

ORDINANCE NO. 1080

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF BEAUMONT, CALIFORNIA
REPLACING SECTION 17.03.060D
AND ADDING SECTION 17.03.070G
TO 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 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 repeals Section 17.03.060D, entitled “Second Units” to the Beaumont Municipal Code, and replaces it to read as follows:

“D. Accessory Dwelling Units. Accessory dwelling units are limited to one per Single-Family residence within a Single-Family Zone.

- 1. Detached Accessory Dwelling Units.** Detached accessory dwelling units shall not exceed 50% of the floor area of the main unit or 1,200 square feet, whichever is less. The height of the accessory unit shall not exceed the height of the main unit. In addition, the detached accessory dwelling unit must be connected to sewer and shall be provided with individual sewer connections. Detached accessory dwelling units shall be detached from the main unit by a minimum distance of ten (10) feet and shall have a minimum distance of fifteen

(15) feet from the rear property line. Detached accessory dwelling units may be located in an existing structure, without consideration to setbacks. The detached accessory dwelling unit shall be located in such a fashion so that it is concealed from public view and shall have matching colors and materials as the main unit. The main unit must meet current requirements for parking prior to or in conjunction with the detached accessory dwelling unit approval.

2. **Attached Accessory Dwelling Units.** Attached accessory dwelling units shall not exceed 50% of the floor area of the main unit or 1,200 square feet, whichever is less. The height of the attached accessory dwelling unit shall not exceed the height of the main unit. Setbacks shall meet the requirements of the zone unless within an existing structure or unless the attached accessory dwelling unit is created from an existing living space in a single-family home. The attached accessory dwelling unit shall be located in such a fashion so that it is concealed from public view (specifically the entrance) and shall have matching colors and materials as the main unit. The main unit must meet current requirements for parking prior to or in conjunction with the attached accessory unit approval.
3. **Junior Accessory Dwelling Units.** Junior accessory dwelling units shall not exceed 500 square feet, shall consist of one bedroom and a limited kitchen, and have access to both interior access to the main unit and an exterior door. A junior accessory dwelling unit is not considered a separate dwelling unit. The height of the junior accessory dwelling unit shall not exceed the height of the main unit. Setbacks shall meet the requirements of the zone unless within an existing structure. The junior accessory dwelling unit kitchen may only have a wet bar or efficiency kitchen (a single basin sink with a maximum waste line diameter of 1.5 inches and cooking facility with appliances that can run on standard 120 volt outlets or natural or propane gas). The kitchen may include a small refrigerator (maximum of 6 cubic feet), microwave, and small cooktop (max two elements).

The owner must occupy either the main unit or the junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

The junior accessory dwelling unit shall be located in such a fashion so that it is concealed from public view so as not to look like a duplex. The entry to the junior accessory dwelling unit shall face the side- or back-yard area. A junior accessory dwelling unit shall have matching colors and materials as the main unit. The main unit must meet current

requirements for parking prior to or in conjunction with the junior accessory dwelling unit approval. “

SECTION 5. The City Council hereby adds Section 17.03.070G, entitled “Accessory Dwelling Units”, to the Beaumont Municipal Code, to read as follows:

“D. Accessory Dwelling Units. Accessory dwelling units are limited to one per lot with a Single-Family residence within the Multiple-Family Zone.

1. **Detached Accessory Dwelling Unit.** Detached Accessory Dwelling Units shall not exceed 50% of the floor area of the main unit or 1,200 square feet, whichever is less. The height of the detached accessory dwelling unit shall not exceed the height of the main unit. In addition, the detached accessory dwelling unit must be connected to sewer and shall be provided with individual sewer connections. Detached accessory units shall be detached from the main unit by a minimum distance of ten (10) feet and shall have a minimum distance of fifteen (15) feet from the rear property line. Detached accessory dwelling units may be located in an existing structure, without consideration to setbacks. The detached accessory dwelling unit shall be located in such a fashion so that it is concealed from public view and shall have matching colors and materials as the main unit. The main unit must meet current requirements for parking prior to or in conjunction with the detached accessory dwelling unit approval.
2. **Attached Accessory Dwelling Units.** Attached Accessory Dwelling Units shall not exceed 50% of the floor area of the main unit or 1,200 square feet, whichever is less. The height of the attached accessory dwelling unit shall not exceed the height of the main unit. Setbacks shall meet the requirements of the zone unless within an existing structure unless the unit is created from an existing living space in a Single-Family home. The attached accessory dwelling unit shall be located in such a fashion so that it is concealed from public view (specifically the entrance) and shall have matching colors and materials as the main unit. The main unit must meet current requirements for parking prior to or in conjunction with the attached accessory dwelling unit approval.
3. **Junior Accessory Dwelling Units.** Junior accessory dwelling units shall not exceed 500 square feet, consist of one bedroom and a limited kitchen, and have access to both interior access to the main unit and an exterior door. Junior accessory dwelling units are not considered a separate dwelling unit. The height of the junior accessory dwelling unit shall not exceed the height of the main unit. Setbacks shall meet the requirements of the zone unless within an existing structure. The junior accessory dwelling unit kitchen may only have a wet bar or efficiency kitchen (a single basin sink with a maximum waste line diameter of 1.5 inches and a cooking facility with appliances that can

run on standard 120 volt outlets or natural or propane gas). The kitchen may include a small refrigerator (maximum of 6 cubic feet), microwave, and small cooktop (maximum of two elements).

The junior accessory dwelling unit shall be located in such a fashion so that it is concealed from public view so as not to look like a duplex, for example. The entry to the junior accessory dwelling unit shall face the side- or back-yard area. Junior accessory units shall have matching colors and materials as the main unit. Main unit must meet current requirements for parking prior to or in conjunction with the junior accessory dwelling unit approval.”

SECTION 6. Urgency Clause. The City finds and declares that this Ordinance is required for the immediate protection of the public peace, health, and safety for the following reasons: In order to allow the City to promulgate ordinances that create secure income for homeowners and secure housing for renters at the earliest possible time, it is necessary for this act to take effect immediately. A housing option that is currently available and affordable for many in the City are accessory dwelling units. Immediate action is necessary to bring the City’s regulations into compliance with state law to allow for the development of junior accessory dwelling units and the clarification of existing regulated development of accessory dwelling units, generally, as set forth in Government Code Section 36937 and AB-2406, approved by the Governor on September 27, 2016.

SECTION 7. Effective Date and Publication. This Ordinance is an Urgency Ordinance enacted under California Government Code 36934 and 36937(b). This Urgency Ordinance is effective upon adoption by a four-fifths (4/5) vote of the City Council. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause this Ordinance or a summary thereof to be published once, with the names of those City Councilmembers voting for or against it in a newspaper of general circulation in the City of Beaumont, as required by law.

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


INTRODUCED AND DULY ADOPTED by at least a four-fifths vote of the City Council at a regular meeting of the City Council of the City of Beaumont, California, held on the 20th day of December, 2016.

AYES: Martinez, Orozco, Lara, Carroll, White


NOES: None

ABSENT: None

ABSTAIN: None

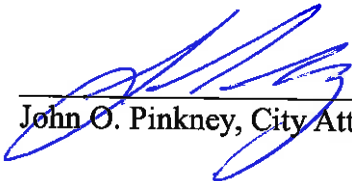


Lloyd White, Mayor

Attest: 

Deputy City Clerk

Approved as to form:



John O. Pinkney, City Attorney