



## Staff Report

**TO:** City Council

**FROM:** Gustavo J. Romo, Deputy City Manager  
Jillian Fountain, Associate Planner

**DATE** May 6, 2025

**SUBJECT:** Public Hearing - Beaumont Municipal Code Amendment to Chapter 17.11.110 Home Occupations (Case No. PLAN2025-0164)

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**Description** Consideration of proposed amendments to Beaumont Municipal Code Chapter 17.11 “General Development Standards”, more specifically Chapter 17.11.110 “Home Occupations”.

### **Background and Analysis:**

At the December 3, 2024, City Council meeting, Mayor Fenn requested an item be placed on a future agenda regarding the City’s Home Occupation Ordinance. Currently, the ordinance allows residents to operate certain types of businesses from their homes with a Home Occupation Permit (HOP). A home occupation business is generally defined as a business allowed to be conducted within a residential dwelling unit but only as an accessory or ancillary use to the primary residential use. The City has adopted specific standards for home occupations to ensure that businesses do not negatively affect the character of residential areas. These standards are provided as Conditions of Approval for each HOP that is approved within the City.

HOP regulations, as outlined in the City's zoning code 17.11.110 - Home Occupations, aim to balance business activities with residential uses and prevent nuisance impacts such as excessive traffic, noise, and safety hazards. However, in recent years, there have been citizen complaints regarding the strict interpretation and enforcement of these regulations, particularly with the rise of online businesses, remote work, and e-commerce activities.

On March 4, 2025, staff provided a report to the City Council regarding proposed Amendments for Chapter 17.11.110 – “Home Occupations”. The discussion included a recommendation to approve the red lines proposed to remove or revise conditions to clarify the regulations and improve the overall effectiveness and flexibility of the ordinance in supporting both residential and business interests in the city of Beaumont.

As part of the ongoing efforts to ensure that the City of Beaumont's regulations remain current and effective, the Home Occupation Ordinance has been reviewed by staff in collaboration with legal counsel. This recommendation is to ensure that the ordinance is clear, aligns with best practices, and addresses current needs within the community. Based on staff review, several proposed amendments have been identified to clarify language, improve enforceability, and enhance alignment with the City's broader goals for residential and business development.

The recommended revisions to Chapter 17.11.110 "Home Occupations" are as follows and can be found in the redlines attached to this staff report:

**1. Removal of Condition 2**

2. Material or equipment used in connection with such home-based businesses shall be limited to that normally found in a dwelling and recognized as being part of the normal uses and practices in the zone in which the use is a part of.

**2. Revision of Condition 6**

6. No more than one room of the dwelling shall be used for the home-based business. Use of the garage for the home-based business may be permitted if such use does not obstruct required parking. No more than twenty percent of the residence shall be used for the home-based business, including any area for storage.

**3. Removal of Conditions 8 and 9**

8. The home-based business use shall not generate pedestrian or vehicular traffic beyond that normal/customary to the zone in which it is located.

9. The home-based business shall not involve the use of commercial vehicles for delivery of materials to or from the premises.

**4. Revision of Condition 10**

10. Materials or supplies for the home-based business shall be stored indoors, within an accessory building or space, or may be stored outdoors, provided such materials or supplies are not visible to the public or from the public street. Materials or supplies may not be stored in any way that creates a public nuisance, as defined in Civil Code § 3480.

**5. Revision of Condition 11**

11. The home-based business shall not involve the display of signs or advertising devices on the premises except one unlighted sign, not more than two square feet in area, may be posted on temporary produce displays. This provision does not apply to the use of advertising on commercial vehicles, provided the business is in full compliance with Section 10.12 of the City Code, or any other applicable provision related to parking commercial vehicles, as may be amended from time to time.

**6. Revision of Condition 15**

15. No accessory building or space outside of the principal building shall be used for the home-based business, except for the growing of produce or for the storage of materials or supplies as provided herein. Storage or parking of vehicles associated with the home-based business must fully comply with the provisions of Section 10.12 of the City Code, or any other applicable provision related to parking commercial vehicles, as may be amended from time to time.

In addition to replacing the current language in Chapter 17.11.110 “Home Occupations” (Attachment C) with the proposed language from the City’s legal counsel (Attachment D), the proposed comprehensive zoning code update came before the City Council for a workshop on March 13, 2025, with an expected final adoption in the summer of 2025. Due to the concerns regarding enforceability and clarity, staff is recommending this change be incorporated prior to the final adoption of the comprehensive zoning code update.

