



Agenda
City of Beaumont Planning Commission
Special Meeting 6:00 PM

550 E 6th Street, Beaumont, Ca
Tuesday, February 26, 2019

Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packets are available for public inspection in the City Clerk's office at 550 E. 6th Street during normal business hours

Any Person with a disability who requires accommodations in order to participate in this meeting should telephone the City Clerk's office at 951 769 8520, at least 48 hours prior to the meeting in order to make a request for a disability related modification or accommodation.

Page

REGULAR SESSION

CALL TO ORDER

Chairman Tinker, Vice Chairman St. Martin, Commissioner Smith, Commissioner Barr, Commissioner Stephens

Pledge of Allegiance:

Approval/Adjustments to Agenda:

Conflict of Interest Disclosure:

PUBLIC COMMENT PERIOD (ITEMS NOT ON THE AGENDA)

Any one person may address the Planning Commission on any matter not on this agenda. If you wish to speak, please fill out a "Public Comment Form" provided at the back table and give to the City Clerk. There is a three (3) minute time limit on public comments. There will be no sharing or passing of time to another person. State Law prohibits the Commission from discussing or taking actions brought up by your comments.

ACTION ITEMS/PUBLIC HEARINGS/REQUESTS

Approval of all Ordinances and Resolutions to be read by title only.

- | | |
|---|--------------|
| 1. Proposed Amendment to Table 17.03-3 Permitted uses in Base Zone District and Table 17.03-4 Permitted Uses in Overlay Zone Districts | 3 - 7 |
| Recommended Committee Action(s): | |
| 1. Hold a public hearing; and | |
| 2. Forward a recommendation of approval of the ordinance to the City Council. | |

[Item 1](#)

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

Adjournment of the Planning Commission of the February 26, 2019 Special Meeting at ____ p.m.

The next regular meeting of the Beaumont Planning Commission is scheduled for Tuesday, March 12, 2019, at 6:00 p.m. or thereafter as noted on the posted Agenda at City Hall.

Staff Report

TO: Planning Commissioners
 FROM: Community Development Director
 DATE: February 26, 2019
 SUBJECT: Proposed Amendment to Table 17.03-3 Permitted Uses in Base Zone District and Table 17.03-4 Permitted Uses in Overlay Zone Districts

Background and Analysis:

The Municipal Code Chapter 17.03.120 of the City of Beaumont includes Table 17.03-3 for Permitted Uses in Base Zone Districts and Municipal Code chapter 17.03.150 includes Table 17.03-4 for Permitted Uses of Overlay Zone Districts. The purpose of these tables and the zoning code is to regulate uses throughout the City and ensure compatibility in and among zones.

Staff has received a few calls over the past few months regarding the requirements for massage establishments. The municipal code business license section provides a path to licensure for a massage establishment however, the zoning code is silent on where these facilities can be located. As a result, staff has prepared this amendment to Title 17 Zoning, Tables 17.03-3 and 17.03-4. The proposed amendment adds massage establishments to the use tables in certain locations as shown below, subject to conditional use permit approval by the Planning Commission. Massage establishments will still be subject to all licensing regulations required by Chapter 5.44 of the City's municipal code.

Table 17.03-3									
Permitted Land Uses For Base Zone Districts									
	RC	PF	RR	RSF	RMF	CG	CC	M	CM
Massage Establishment	N	N	N	N	N	C	C	N	N

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

In order to determine the best approach to siting and permitting massage establishments, staff has researched other cities approach to regulating this use. Staff found that in addition to business license regulations, most allow massage establishments in commercial zones with conditional use permit approval. The conditional use permit process allows conditions of approval to be crafted based on the nature of the operation and compatibility with surrounding uses. Staff feels the identified areas would be the most appropriate for massage establishments.

In order to approve a zoning text amendment, the Municipal Code Chapter 17.020.080 (I) requires the following findings to be made:

1. That the proposed change of zone or zoning ordinance text amendment is consistent with the goals, policies, and objectives of the General Plan; and
2. That the proposed change of zone or zoning ordinance text amendment will not adversely affect surrounding properties; and
3. That the proposed change of zone or zoning ordinance text amendment promotes public health, safety, and general welfare and serves the goals and purposes of this zoning Ordinance.

All of these findings can be made in a positive manner.

Recommendation:

1. Hold a public hearing; and,
2. Forward a recommendation of approval of the ordinance to the City Council.

Attachments:

- A. Draft Ordinance

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF BEAUMONT, CALIFORNIA
AMENDING TABLE 17.03-3 "PERMITTED USES FOR BASE ZONE DISTRICTS"
AND
TABLE 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 add Massage Establishments to the table to read as follows.

Table 17.03-3 Permitted Land Uses For Base Zone Districts									
	RC	PF	RR	RSF	RMF	CG	CC	M	CM
Massage Establishment	N	N	N	N	N	C	C	N	N

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 to the table Massage Establishments 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
Massage Establishments	C	C	C

SECTION 6. 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 ____ day of _____, 2019, by the following roll call vote:

AYES:
NOES
ABSENT
ABSTAIN

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Beaumont, California, held on the ____ day of _____, 2019.

AYES:
NOES:
ABSENT:
ABSTAIN:

Julio Martinez, Mayor

Attest: _____
City Clerk

Approved as to form:

John O. Pinkney, City Attorney