

ORDINANCE NO. 1074

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF BEAUMONT, CALIFORNIA
AMENDING TABLES 17.03-3 "PERMITTED USES FOR BASE ZONE DISTRICTS"
AND 17.03-4 "PERMITTED USES FOR OVERLAY ZONE DISTRICTS"
WITHIN CHAPTER 17, "ZONING"
OF THE BEAUMONT MUNICIPAL CODE**

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

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

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

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

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

Table 17.03-3 Permitted Land Uses For Base Zone Districts (continued)									
Land Use	RC	PF	RR	RSF	RMF	CG	CC	M	CM
Commercial Athletic Facility	N	N	N	N	N	C	C	C	C

SECTION 5. The City Council hereby amends Title 17, Table 17.03-4, entitled "Permitted Uses for Overlay Zone Districts" to the Beaumont Municipal Code, to add Commercial Athletic Facility to the table to read as follows.

Table 17.03-4 Permitted Land Uses For Overlay Zone Districts (continued)			
	6th St Overlay	Beaumont Ave. Overlay	Urban Village Overlay
Commercial Athletic Facility	C	C	C

SECTION 6. The City Council hereby amends Title 17, Table 17.03-4, entitled "Permitted Uses for Overlay Zone Districts" to the Beaumont Municipal Code, to amend the table for Batting Cages to read as follows.

Table 17.03-4 Permitted Land Uses For Overlay Zone Districts (continued)			
	6th St Overlay	Beaumont Ave. Overlay	Urban Village Overlay
Batting Cages	C	C	P

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.

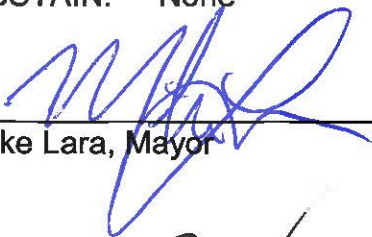
NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Beaumont, California, approves an amendment to the City Code.

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 21st day of June, 2016, by the following roll call vote:

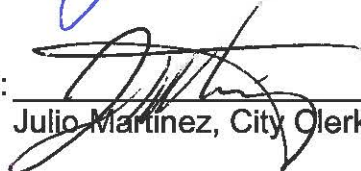
AYES: Orozco, Condon, Knight, White, Lara
 NOES: None
 ABSENT: None
 ABSTAIN: None

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Beaumont, California, held on the 5th day of July, 2016.

AYES: Orozco, Knight, Condon, White, Lara
NOES: None
ABSENT: None
ABSTAIN: None



Mike Lara, Mayor

Attest: 

Julio Martinez, City Clerk

Approved as to form:



John O. Pinkney, City Attorney

Record Gazette
218 N. Murray St.
Proof of Publication
(2015.5 C.C.P.)

133594 AMENDING TABLES 17.03-3

State of California)
County of Riverside) ss.

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above matter. I am the principal clerk of the printer and publisher of Record Gazette, a newspaper published in the English language in the City of Banning, County of Riverside, and adjudicated a newspaper of general circulation as defined by the laws of the state of California by the Superior Court of the County of Riverside, under the date October 14, 1966, Case No. 54737. That the notice, of which the annexed is a copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

July 15, 2016

Executed on: 07/15/2016

At Banning, CA

I certify (or declare) under penalty of perjury that the foregoing is true and correct.



Signature

**CITY OF BEAUMONT
LEGAL NOTICE**

NOTICE IS HEREBY GIVEN that the Beaumont Planning Commission and City Council conducted public hearings with respect to the matter described below. The Planning Commissions public hearing conducted a public hearing on Tuesday, June 14, 2016 at approximately 6:00 p.m. in the Room 5 at the Beaumont Civic Center, 550 E. 6th Street, Beaumont, California 92223. The City Council conducted a public hearing 6:00 p.m. on Tuesday, June 21, 2016 in the Council Chambers at Beaumont City Hall, 550 East Sixth Street, Beaumont, California to receive testimony and comments from all interested persons regarding the adoption of the following matter(s):

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEAUMONT, CALIFORNIA AMENDING TABLES 17.03-3 PERMITTED USES FOR BASE ZONE DISTRICTS AND 17.03-4 PERMITTED USES FOR OVERLAY ZONE DISTRICTS WITHIN CHAPTER 17, ZONING OF THE BEAUMONT MUNICIPAL CODE

The purpose of these amendments is to add a new land use category

Commercial Athletic Facility to Title 17 of the Beaumont Municipal Code Tables 17.03-3 Permitted Land Uses for Base Zone Districts and 17.03-4 Permitted Land Uses for Overlay Zone Districts to conditionally permit the new use category Commercial Athletic Facility in Commercial General (CG), Community Commercial (CC), Commercial Manufacturing (CM), Manufacturing (M), the 6th Street Overlay and Beaumont Avenue Overlay (BAO) Zones.

The proposed Ordinance would also amend Table 17.03-4 Permitted Land Uses for Overlay Zone Districts within Chapter 17 Zoning to conditionally permit Batting cages in the Beaumont Avenue Overlay (BAO) zone.

Ordinance No. 1074 was adopted at its second reading on July 5, 2016 by the following vote:

AYES: Mayor Lara, Council Members White, Condon, Knight, and Orozco

NOES: None

ABSTAIN: None

ABSENT: None

Rebecca Deming

Community Development Director

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