



Staff Report

TO: Planning Commissioners
FROM: Christina Taylor, Deputy City Manager
DATE: October 11, 2022
SUBJECT: **Public Hearing and Consideration of Proposed Amendments to Beaumont Municipal Code Chapter 17.02 “Administration”, Chapter 17.03.120 “Permitted Uses for Base Zone Districts”, and Chapter 17.19 “Downtown Districts”.**
APPLICANT: City of Beaumont

Background and Analysis:

Planning and Economic Development staff have been attending downtown business meetings and Economic Development Committee (EDC) meetings in an effort to learn about the issues facing the business community in the City of Beaumont.

After attending both downtown business meetings, numerous EDC meetings, attending site specific meetings in the downtown area and having discussions with business owners and operators in the City staff has identified several items within the Beaumont Municipal Code which can be modified to reduce the barrier of entry to doing business within the City. The proposed modifications to the zoning code are as follows:

- Revision to the Administrative Plot Plan Process (Attachment A)
- Modification of footnotes in Table 17.19-1 (Attachment C)
- Removal of Floor Area Ratio from Chapter 17.19 (Attachment D)
- Addition of brewery, distillery and other alcoholic beverage production with or without onsite sales, tasting or consumption (Attachments B & C)
- Addition of public parking lots or structures (Attachment C)

Two additional zoning code amendments proposed are as follows:

- Change self-storage facilities from Not Permitted (N) to Conditionally permitted (C) in the Urban Village Zone (Attachment B)
- Addition of a use determination option for uses not identified in the permitted use tables (Attachment A)

Changes to Chapter 17.02 Administration (Attachment A)

The proposed revision to the Administrative Plot Plan process is intended to streamline the new business application process. The current application is approximately 26 pages, and the code requires any business going into any existing structure and change of ownership to fill out the entire package. The complexity of the application has proven to be challenging for businesses of all sizes and scopes to navigate. The proposed changes to the Administrative Plot Plan process will not require a business license but not a full Administrative Plot Plan application unless there is a change in building occupancy classification. In addition to the proposed change to the code, staff is also modifying the application itself to be more reflective of current informational needs.

Staff is proposing removing the Administrative Plot Plan requirement for model home complexes and temporary uses. The revision would instead require a Minor Plot Plan for real estate offices used for the sales of homes and temporary offices used to operate a business on the same site under is construction for permanent structures in conjunction of an approved plot plan. The Minor Plot Plan is a more appropriate mechanism for review of long term, temporary uses which are development related.

B. *Type of Plot Plan Application.* The Community Development Director shall determine the type and scope of application required of any applicant for a proposed use.

1. An administrative plot plan application, not requiring a public hearing, shall be required for the following:

a. **Occupancy or assumption of a structure where building occupancy classification will change from the previously established or permitted use.**

Occupancy or assumption of an existing use or business which conforms to this Zoning Ordinance **and does not change building occupancy classification does not require an Administrative Plot Plan but does require an updated Business License**

b. Site plans for a single-family dwelling unit on an existing legal lot and other residential projects with two to four dwelling units on one legal lot.

c. Development plans that are exempt from the California Environmental Quality Act.

~~d. Model home complexes and temporary real estate sales offices used exclusively for the first sales of homes.~~

~~e. Temporary uses, unless a conditional use permit is required or the Community Development Director determines that Planning Commission~~

~~approval is required due to the uniqueness, size, and/or location of the proposed temporary event~~

2. A Minor Plot Plan is required for the following:
 - a. Model home complexes and temporary real estate offices used for the sales of homes
 - b. Temporary offices used to operate a business on the same site under is construction for permanent structures in conjunction of an approved plot plan
3. A plot plan application, requiring a public hearing conducted by the Planning Commission, shall be required for the following:
 - a. Any use which is subject to the provisions of the California Environmental Quality Act.
 - b. Any use which exceeds the limitations applicable to the administrative plot plan application process, as set forth in this Zoning Ordinance (Section 17.02.070(B)1).

