



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

PLANNING COMISSION DATE: September 8, 2020

PROJECT NAME: COVERT ATHLETICS

PROJECT NOS.: CUP2020-0051

DESCRIPTION: Operation of a personal training facility within an existing building.

APPLICANT: Javier Hernandez

LOCATION: 1132 Beaumont Avenue, Suite 104

APN: 415-172-026

PROJECT

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.

STANDARD CONDITIONS

1. The permit for the above referenced Conditional Use Permit and property consists of all Conditions of Approval herein.
2. The use hereby permitted is for the operation of a personal training facility located on the at 1132 Beaumont Avenue, Suite 104.
3. The Community Development Director may approve minor modifications to the site plan that are in substantial conformance to the approved project and that do not increase impacts. All copies of the revised plans shall be dated and signed by the Director and made a part of the record.
4. 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 CUP2020-0051. 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.

5. 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.
6. The development and uses entitled pursuant to the permit shall comply with the Beaumont Municipal Code and all other applicable City of Beaumont ordinances and state and federal codes. The development of the premises shall conform substantially with that as shown on the approved site plan, unless otherwise amended by these conditions of approval.
7. Administrative Plot Plan and business license application review and approval are required prior to occupancy of the building or sales of any items.
8. Occupancy inspections will be required prior to the start of operations by the Building & Safety, Planning, Police, and Fire Departments. All inspections shall be performed and approved before a Certificate of Occupancy will be issued by the Building and Safety Department.
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. A valid business license shall be maintained in force at all times.
11. For Sales Tax Purposes, this location shall be the "Point-of-Sale" for all transactions conducted.
12. The Community Development Director shall monitor the subject use to ensure that the scale of the use does not exceed the limitations of the existing site improvements. In the event the Community Development Director determines that the scale of the use has exceeded site limitations, a hearing shall be scheduled before the Planning Commission to review the permit and consider modification or revocation thereof.
13. 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.

14. The applicant shall be responsible for securing clearance, permits and approvals from all relevant agencies, including the Building Department, Fire Department, Public Works Department, 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. Any modifications not considered in substantial conformance with CUP2020-0051 are subject to separate review and approval by the Planning and Building Departments and may require additional permits and fees.
17. Any new signage on the site is subject to a sign permit application from the City of Beaumont.

BUILDING DEPARTMENT CONDITIONS

18. It shall be unlawful for any person to engage in or permit the generation of noise related to landscape maintenance, construction including erection, excavation, demolition, alteration or repair of any structure or improvement, at such sound levels, as measured at the property line of the nearest adjacent occupied property, as to be in excess of the sound levels permitted under Chapter 9 of the Municipal Code, at other times than between the hours of 7:00 a.m. and 6:00 p.m. The person engaged in such activity is hereby permitted to exceed sound levels otherwise set forth in this Chapter for the duration of the activity during the above described hours for purposes of construction. However, nothing contained herein shall permit any person to cause sound levels to at any time exceed 55 dB(A) for intervals of more than 15 minutes per hour as measured in the interior of the nearest occupied residence or school.

FIRE DEPARTMENT CONDITIONS

With respect to the conditions of approval for the referenced project, the Fire Department requires the following fire protection measures be provided in accordance with Riverside County Ordinances and/or recognized fire protection standards:

19. Addressing: All commercial buildings shall display street numbers in a prominent location on the address side and additional locations as required. Ref. CFC 505.1 and County of Riverside Office of the Fire Marshal Standard #07-01

POLICE DEPARTMENT

20. 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.
21. The address of the business shall be clearly visible from the front of the building and shall be illuminated during hours of darkness.
22. Have no more than 33% of the windows covered with advertising or signs.
23. 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).

End of Conditions