

ORDINANCE NO. 1084

AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEAUMONT, CALIFORNIA, ADOPTING A ZONE CHANGE TO PRE-ZONE APPROXIMATELY .23 ACRES OF LAND FROM COUNTY OF RIVERSIDE W-2 (CONTROLLED DEVELOPMENT) TO CITY OF BEAUMONT RC (RECREATION AND CONSERVATION) (16-PZ-01)

WHEREAS, CV Communities, who has a vested interest, has requested that the City of Beaumont ("City") initiate the annexation of approximately 200-acre unincorporated area pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("Act"), as amended, and said Act requires that properties which are to be annexed to a City shall be pre-zoned prior to annexation; and

WHEREAS, the property is located east of Interstate 10 and north of Brookside Avenue ("Subject Site") as described in Exhibit "A" attached hereto and by this reference incorporated, and is presently uninhabited as defined in State law related to annexations with a current zoning designation of W-2 (Controlled Development) by the County of Riverside; and

WHEREAS, duly noticed public hearings were conducted on this matter as required by law by the Planning Commission on January 10, 2017, and the City Council on February 7, 2017, and the Planning Commission, at its public hearing, recommended that the City Council approve the proposed pre-zoning; and

WHEREAS, the City Council has determined there is no possibility a significant effect on the environment would occur from approval of the proposed General Plan Amendment. This action then qualifies as CEQA exempt under 15061(b)(3) of the CEQA Guidelines. Specifically, the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

THE CITY COUNCIL OF THE CITY OF BEAUMONT DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Upon the effective date of the annexation to the City, the Official Zoning Map of the City is hereby amended to designate the Subject Site legally described in attached Exhibit "A" with the following zoning designation:

RC (RECREATION AND CONSERVATION)

SECTION 2: Based upon the entire record before the City Council, including all written and oral evidence presented to the City Council, the City Council hereby makes and adopts the following findings:

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.

SECTION 3: The City Council has determined that this action then qualifies as CEQA exempt under 15061(b)(3) of the CEQA Guidelines.

SECTION 4: Said pre-zoning designation is approved in anticipation of annexation of the Subject Site and shall become effective on the effective date of the annexation of the Subject Site to the City by the Riverside County Local Agency Formation Commission.

SECTION 5: 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.

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 7th day of February, 2017, by the following roll call vote:

AYES: Martinez, Orozco, Lara, Carroll, White

NOES: None

ABSENT: None

ABSTAIN: None

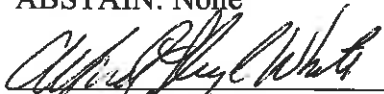
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Beaumont, California, held on the 21st day of February, 2017.

AYES: Martinez, Orozco, Lara, Carroll, White

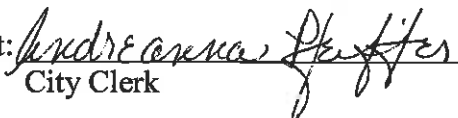
NOES: None

ABSENT: None

ABSTAIN: None



Lloyd White, Mayor

Attest: 

City Clerk

Approved as to form:



John O. Pinkney, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

(APN: 400-010-008)

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN AS SHOWN BY UNITED STATES GOVERNMENT SURVEY IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF BROOKSIDE AVENUE WITH THE NORTHWESTERLY PROLONGATION OF COURSE 2 AS DESCRIBED IN DEEDS TO THE STATE OF CALIFORNIA RECORDED DECEMBER 19, 1962, IN BOOK 3277, PAGES 241 AND 252 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE ALONG SAID PROLONGATION SOUTH $51^{\circ}44'00''$ EAST, 111.58 FEET TO THE INTERSECTION THEREOF WITH THE WESTERLY CONTINUATION OF THAT CERTAIN NON-TANGENT CURVE, CONCAVE SOUTHERLY, WITH A RADIUS OF 2250.00 FEET AS SHOWN ON DETAIL MAP OF RELINQUISHMENT, FILED FOR RECORD MARCH 19, 1965 IN STATE HIGHWAY MAP BOOK 3, PAGE 103;

