



**CITY OF BEAUMONT  
PLANNING DEPARTMENT  
CONDITIONS OF APPROVAL**

**Planning Commission  
Approval:**  
  
**DRAFT**

**PLANNING COMMISSION DATE: MARCH 10, 2020**

**PROJECT NO.:**            **CONDITIONAL USE PERMIT CUP2020-0044**  
**APPLICANT:**           James Garcia – The Craft Lounge  
**OWNER:**                Ophira Lenhert  
**APN:**                    418-074-001  
**LOCATION:**              690 Beaumont Avenue  
**DESCRIPTION:**        Conditional Use Permit to allow ongoing live entertainment and onsite food vendors at the Craft Lounge at 690 Beaumont Avenue located within the Beaumont Avenue Overlay (BAO) Zone and to amend Conditional Use Permit No. 2018-0017 Condition of Approval #2 to expand the sale of alcoholic beverages from the current hours of 12:00 pm to 11:00 pm to the proposed hours of 10:00 am to 1:00 am.

Note: Any conditions revised at a hearing will be noted by ~~strikeout~~ (for deletions) and/or underline (for additions), and any newly added conditions will be added at the end of all conditions regardless of the Department originating the condition.

**PLANNING CONDITIONS**

1. The permit for the above referenced conditional use permit and property consists of all Conditions of Approval herein and shall replace the conditions of approval for CUP2018-0017.
2. The use hereby permitted is to allow ongoing live entertainment, onsite food vendors and an amendment to Conditional Use Permit No. 2018-0017 Condition of Approval No. 2 to expand the sale of alcoholic beverages (beer and wine) between the hours of 10:00 am to 1:00 am at 690 Beaumont Avenue, in the Beaumont Avenue Overlay zone.
3. The permittee shall defend, indemnify, and hold harmless the City of Beaumont, the Beaumont Redevelopment Agency, its agents, officers, consultants, and employees from any claims, action, or proceeding against the City of Beaumont or its agents, officers, consultants, or employees to attack, set aside, void, or annul, an approval of the City of Beaumont, its advisory agencies, appeal boards, or legislative body concerning **Conditional Use Permit CUP2020-0044**. The City of Beaumont will promptly notify the permittee of any such claim, action, or proceeding against the City of Beaumont and will cooperate fully in the defense. If the City fails to promptly notify the permittee of any such claim, action or proceeding or fails to cooperate fully in the defense, the permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Beaumont.
4. This approval is subject to the City of Beaumont Municipal Code Section 17.02.100 Conditional Use Permits and is subject to timing specified in Sections (J) Conditional Use Permit Time

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Limits, (K) Conditional Use Permit Lapse in Time, (L) Conditional Use Permit Renewal and (M) Lapsing in Conditional Use Permit.

5. This permit shall be for the use and plan specifically approved at this location. The permit shall not be transferrable to another location and any modification to the site plan may require a new plot plan approval.
6. The floor plans of the project shall substantially conform to the plans submitted and approved.
7. The uses entitled pursuant to the permit shall comply with the Beaumont Municipal Code and all other applicable City of Beaumont ordinances and state and federal codes. The development of the premises shall conform substantially with that as shown on the approved site plan, unless otherwise amended by these conditions of approval.
8. All subsequent submittals required by these conditions of approval, including but not limited to landscape plans, grading plans, building plans, improvement plans or mitigation monitoring plans, shall be subject to the payment of review fees by the permittee as set forth herein.
9. If any of the conditions of approval are violated, or if the use otherwise become a public nuisance as set forth in the Beaumont Municipal Code, the conditional use permit may be revoked as prescribed in the Municipal Code.
10. After 12 months of operation, the subject matter may, at the discretion of the Community Development Director, be scheduled for review by the Planning Commission. The Commission shall retain the authority to amend these conditions of approval at such time, or to modify the use or revoke the permit if substantial problems result from the operation.

#### **Alcohol Sales**

11. The Planning Commission herewith grants a “certificate of convenience and necessity” for Type 42 – On-Sale of Beer and Wine License for sales at 690 Beaumont Avenue.
12. The sale of alcoholic beverages shall be limited to the hours between 10:00 am to 1:00 am. Sales of alcoholic beverages are prohibited between the hours of 2:00 am to 6:00 am, each day.
13. The conditions as established by the State of California, Alcohol Beverage Control, shall be fully complied with in the operation of the business.