The final change proposed to the Administration section of the zoning code is the addition of a proposed determination option for uses not identified in the code. Currently, the municipal code has no provision to allow uses similar in nature to specifically listed uses without a zoning code amendment. This causes significant and generally unnecessary delays in the development process. The proposed change would allow the Community Development Director to make a determination if a proposed use not specifically listed is sufficiently similar to a permitted or conditionally permitted use. The proposed language is as follows:

F. The Community Development Director, upon written request or upon their own initiative, when a use is not specifically listed as a permitted use or conditional use under a particular zone, and when that use is proposed or classification is requested, shall determine whether the use is sufficiently similar to a listed use in the particular zone to justify a finding that it should be deemed a permitted use or a conditional use in one or more zones. Before permitting or classifying an unlisted use, the director shall first determine that all of the following conditions exist:

- (1) The proposed use would meet the objectives of the zone;
- (2) The proposed use and its operation are compatible with the uses permitted in the zone; and
- (3) The proposed use is similar to one or more uses in the zone.

(4) The director shall notify the planning commission and city council of determination of use.

Proposed Change to Table 17.03-3 of Chapter 17.03 Zoning Map and Zone Districts (Attachment B)

Staff is proposing addition of brewery, distillery and alcoholic beverage production with or without an onsite consumption component. These uses are not currently identified in the zoning code. Staff has received a number of inquiries regarding establishing these uses within the city. The uses are proposed subject to Conditional Use Permit approval by the Planning Commission as there are licensing requirements set by the State of California Department of Alcohol Beverage Control. The conditional use permit process also allows staff and the Commission to evaluate location, operation, compatibility and other factors when determining if a use is appropriate in a given location.

The other change proposed to the zoning table is related to Mini-Storage, Mini-Warehouse, Self-Storage or Public-Storage. Currently, these uses are only permitted in the Manufacturing (M) zone. Staff is proposing to allow these uses in the Urban Village (UV) zone subject to Conditional Use Permit approval by the Planning Commission. The uses would also still be required to meet the standards established in the Storage Ordinance found in Beaumont Municipal Code Chapter 17.11.150. The proposed change is requested by staff for two reasons:

- 1) Existing Mini-Storage, Mini-Warehouse, Self-Storage or Public-Storage uses in the Urban Village (UV) zone are unable to expand or modify their footprint because these uses are now considered non-conforming. Allowing the existing uses to expand subject to Conditional Use Permit approval by the Planning Commission, provides the opportunity for improvement to the site and expansion of an existing service to the residents of the City.
- 2) There are parcels in the southeast portion of the Urban Village (UV) zone which are irregularly shaped and are subject to environmental constraints. These properties could fit the criteria in the Storage Ordinance for potentially hosting a Mini-Storage, Mini-Warehouse, Self-Storage or Public-Storage. Allowing these uses subject to Conditional Use Permit approval by the Planning Commission, provides an opportunity for parcels which may not otherwise be utilized to provide a service to the community and to expand the infrastructure and improvements in the general area.

Alcohol Service and Sales										
	<i>RC</i>	<i>PF</i>	<i>RR</i>	<i>RSF</i>	<i>RTN</i>	<i>RMF</i>	<i>CN</i>	<i>CC</i>	<i>M</i>	<i>UV</i>
Brewery or Distillery							C	C	C	C
Brewery, Distillery or other Alcoholic Beverage Production with onsite tasting and consumption							C	C	C	C
Manufacturing and Industrial										
	<i>RC</i>	<i>PF</i>	<i>RR</i>	<i>RSF</i>	<i>RTN</i>	<i>RMF</i>	<i>CN</i>	<i>CC</i>	<i>M</i>	<i>UV</i>
Mini-Storage, Mini-Warehouse, Self-Storage or Public-Storage	N	N	N	N	N	N	N	N	P	N C

Proposed Change to Table 17.19-1 and Chapter 17.19 Downtown Zone Districts (Attachments C & D)