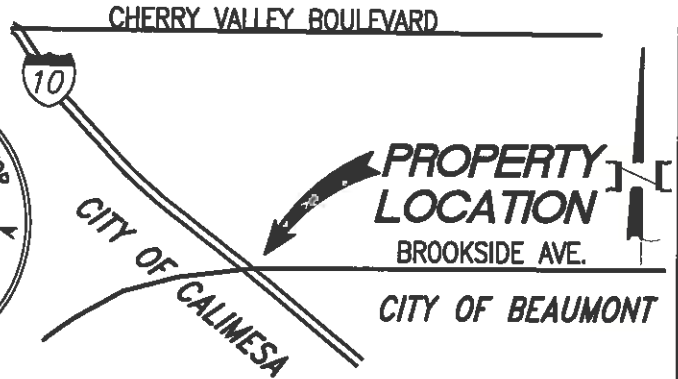
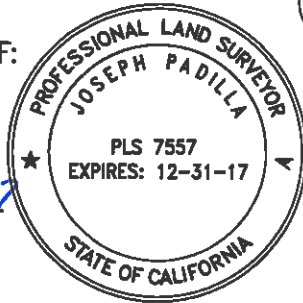
THENCE EASTERLY ALONG SAID CONTINUATION AND SAID CURVE, FROM A TANGENT BEARING NORTH $68^{\circ}33'45''$ EAST, THROUGH A CENTRAL ANGLE OF $05^{\circ}41'41''$, AN ARC DISTANCE OF 223.70 FEET TO THE SOUTH LINE OF SAID BROOKSIDE AVENUE;

THENCE ALONG SAID SOUTH LINE, SOUTH $89^{\circ}35'00''$ WEST 299.55 FEET TO THE **POINT OF BEGINNING.**

SURVEYOR'S CERTIFICATE

PREPARED UNDER THE SUPERVISION OF:

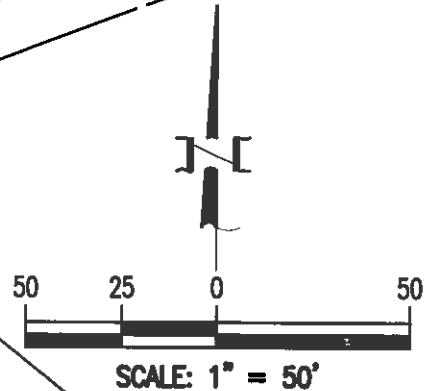
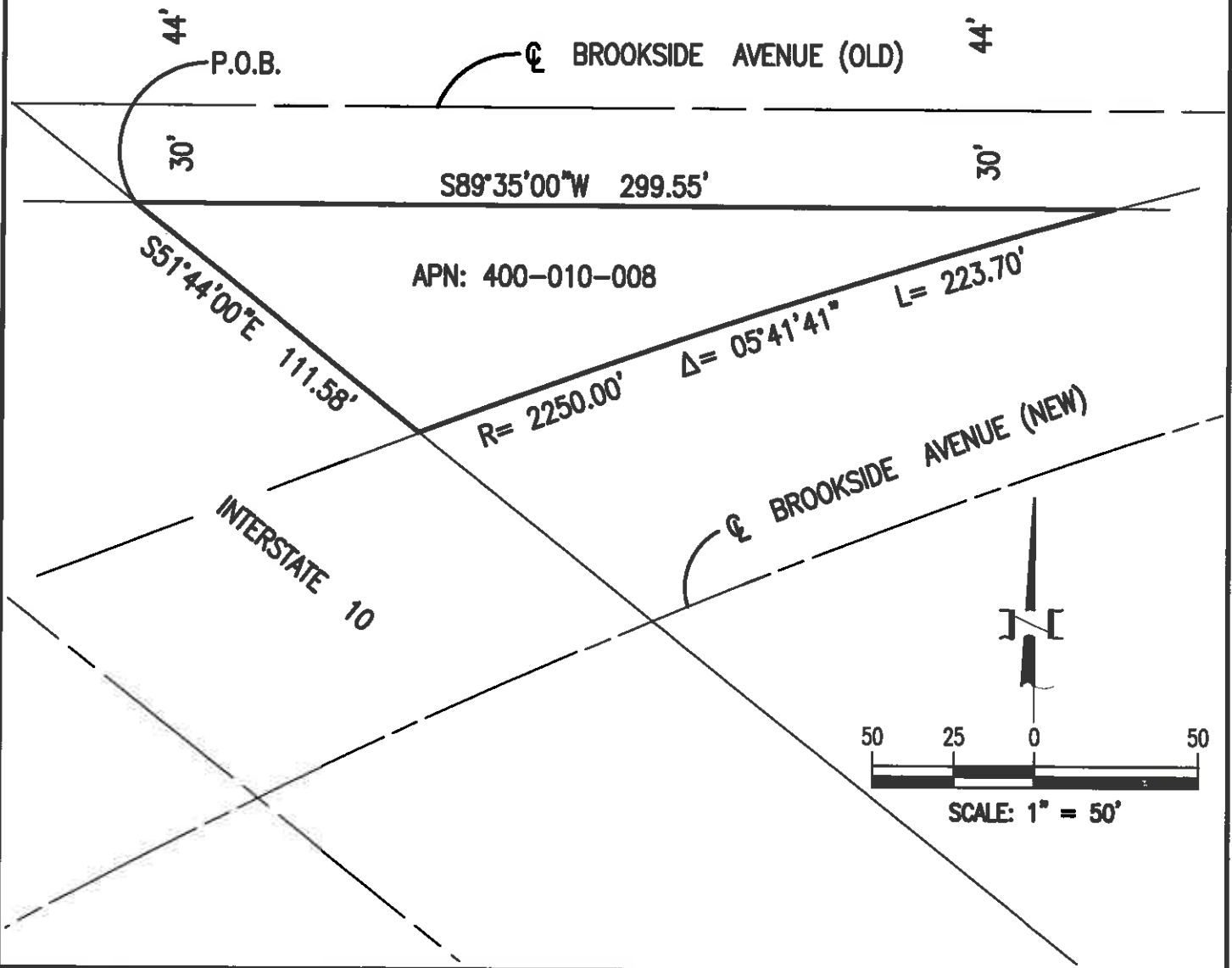
[Handwritten Signature]
d-09-2017
JOSEPH PADILLA
LICENSED LAND SURVEYOR NO. 7557



