

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF BEAUMONT, CALIFORNIA,
AMENDING CHAPTER 17.08 “NONCONFORMING USES”, OF THE BEAUMONT
MUNICIPAL CODE.**

WHEREAS, the City Council desires to amend the Nonconforming Uses section of the Beaumont Municipal Code to clarify language and reduce the period of time in which a nonconforming use or structure loses nonconforming status in order to promote public health, safety and welfare while providing tools to further implement the 2040 General Plan and the vision for the Downtown; and

WHEREAS, the City has proposed to amend Chapter 17.08 “Nonconforming Use” to establish consistent standards for nonconforming uses and structures in the Beaumont Municipal Code; and

WHEREAS, duly noticed public hearing was conducted on this matter as required by law by the Planning Commission on August 23, 2023; and

WHEREAS, the Planning Commission recommends that the City Council approve the proposed amendments to the Municipal Code Chapters; and

WHEREAS, following the Planning Commission’s recommendation, the City Council has approved the amendment to Chapter 17.08 “Nonconforming Use” to establish consistent standards for nonconforming uses and structures in the Beaumont Municipal Code; and

WHEREAS, duly noticed public hearing was conducted on this matter as required by law by the City Council on September 5, 2023; and

WHEREAS, the City Council of the City of Beaumont has reviewed the reasons for the recommendation of approval by the Planning Commission as described above;

**THEREFORE, THE CITY COUNCIL OF THE CITY OF BEAUMONT DOES
HEREBY ORDAIN AS FOLLOWS:**

SECTION 1: The City Council hereby finds that the amendment to Chapter 17.08 “Nonconforming Uses” to establish consistent standards for nonconforming uses and structures in the Beaumont Municipal Code, is consistent with the adopted policies in the Beaumont Municipal Code and the General Plan of the City of Beaumont.

SECTION 2: The amendment of Chapter 17.08.060 “Nonconforming Uses”, attached hereto as Exhibit "A", is hereby approved.

SECTION 3: 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 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 4: This Ordinance shall take effect thirty (30) days after its final passage and within fifteen (15) days after its passage the City Clerk shall cause a summary to be published in a newspaper of general circulation, printed and published in the City of Beaumont, in a manner prescribed by law for publishing of ordinances of said City.

MOVED AND PASSED upon first reading this 5th day of September, 2023, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

MOVED, PASSED AND ADOPTED this 19th day of September, 2023, upon second reading by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Julio Martinez, Mayor

Attest: _____

Nicole Wheelwright, Deputy City Clerk

Approved as to form:

John O. Pinkney, City Attorney