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14. The applicant shall be responsible for securing clearance, permits and approvals from all relevant agencies, including the Building Department, Fire Department, Health Department, ABC and any other necessary departments or agencies.
15. This permit shall be for the benefit of the applicant in whose name the permit was issued, for the specific approved location. The permit shall not be transferrable to another individual or location.
16. All signage shall be developed in conformance with the zoning ordinance of the Beaumont Municipal Code and Alcohol Beverage Control requirements.

#### **Entertainment**

17. The applicant and all attendees shall abide by all laws, regulations and ordinances.
18. Noise volumes shall not exceed the levels within Chapter 9.02, the equipment producing the noise may be confiscated and impounded as evidence upon issuance of the first violation.
19. No signs or banners are included in this approval and shall require a separate submittal and approval.

#### **Food Vending**

20. Except as otherwise permitted in Chapter 5.64 or the Municipal Code, no peddler shall vend in the following locations:
  - a. Any public property, including, without limitation, streets, alleys, and City-owned parking structures;
  - b. Within one hundred (100) feet of police officer, firefighter, or emergency medical personnel who is actively performing his or her duties or providing services to the public;
  - c. Within one hundred (100) feet of a street intersection or traffic signal;
  - d. Within fifteen (15) feet of a fire hydrant, fire call box, police call box, traffic signal controller, or streetlight controller;
  - e. Within ten (10) feet of any driveway or driveway approach;
  - f. Within ten (10) feet of a marked crosswalk;
  - g. Within ten (10) feet of the curb return of an unmarked crosswalk;
  - h. Within any median strip or dividing section;
  - i. Within two hundred (200) feet of a Police Station or Fire Station.
21. Vending is permitted only between the hours of 8:00 a.m. and 9:00 p.m. or one-half hour

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after sunset, whichever comes first, except that the hours of operation shall not be more restrictive than the hours of operation imposed on other businesses or uses on the same street.

22. Peddlers shall possess at all times, while vending, a copy of a valid current permit issued pursuant to Chapter 5.64, as well as any other permit required by any other appropriate governmental agency. The peddler shall display a copy of the permit upon request by authorized City employees.
23. The peddler shall possess and display in plain view on a valid current Mobile Food Facility permit from Riverside County Department of Public Health and, if issued by the Riverside County Department of Environmental Health, a grade.
24. Peddlers shall comply with all applicable state and local laws, as amended from time to time, including without limitation, Chapter 9.02 (Noise Control) of the Municipal Code, Chapter 9.36 (Panhandling, Soliciting and Aggressive Solicitation of the Municipal Code (Aggressive Solicitation), Chapter 8.04 (Food Handlers) of the Municipal Code, applicable Health and Safety Code and Riverside County Ordinances, state food labeling and preparation requirements, fire codes and regulations, and the Americans with Disabilities Act of 1990 (Public Law 101-336) and other disability access standards (both state and federal).
25. Peddlers shall not engage in any of the following activities:
  - a. Vending lottery tickets, alcohol, cannabis, adult oriented material, or tobacco or electronic cigarette products;
  - b. Vending illegal or counterfeit merchandise;
  - c. Damaging public or private property, including trees, shrubs, grass, flowers, plants or vegetation;
  - d. Causing vehicles to stop in traffic lanes or persons to stand in traffic lanes or parking spaces; or
  - e. Vending in a manner that blocks or obstructs the free movement of vehicles, including parked vehicles.
  - f. Where food of any kind is dispensed from a vehicle, pushcart or other conveyance, shall maintain a clearly designated litter receptacle in the immediate vicinity, marked with a sign requested use by patrons; and provided further, prior to leaving the location, shall pick up, remove, and dispose of all trash or refuse which consists of materials originally dispensed by that person, including any packages or containers, or parts thereof, used with or for dispensing such food.
26. A food handler card issued by the Riverside County Department of Environmental Health

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and a valid and current photo identification card shall be in your possession at all times when engaged in peddler activity. The food handler card shall be displayed to any police officer or other authorized City employee upon request of such police officer or authorized City employee.

