



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

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

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

**PROJECT NO.:** **CONDITIONAL USE PERMIT CUP2019-0030 &  
VARIANCE V2019-0061**

**APPLICANT:** Coastal Business Group c/o AT&T

**OWNER:** Desert Solitaire LLC

**APN:** 419-150-011

**LOCATION:** Northeast corner of E. 6<sup>th</sup> Street and Allegheny Street

**DESCRIPTION:** Conditional Use Permit for the construction and operation of a 60-foot-tall camouflaged mono-palm wireless telecommunication facility, 12 panel antennas and associated equipment on a 400 sq. ft. leased area within an eight (8) high block wall enclosure on a 0.11-acre parcel located on the northeast Corner of Allegheny Avenue and 6th Street and Variance No. V2019-0061 for a ten (10) foot height variance above the maximum 50 foot height limit for the wireless facility and a two (2) foot variance for wall height of the enclosure above the maximum six (6) foot wall height.

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 for CUP2019-0030.
2. The use hereby permitted is for construction and operation of a 60-foot-tall camouflaged mono-palm wireless telecommunication facility, 12 panel antennas and associated equipment on a 400 sq. ft. leased area within an eight (8) high block wall enclosure on a 0.11-acre parcel located on the northeast Corner of Allegheny Avenue and 6th Street and Variance No. V2019-0061 for a ten (10) foot height variance above the maximum 50 foot height limit for the wireless facility and a two (2) foot variance for wall height of the enclosure above the maximum six (6) foot wall height located on the northeast corner of E. 6<sup>th</sup> Street and Allegheny Street, in the Commercial General zone within the 6<sup>th</sup> Street Overlay.
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 CUP2019-0030 & Variance V2019-0061**. 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

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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 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 site 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. Prior to the issuance of a Certificate of Occupancy for the project site or business activity being commenced thereon, pursuant to Conditional Use Permit CUP2019-0030 and Variance V2019-0061, all conditions of approval contained herein shall be completed to the satisfaction of the Planning Department.
11. Any uses not specifically permitted as part of, or not determined to be in substantial conformance by the Community Development Director, to this Conditional Use Permit shall require submittal and approval for the modification of the Conditional Use Permit.
12. The applicant and the property owner, if different from the applicant, shall consent to future colocation of other facilities on or with the applicant's facility, unless technological or structural requirements preclude that colocation.

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13. A future colocation shall be permitted with the approval of a modification of Conditional Use Permit CUP2019-0030.
14. Any and all accessory equipment associated with the operation of the facility, including but not limited to transmission cables, shall be located within a building, an enclosure, or underground vault in a manner that complies with development standards of the zone in which such accessory equipment is located. In addition, if equipment is located above ground, it shall be visually compatible with the surrounding buildings and natural features and either shrouded by sufficient landscaping or natural features to screen the equipment from view or designed to match the architecture of adjacent buildings. If accessory equipment is visible from a residential area or an arterial street, the applicant shall provide a solid masonry block wall that will screen the equipment or other material that is determined acceptable through the approval process.
15. The facility's exterior finish shall be comprised of non-reflective material(s) and painted, screened, or camouflaged to blend with the materials and colors of surrounding buildings or structures.
16. Facilities shall not be illuminated unless specifically required by the Federal Aviation Administration or other governmental agencies.
17. All lighting shall be adjusted so that all lighting is contained within the boundaries of the site.
18. Lighting shall be turned off except when maintenance personnel are present, except as may be required by the Federal Aviation Administration, and except for any security lighting activated by motion sensors.
19. In the event that the operator of the facility is changed from the applicant, including changes in corporate name, or if additional carriers' antennas are included in the project, the project proponent shall provide written notice, including contact information for inclusion in the CUP2019-0030 case file.
20. In the event that the facility is no longer used, the entirety of the facility shall be removed within 30 days. Proper permits shall be required.
21. Prior to the issuance of a building permit, all application requirements, pursuant to Chapter 17.18 of the Beaumont Municipal Code, shall be submitted to satisfaction of the Community Development Director, i.e., maintenance, security, and anti-graffiti plan, and evidence of required license and approvals.

22. No portion or extension of a major facility shall protrude beyond property lines or extend into any portion of the property where such facility is not itself permitted.
23. A ground mounted facility shall not be located in a required parking area, vehicle maneuvering area, vehicle/pedestrian circulation area or area of landscaping such that it interferes with, or in any impairs, the utility or intended function of such area.
24. A ground mounted facility shall be secured from access by the general public with a fence or other form of screening approved by the approving authority.
25. A ground mounted facility shall be covered with a clear anti-graffiti material of a type approved by the Community Development Director. The Community Development Director may grant an exception to this requirement if the applicant demonstrates to the satisfaction of the Community Development Director that the design of the facility is adequate to prevent graffiti.
26. The applicant/developer shall maintain the subject property after the start of construction and during the lifetime of the project, free of weeds, debris and trash.
27. During construction, should any archaeological artifacts be discovered, the Planning Division shall be notified immediately, and all work shall cease until a qualified archeologist has examined the artifacts and the site and submitted findings and recommendations to the Planning Department. Recommencement of construction shall be upon the approval of the Planning Department.
28. Any stealth materials that become broken or missing shall be replaced or repaired within thirty (30) days of notice by the City of Beaumont.
29. The entire 0.11-acre parcel (419-150-011) shall be landscaped and maintained by the applicant. The landscaping shall be submitted for review and approval by the Planning Department and shall be installed prior to finalization of the building permit for the tower facility.

#### **ENVIRONMENTAL HEALTH**

30. Prior to the issuance of a Certificate of Occupancy, the applicant must complete and submit a hazardous waste generator application and obtain and operate under a hazardous waste generator permit for the County of Riverside Department of Environmental Health.
31. Any proposed outside lighting shall be in compliance with the City's Lighting Ordinance, Chapter 8.50, of the City of Beaumont Municipal Code.

32. The address of the business shall be clearly visible from the front of the building and shall be illuminated during hours of darkness.

**FIRE DEPARTMENT**

Questions regarding Fire Department comments or conditions should be directed to Shawn Branaugh, City of Beaumont, Office of the Fire Marshal at 951-769-8518, ext. 6.

33. Provide a currently serviced 2A10BC fire extinguisher, mounted near the entrance door on the exterior side of the west wall of the steel shelter structure.

34. Provide and mount a 3400 series Knox box near the entrance gate on the perimeter wall structure. The Knox box shall be to the CMU wall at approximately 5 feet above finished grade and approximately 12 to 24 inches to the south of the door frame.

35. Provide the fire department representative with keys that will unlock the entry gate and the door to the steel structure building. The keys shall be provided at the fire department final inspection and the fire department representative will place the keys within the Knox box.

36. Provide 12-inch tall address numbers mounted on the south CMU wall. The numbers shall contrast in color to their background and should be mounted near the top of the wall, unobstructed by current or future vegetation.

End of Conditions