## **PLANNING COMMISSION REVIEW**

At the April 9, 2025, Planning Commission meeting, Commissioners were presented with the proposed revisions detailed in Attachment D of this staff report. The Commission provided comments and raised questions regarding the following sections. The Commission stated that there was no need to return to the Planning Commission if the comments are addressed before the City Council:

### **Section 7: Storage of Materials or Supplies**

- "Materials or supplies for the home-based business shall be stored indoors, within an accessory building or space, or may be stored outdoors, provided such materials or supplies are not visible to the public or from the public street. Materials or supplies may not be stored in any way that creates a public nuisance, as defined in Civil Code § 3480."
- *Commissioners expressed concern regarding the visibility of stored items from neighboring properties, not just from public streets. In response, language was added—at the direction of legal counsel—referencing Civil Code § 3480 to address potential public nuisances arising from outdoor storage.*

### **Section 8: Signage and Advertising**

- "The home-based business shall not involve the display of signs or advertising devices on the premises except one unlighted sign, not more than two square feet in area, may be posted on temporary produce displays. This provision does not apply to the use of advertising on commercial vehicles, provided the business is in full compliance with Section 10.12 of the City Code, or any other applicable

provision related to parking commercial vehicles, as may be amended from time to time."

- *Concerns were raised about commercial vehicles with billboard-style advertising being parked in residential driveways. In response, and under the guidance of legal counsel, a reference to the relevant section of the Beaumont Municipal Code (Section 10.12 – Parking of Commercial Vehicles) was added to clarify what types of vehicles and signage would be permitted.*

### **Section 13: Cottage Food Operations**

- *Commissioners questioned whether time restrictions could be imposed on customer visits related to Cottage Food and Microenterprise Home Kitchen Operations. After review, legal counsel clarified that Microenterprise Home Kitchen Operations are authorized by state law and cities cannot require them to obtain local home occupation permits. As a result, this provision was removed from the ordinance. However, any issues arising from these uses may still be addressed under the City's nuisance regulations.*

### **CEQA:**

The Project is exempt from the California Environmental Quality Act (CEQA) under section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The proposed ordinance does not relate to any physical project and will not result in any physical change to the environment and does not affect the land use or density limitations of the General Plan. Therefore, it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, and therefore, the adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines. A Notice of Exemption (NOE) will be filed upon Council's final action.

### **Consistency with Adopted Goals, Plans and Programs:**

#### General Plan Consistency

The proposed recommendation is in conformance with the General Plan and is consistent with the General Plan implementation in EDF21 Zoning Code, 3.8.5 "Update the City's Zoning Code to reflect modern business uses and needs, including allowing flexible or shared workspaces."

### **Public Communications Received:**

A 20-day public notice was placed in the Press Enterprise on March 20, 2025. At the time of report preparation, the Planning Department has not received any written or verbal comments from the public in favor or in opposition to the project. Any comments received prior to the time of the scheduled City Council meeting will be provided to the City Council at the time of the public hearing. At the April 15, 2025, City Council meeting, this item was continued to May 6, 2025.

### **City Council Authority:**

The Beaumont Municipal Code Section 17.02.080.G states that upon receipt of a Planning Commission resolution recommendation for approval of a change of zone or zoning ordinance amendment, or denial of a zoning ordinance text amendment, the City Clerk shall set the matter for hearing before the City Council. At the hearing, the City Council shall review the Commission's recommendation and receive evidence as to how or why the proposed change of zone or zoning text amendment is consistent with the objectives of this Zoning Ordinance, the City of Beaumont General Plan, and development policies of the City. The City Council shall act to approve or deny the application by resolution.

### **Findings:**

To approve a zoning text amendment, the Municipal Code Chapter 17.020.080 (I) requires that the City Council make the following findings:

1. That the proposed zoning ordinance text amendment is consistent with the goals, policies, and objectives of the General Plan.

*The proposed recommendation is in conformance with the General Plan and is consistent with the General Plan implementation in EDF21 Zoning Code, 3.8.5 "Update the City's Zoning Code to reflect modern business uses and needs, including allowing flexible or shared workspaces."*

2. That the proposed zoning ordinance text amendment will not adversely affect surrounding properties.

*The proposed zoning ordinance text amendment will not adversely affect surroundings, as the changes are text in nature and review of plans will occur through the Planning plan check process.*

3. That the proposed zoning ordinance text amendment promotes public health, safety, and general welfare and serves the goals and purposes of this zoning Ordinance.

*The proposed zoning ordinance text amendment promotes public health, safety, and general welfare as it clarifies regulations and improves the overall effectiveness of the ordinance.*

**Fiscal Impact:**

The cost to prepare this report is approximately \$250.

**Recommended Action:**

Hold a Public Hearing; and,

Waive the first full reading and approve by title only, “An Ordinance of the City Council of the City of Beaumont, California, amending Chapter 17.11 ‘General Development Standards’, Section 17.11.110 ‘Home Occupations’, of the Beaumont Municipal Code”, and direct staff to prepare a Notice of Exemption to record with the Riverside County Recorder.

**Attachments:**

- A. Draft Ordinance
- B. Existing Municipal Code Chapter 17.11.110 “Home Occupations”
- C. Redlined Municipal Code Chapter 17.11.110 “Home Occupations”
- D. Proof of Publication

**Incorporated by Reference:**

City of Beaumont Zoning Ordinance

Contents of City of Beaumont Planning Department Project File PLAN2025-0164