**POLICE DEPARTMENT**

27. All exterior lighting on the site shall remain functional and be kept on during all hours of darkness. Exterior lighting shall be sufficient to illuminate the storefront during all hours of darkness. Any proposed outside lighting shall be in compliance with the City's Lighting Ordinance, Chapter 8.50, of the City of Beaumont Municipal Code.
28. The address of the business shall be clearly visible from the front of the building and shall be illuminated during hours of darkness.
29. There shall be no loitering permitted on the premises. It is the responsibility of the applicant to enforce no loitering.
  - a. Police officers, sheriff's deputies, and ABC investigators are sworn law enforcement officers (peace officers) with powers of arrest. Whether in plainclothes or uniform, peace officers have the legal right to visit and inspect any licensed premises at any time during business hours without a search warrant or probable cause. It is legal and reasonable for licenses to exclude the public from some areas of the premises. However, licensees cannot and must not deny entry to, resist, delay, obstruct or assault a peace officer (Sections 25616, 25753, and 25755 B&P 148 and 241(b) PC).
  - b. Operating Standards, Retail – The following requirements apply:
30. Post "No Loitering" signs upon written notice from the ABC.
31. Remove litter daily from the premises, adjacent sidewalks and parking lots under licensees' control and sweep/clean these areas weekly.
32. Remove graffiti from premises and parking lot.
33. Have no more than 33% of the windows covered with advertising or signs.
34. The applicant shall comply with all applicable local, county, state and federal regulations, including the City's Municipal Code and the California Business and Professions Code (B&P).

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35. No alcoholic beverage shall be displayed or offered for sale outside the building or any public entrance.
36. Exterior signage/advertisements promoting or indicating the availability of alcoholic beverages shall be prohibited. Exterior signage indicating the availability of alcoholic beverages shall be limited to the name of the business.
37. Exposed neon signage is strictly prohibited along the exterior windows. This includes “open/closed” sign for business.

### **FIRE DEPARTMENT**

38. Fire Extinguishers: Provide a listed Class 2A10BC portable fire extinguisher shall be provided in accordance with Title 19 and (CFC - Section 904.11.5.2).
39. Generators: and other similar equipment shall be isolated from contact with the public by fencing, enclosure or other approved means. Generators size may require a grounding rod per manufactures specs. Generators and other internal combustion power sources shall be separated from tents, canopies or membrane structures by a minimum of 20 feet. Flammable and combustible liquids shall be stored outside in an approved manner not less than 50 feet. (CFC – section 2404.19 & 2404.17.2)
40. Outdoor cooking: Open flame or other devices emitting flame, fire or heat or any flammable or combustible liquids, gas, charcoal or other cooking device or any other approved devices shall not be permitted inside or located within 20 feet of the tent, canopy or membrane structure while open to the public unless approved by the fire code official. (CFC- section 2404.7)
41. Any extension cords: used shall be commercial type and be in good working condition. No damaged cords or multi-head cords will be allowed. Extension cords shall be maintained in good condition without splices, deterioration or damage. Temporary wiring attached to a structure shall be in an approved manner. (CFC – section 605.5.3 & 605.9.1)
42. The fire code official is authorized to order the posting of "No Smoking": signs in a conspicuous location in which smoking is prohibited. Provide "NO SMOKING" signs throughout the event, and signs shall not be obscured, removed, defaced, mutilated or destroyed. (CFC – section 310.3 & 310.4)
43. Approved fire apparatus access roads: shall be required for this event. A minimum of 24-foot wide fire access roadway required. Fire lanes shall not be obstructed in any manner, including the parking of vehicles. Maintain all fire lanes and keep clear at all times. (CFC – section 503 & 503.4) All tents and canopies: over 200 square feet shall be Flame Treated. A State Fire

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Marshall tag shall be permanently affixed label bearing the identification of size, and fabric or material type. Provide a copy of the flame certificate executed by an approved testing laboratory. (CFC – section 2404.2 & 2404.5 & 2404.3)

44. Fire hydrants: 15 feet clearance on either side & 3 foot around, Fire Department Connections – minimum clearance 3 feet, Fire Lanes minimum of 24 feet, and Building access shall be kept clear at all times. Access shall be free from obstruction by fences, displays, walls or any object. (CFC – section 912.2 & 912.3)

End of Conditions