VICINITY MAP
NOT TO SCALE

APN: 407-230-027

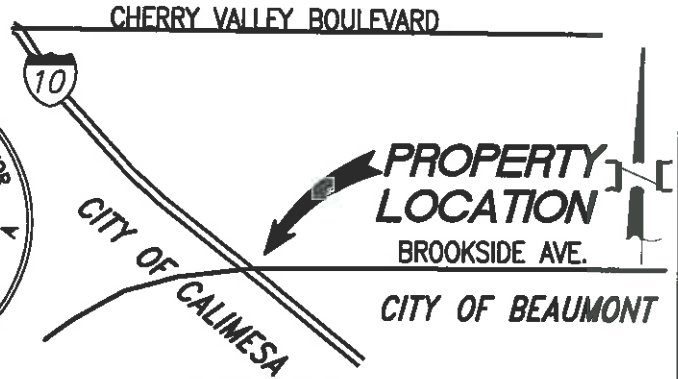
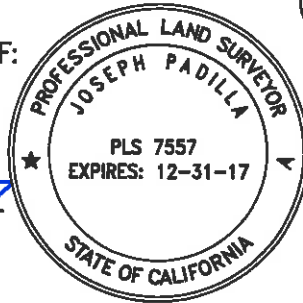
PARCEL 6, PARCEL MAP NO. 12218, PMB 85/66



SURVEYOR'S CERTIFICATE

PREPARED UNDER THE SUPERVISION OF:

