilities—7 or more persons)	N	N	C	C	C	C	N	N	N	C
Home Occupation Businesses	N	N	P	P	P	P	N	N	N	P
Mobile Home Parks	N	N	N	N	C	C	N	N	N	N
Mobile Home or Manufactured Housing Units Single Lot	N	N	P	P	P	P	N	N	N	P
Multiple-Family, Apartment & Condominiums	N	N	N	N	P	P	P*	N	N	P
Planned Residential Developments	N	N	P	P	P	P	N	N	N	P
Senior Housing Developments	N	N	P	P	P	P	C	N	N	P
Single-Family Dwellings	N	N	P	P	P	P	N	N	N	P
Restaurant										
Delicatessens	N	N	N	C ⁵	C ⁶	C ^{5, 6}	P	P	P	P
Fast-Food Restaurants—Without Drive-Thru ^{2, 3}	N	N	N	N	N	N	P	P	P	P
Fast-Food Restaurants—With Drive-Thru ^{2, 3}	N	N	N	N	N	N	C	C	N	P
Sit-Down Restaurants	C	N	N	C ⁵	C ⁶	C ^{5, 6}	P	P	C	P
Sit Down Restaurant with live Entertainment	C	N	N	N	N	N	C	C	N	C
Restaurant, serving alcohol	C	N	N	N	N	N	C	C	N	C
Service Organizations										
Philanthropic and Charitable Institutions	N	N	N	N	N	N	P	P	C	P
Service Organizations	N	N	N	N	N	N	P	P	C	P
Temporary Uses										
Street/Craft Fairs and Farmers' Markets—Ongoing	N	N	N	N	N	N	C	C	N	C
Temporary Structures (Subdivision sales Office)	C	N	P	P	P	P	P	P	P	P
Christmas Tree/Pumpkin Lots, and Similar, Not Exceeding 30 Days	C	C	C	N	N	C	P	P	P	P
Outdoor Displays	N	N	N	C ⁵	C ⁶	C ^{5, 6}	C	C	C	C
Parking Lot Sales	N	C	N	N	N	N	P	P	P	P
Amusement Enterprises	N	C	N	N	N	N	C	C	C	C
Transportation Facilities										
Bus Passenger Terminals	N	N	N	N	N	N	C	C	C	P
Charter Bus Companies	N	N	N	N	N	N	C	C	C	P
Motor Vehicle Transportation (Taxi/Shuttle)	N	N	N	N	N	N	C	C	C	N

Truck Stops and Terminals	N	N	N	N	N	N	C	C	C	N
Utilities										
Energy Storage Facility	N	N	N	N	N	N	N	N	P	N
Public Storage Facilities	N	N	N	N	N	N	N	€	€	N
Public Utility/Service Structures	N	P	N	N	N	N	N	N	P	N
Sewage Disposal Facilities/Waste Transfer	N	P	N	N	N	N	N	N	P	N
Utility Company Offices	N	N	N	N	N	N	P	P	P	N
Water Storage, Distribution, and Collection Facilities	N	P	N	N	N	N	N	N	N	N
Wind Energy Conversion Systems	See Section 17.11.140									

N = Not Permitted

P = Permitted

C = Conditionally Permitted

A = Permitted as an Accessory Use

A* = Permitted as an Accessory Use in Assembly Buildings

*Only allowed for properties on Sixth Street

¹ See Section 17.02.070 to determine if a plot plan is required.

² These uses shall not be located on any parcel which is located within 1,000 feet of any school providing instruction in 12th grade or below, day care center, or youth center.

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

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

⁵ Only allowed for properties on Brookside Avenue, Cougar Way, Oak Valley Parkway, 11th Street, 8th Street, Beaumont Avenue, Pennsylvania Avenue, and Highland Springs Avenue.

⁶ Only allowed for properties on streets designated as Arterial Roadways or Connector Streets.

⁷ Bars and cocktail lounges are only allowed as a conditionally permitted accessory use in the M Zone, and if the primary business is an alcohol production facility, such as a brewery, winery, or spirits manufacturer.

(Ord. No. 1128 , § 2(Exh. B), 12-1-2020)

Chapter 17.11.160 Energy Storage Facilities.

17.11.160 Energy Storage Facilities

A. Intent. Energy Storage Facility regulations are adopted with the intent of advancing and protecting the public health, safety, and welfare of the City of Beaumont by establishing regulations for the installation and use of energy storage systems. The regulation herein are intended to protect the health, welfare, safety, and quality of life for the general public, to ensure compatible land uses in the areas affected by energy storage facilities and to mitigate the impacts of energy storage facilities on the environment.

B. Classification of Energy Storage Facilities. The following words and phrases shall, for the purposes of this chapter, have the meanings respectively ascribed to them by this section, as follows:

1. **Battery:** A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this chapter, batteries utilized in consumer products are excluded from these requirements.

2. **Battery Energy Storage Management System:** An electronic system that protects storage batteries from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected. The system generates an alarm and trouble signal for abnormal conditions

3. **Battery Energy Storage System:** A system consisting of electrochemical storage batteries, battery chargers, controls, power conditioning systems and associated electrical equipment, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle.

4. **Cell:** The basic electrochemical unit, characterized by an anode and a cathode, used to receive, store, and deliver electrical energy.

5. **Commissioning:** A systematic process that provides documented confirmation that a battery energy storage system functions according to the intended design criteria and complies with applicable code requirements.

