



Staff Report

TO: City Council

FROM: Christina Taylor, Community Development Director

DATE: September 21, 2021

SUBJECT: **Public Hearing and Consideration of an Ordinance of the City Council of the City of Beaumont Amending Table 17.03-3 “Permitted Uses in Base Zone Districts”; Amending Table 17.19-1 “Permitted Uses for Downtown Base Zone Districts”; Amending Chapter 17.14.030 “Definitions” of The Beaumont Municipal Code and Adding Chapter 17.04.41 Performance Standards for Tire Stores and Tire Repair Facilities**

Background and Analysis:

On March 3, 2020, the City Council adopted an Interim Urgency Ordinance for a Moratorium on tire sales and tire repair establishments. On April 7, 2020, the City Council adopted a ten (10) month, 15-day extension to the Interim Urgency Ordinance. On February 16, 2021, City Council approved the final extension of Ordinance 1121 for a moratorium on tire sales and tire repair establishments.

The purpose of the moratorium was to allow the General Plan Update to be completed and to assess the critical issues associated with tire sales and tire repair businesses. The General Plan Update is complete and took effect in January 2021. The Downtown Area Plan was also completed with the General Plan Update and established generalized design guidelines for the downtown area.

Automobile repair businesses are permitted in the downtown as are retail sales businesses with accessory uses. Automotive repair is also permitted in the commercial and manufacturing areas outside of the downtown. The municipal code does not specifically speak to tire sales (new or used) or tire repair. Rather, historically, these uses have been considered as automobile repair or retail sales. The City has eight (8) licensed tire sales and/or repair businesses, six (6) of which are located in the downtown.

City staff has been working with City departments to assess the most critical issues related to these uses and determine options to address them. The primary issue is the storage of tires. The pictures included as Attachment A to this report provide examples

of current conditions specific to tire sales businesses in the downtown area. The same types of storage issues can be observed in other areas of the City on West Sixth, California Avenue and Fifth Street.

Chapter 17 Zoning of the municipal code does not address outdoor storage or display. City staff has typically relied on Chapter 8.32.115 Outdoor Displays/Storage of Merchandise or Chapter 8.32.220 Attractive Nuisances of the City of Beaumont Municipal Code (Code) which declares a public nuisances under certain circumstances.

City staff proposes adding definitions, zoning allowances and performance standards to the Code to preemptively address the primary site concerns that City departments face with regard to tire related businesses.

Addition of definitions to Chapter 17.14.030 “Definitions” of the Beaumont Municipal Code as follows:

- *Tire* - a rubber covering, typically inflated or surrounding an inflated inner tube, placed around a wheel to form a flexible contact with the road. May include new or used tires;
- *Tire Store* - an establishment where the sale, installation or storage of new or used or retread tires and tubes is conducted with or without other products or services. Tire store does not include a retreading establishment, collection, reduction or transfer of tires; and
- *Tire Repair* – the process of mending a hole, tear, fissure or blemish in a tire by including but not limited to grinding, gouging, applying adhesive or filling a hole or crevice with rubber.

Zoning allowances in Table 17.03-3 “Permitted Use Table for Base Zone Districts” of Chapter 17.03.120 of The Beaumont Municipal Code:

TABLE 17.03-3

Automotive Services	RC	PF	RR	RSF	RTN	RMF	CN	CC	M	UV
Automobile, Motorcycle, and Marine Craft Sales (New and Used)	N	N	N	N	N	N	C	P	C	C
Automobile Parking Facilities	N	N	N	N	N	N	C	P	P	C
Automobile Rental Agencies	N	N	N	N	N	N	P	P	P	C

Automobile Repair Facilities	N	N	N	N	N	N	C	P	P	N
Automobile Towing and/or Wrecking Facilities	N	N	N	N	N	N	N	N	C	N
Body and Paint Shops	N	N	N	N	N	N	C	C	C	N
Car Wash	N	N	N	N	N	N	C	C	C	C
Automotive Services (Cont.)	RC	PF	RR	RSF	RTN	RMF	CN	CC	M	UV
Gas/Service Stations	N	N	N	N	N	N	C	C	C	C
Limousine Services	N	N	N	N	N	N	P	P	P	N
Recharging Stations	Allowed (P) in any area designed for the parking or loading of vehicles.									
Tire Repair	N	N	N	N	N	N	N	P	P	N
Tire Store	N	N	N	N	N	N	N	P	P	N
Towing Services with Indoor Vehicle Service	N	N	N	N	N	N	C	C	C	N
Towing Services with Outdoor Vehicle Storage	N	N	N	N	N	N	N	N	C	N
Truck/Trailer Rentals	N	N	N	N	N	N	C	C	P	N