[Signature]
01-09-2017
JOSEPH PADILLA
LICENSED LAND SURVEYOR NO. 7557

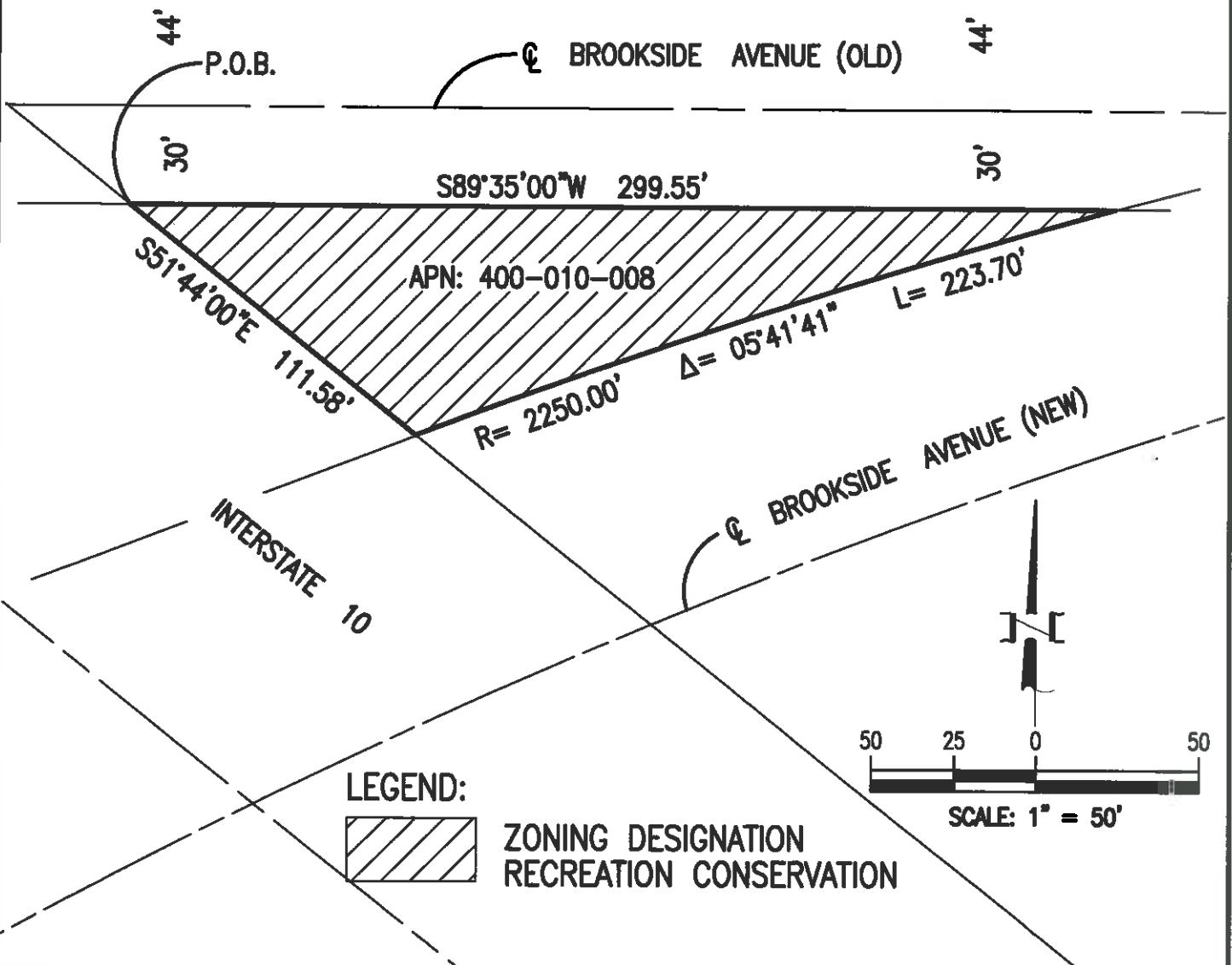


VICINITY MAP

NOT TO SCALE

APN: 407-230-027

PARCEL 6, PARCEL MAP NO. 12218, PMB 85/66



44'
P.O.B.

☉ BROOKSIDE AVENUE (OLD)

44'

30'

S89°35'00"W 299.55'

30'

S51°44'00"E 111.58'

APN: 400-010-008

L= 223.70'

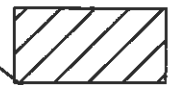
R= 2250.00'

Δ= 05°41'41"

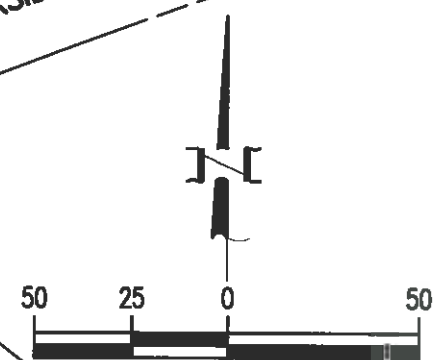
INTERSTATE 10

☉ BROOKSIDE AVENUE (NEW)

LEGEND:



ZONING DESIGNATION
RECREATION CONSERVATION



SCALE: 1" = 50'