6. **Decommissioning Plan:** A plan to retire the physical facilities of the Project, including decontamination, dismantlement, rehabilitation, landscaping and monitoring. The plan contains detailed information on the proposed decommissioning and covers the schedule, type and sequence of decommissioning activities; waste management, storage and disposal of the waste from decommissioning; the timeframe for decommissioning and site rehabilitation.

7. **Energy Storage System:** A system which stores energy and releases it in the same form as was input.

8. **Renewable Energy:** Energy sources that constantly renew themselves or are regarded as practically inexhaustible. Renewable energy includes energy derived from solar, wind, geothermal, hydroelectric, wood, biomass, tidal power, sea currents, and ocean thermal gradients.

C. Applicability. The requirements of this ordinance shall apply to all energy storage systems permitted, installed, or modified after the effective date of this ordinance, excluding general maintenance and repair. Energy storage systems constructed or installed prior to the effective date of this ordinance shall not be required to meet the requirements of this chapter. Modifications to, retrofits or replacements of an existing energy storage system that increases the total energy storage system designed discharge duration or power rating shall be subject to this chapter. The continuation of legally established existing energy storage systems shall be subject to the regulations and guidelines of Chapter 17.08, Non-conforming Uses of the Beaumont Municipal Code.

D. Development Standards. The following shall apply to all Energy Storage Facilities:

1. Energy storage facilities must meet all applicable standards of the adopted Building and Safety Codes and of the adopted Fire Codes.

2. Energy storage facilities shall comply with the site design requirements set forth below in addition to all other applicable chapters of the Beaumont Municipal Code:

a. The site shall be fully enclosed by a minimum eight-foot, non-scalable solid wall. Walls shall consist of either decorative concrete masonry block or decorative concrete tilt-up walls. Decorative masonry block means neutral colored slump stone block, split-face block, or precision block with a stucco, plaster, or cultured stone finish. Decorative concrete tilt-up wall means concrete with a combination of paint and raised patterns, reveals, and/or trim lines.

b. Solid walls surrounding facilities which are below grade of an adjacent street or property shall incorporate a berm/slope along the entire length of the wall to ensure facilities are not visible from public view.

c. Anti-graffiti coating or equivalent measure to prevent graffiti shall be provided for all solid screen walls.

d. No equipment or appurtenances shall exceed the eight-foot screen wall height. Buildings shall be subject to height standards of the Manufacturing zone.

e. Accessory structures such as utility poles or utility connection equipment necessary for the operation of the facility may exceed the height standards of the Manufacturing zone subject to Planning Commission approval.

f. On-site parking shall be provided as specified below:

1. For sites occupied daily by employees or contractors, one parking space per employee or contractor shall be provided.

2. For unoccupied sites, one on-site parking space shall be provided.

3. All structures, appurtenances, parking and drive aisles shall be paved with asphalt or concrete.
4. All outdoor facilities shall be in compliance with the Chapter 8.50 Outdoor Lighting of the Beaumont Municipal Code.
5. All site landscaping shall comply with Chapter 17.06 Landscaping of the Beaumont Municipal Code.
6. All facilities shall have an approved signage plan including safety signage to be posted at the site.

E. Decommissioning.

1. **Decommissioning Plan.** The applicant shall submit a decommissioning plan containing a narrative description of the activities to be accomplished for removing the energy storage system from service, and from the facility in which it is located. The decommissioning plan shall also include:

- a. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the site;
- b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
- c. The anticipated life of the battery energy storage system;
- d. The estimated decommissioning costs and how said estimate was determined;
- e. The method of ensuring that funds will be available for decommissioning and restoration;
- f. The method that the decommissioning cost will be kept current;
- g. The manner in which the battery energy storage system will be decommissioned, and the Site restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and
- h. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.

2. **Decommissioning Fund.** The applicant, or successors, shall continuously maintain a fund or bond payable to the City of Beaumont, in a form approved by the City for the removal of the battery energy storage system, in an amount to be determined by the City, for the period of the life of the facility. This fund may consist

of a letter of credit from a licensed-financial institution. All costs of the financial security shall be borne by the applicant.

3. *Ownership Changes.* If the owner of the battery energy storage facility changes or the owner of the property changes, the project approvals shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the project, site plan approval, and decommissioning plan. A new owner or operator of the battery energy storage facility shall notify the Planning Department of such change in ownership or operator within 30 days of the ownership change. A new owner or operator must provide such notification to the Planning department in writing. The project and all approvals for the battery energy storage facilities would be void if a new owner or operator fails to provide written notification to the Planning Department in the required timeframe. Reinstatement of a void project or approvals will be subject to the same review and approval processes for new applications under this chapter.

F. Performance Measures and Standard Conditions of Approval.

1. The following measures shall be included as performance measures and standard conditions of approval for all energy storage facilities:

- a. Facilities shall not store any products, goods, materials, or containers outside of any building on-site.
- b. Facilities shall comply with Chapter 9.02 Noise Control of the Beaumont Municipal Code.
- c. Operators shall address any nuisance, safety issues or violations of conditions of approval within forty-eight hours of being notified by the city that an issue exists.
- d. Prior to the issuance of a Certificate of Occupancy or Business License, any operator of an energy storage facility shall sign a statement acknowledging acceptance of all operational conditions of approval associated with the approved entitlements for the facility and the decommissioning plan shall be recorded against title to the property as a covenant running with the land.