Zoning allowances Table 17.19-1 “Permitted Use Table for Base Zone Districts in Downtown” of Chapter 17.19.120 of The Beaumont Municipal Code:

TABLE 17.19-1

Automotive Services	DMU	BMU	SSMU	SSMU-R	LC	DMF
Automobile, Motorcycle, and Marine Craft Sales (New and Used)	N	N	P	C ⁶	P	N
Automobile Parking Facilities	C	N	C	N	P	N
Automobile Rental Agencies	N	N	C ⁶	N	P	N
Automobile Repair Facilities	N	N	C ⁶	N	C	N
Body and Paint Shops	N	N	N	N	C	N
Car Wash	N	N	C	N	C	N
Gas/Service Stations	N	N	C ⁶	C ⁶	C	N
Limousine Services	N	N	C	N	P	N
Recharging Stations	Allowed (P) in any area designed for the parking or loading of vehicles					
Tire Repair	N	N	N	N	P	N
Tire Store	N	N	N	N	P	N

Towing Services with Indoor Vehicle Service	N	N	N	N	C	N
Towing Services with Outdoor Vehicle Storage	N	N	N	N	C	N
Truck/Trailer Rentals	N	N	N	N	C	N

The changes proposed in the use tables would specifically allow tire stores and tire repair facilities in the Local Commercial (LC) zone of the Downtown Area Plan and in the Community Commercial (CC) and Manufacturing (M) zones throughout the City. City staff believes these zones allow ample opportunity in with sites large enough to accommodate the needs of tire related services and meet the proposed performance standards. If approved, these changes would render six (6) existing tire stores in the Downtown Area Plan as legal, non-conforming.

The following is proposed to be added to the Performance Standards section of the Beaumont Municipal Code:

Chapter 17.04.41 “Tires”

A. *Display.* Outdoor display of merchandise, goods or materials for marketing or advertising purposes must be reviewed and approved through the Plot Plan process as identified in the Beaumont Municipal Code Chapter 17.02.070 Plot Plans. This could be an Administrative Plot Plan for an existing business or structure or a Plot Plan for approval by the Planning Commission for new construction. In addition to any site-specific conditions, outdoor display of merchandise, goods or materials shall only occur during a business’s hours of operation.

B. *Tire Storage.* Storage of tires must be reviewed and approved through the Plot Plan process as identified in the Beaumont Municipal Code Chapter 17.02.070 Plot Plans. This could be an Administrative Plot Plan for an existing business or structure or a Plot Plan for approval by the Planning Commission for new construction. In addition to any site-specific conditions the following is required:

1. All outdoor storage must be covered on a minimum of three sides, one of which must be the top and screened from public view,
2. Any proposed use must comply with the California Regional Water Quality Control Board and the requirements specified in the National Pollutant Discharge

Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit,

3. Water supply and hydrant requirements as specified in the adopted Fire Code must be met, and

4. Both indoor and outdoor storage of tires and related materials and equipment, must meet all Building and Safety and Fire Department standards and requirements.

C. *Incidental Use.* Outdoor storage of tires, related equipment or materials must be incidental to a primary use and shall not exceed 20% of the total lot area.

D. *Structures.* Structures utilized for storage of materials must meet all Building and Safety and Fire standards, shall be complimentary to the primary structure and meet the aesthetic intent of the area in which the business is located.

E. *Definitions.* Tires, Tire Store and Tire Repair referenced herein are as defined in Chapter 17.14.030 "Definitions" of the Beaumont Municipal Code.

The proposed performance standards set forth a review process and expectations for tire stores and other tire related uses which would locate within the City.

Fiscal Impact:

The cost to prepare this staff report is approximately \$1,000.

Recommended Action:

Conduct a Public Hearing; and
Waive the First Full Reading and Adopt by Title Only and Ordinance of the City Council of the City of Beaumont Amending Table 17.03-3 "Permitted Uses in Base Zone Districts"; Amending Table 17.19-1 "Permitted Uses for Downtown Base Zone Districts"; Amending Chapter 17.14.030 "Definitions" of The Beaumont Municipal Code and Adding Chapter 17.04.41 Tires to the Beaumont Municipal Code.

Attachments:

- A. Ordinance
- B. Draft Municipal Code Language Chapter 17.04.41 Tires
- C. Draft Municipal Code Language Chapter 17.14.030 Definitions
- D. Draft Amended Use Table Chapter 17.03-1
- E. Draft Amended Use Table Chapter 17.19-1