The remaining proposed code amendments are to Chapter 17.19 Downtown Zone Districts. The first proposed change mirrors the change to Table 17.03-3, the addition of brewery, distillery and alcoholic beverage production with or without an onsite consumption component. These uses are not currently identified in the Downtown area. Staff has received a number of inquiries regarding establishing these uses within the city. The uses are proposed subject to Conditional Use Permit approval by the Planning Commission as there are licensing requirements set by the State of California Department of Alcohol Beverage Control. The conditional use permit process also allows staff and the Commission to evaluate location, operation, compatibility and other factors when determining if a use is appropriate in a given location.

The next proposed change to Table 17.19-1 is the addition of Public Parking Lots or Structures. This proposal has come out of EDC as well as addressed in the City’s Parking Management Master Plan. Adding public parking lots and structures as permitted uses, helps facilitate the city’s vision of having “park once and walk” opportunities throughout downtown.

Alcohol Service and Sales						
	<i>DMU</i>	<i>BMU</i>	<i>SSMU</i>	<i>SSMU-R</i>	<i>LC</i>	<i>DMF</i>
Brewery or Distillery	C	C	C	C	C	C
Brewery, Distillery or other Alcoholic Beverage Production with onsite sales, tasting or consumption	C	C	C	C	C	C
Public and Quasi-Public Uses						
Public Parking Lots or Structures	P	P	P	P	P	P

The third proposed change is to the footnotes for Table 17.19-1. The changes requested are as follows:

Footnotes:

- ² Use is not allowed on parcels fronting 6th Street and Beaumont Avenue **unless the size and scale of the project is determined to be compatible with the surrounding area.**
- ³ Use ~~is~~ **should** be limited to 2,500 square feet **unless the size and scale of the project is determined to be compatible with the surrounding area.**
- ⁴ These uses ~~shall~~ **should** not be located on any parcel which is located within 1,000 feet of any school providing instruction in 12th grade or below, day care center, or youth center.
- ⁷ Use ~~is~~ **should** be limited to 5,000 square feet **unless the size and scale of the project is determined to be compatible with the surrounding area.**
- ⁸ Use ~~is~~ **should** be limited to 10,000 square feet **unless the size and scale of the project is determined to be compatible with the surrounding area.**

The changes above have come out of talks with businesses and staff analysis of existing and proposed uses. Staff has encountered numerous cases where existing businesses cannot expand due to the strictly defined cap on square footage for certain use types. Changing the language from “shall” to “should” allows staff flexibility to consider uses which would otherwise not be reviewed. Providing the opportunity for consideration of size and scale in relationship to the surrounding area offers opportunity to work with a proposal to ensure compatibility with neighboring properties and the general area.

The final requested change involves the removal of Floor Area Ratio (FAR) restrictions in the Downtown Zones. Floor area ratio serves as a restriction on how much square footage can be built on a property. The following chapters of the Beaumont Municipal Code have an established Floor Area Ratio (FAR) maximum as shown below:

- 17.19.040 Downtown Mixed Use Zone (DMU Zone) .35 FAR maximum;
- 17.19.050 Beaumont Mixed Use Zone (BMU Zone) .35 FAR maximum;
- 17.19.060 Sixth Street Mixed Use Zone (SSMU Zone) .5 FAR maximum; and
- 17.19.070 Sixth Street Mixed Use Zone-Residential (SSMU-R Zone) .5 FAR maximum

Much like the changes to the footnotes above, the proposed elimination of floor area ratio (FAR) has come out of talks with existing business owners and potential developers looking to develop in downtown Beaumont. The FAR restrictions are particularly challenging in downtown due to the size of the parcels. Further

restricting the square footage which can be built impacts the ability to construct or cite a viable business.

Recommended Action:

Hold a Public Hearing; and
Forward a recommendation of approval of the following:

Revision to Chapter 17.02.020 adding subsection (F)

Revision to Chapter 17.02.070 amending subsection (B)

Revisions to Table 17.03-3 adding brewery, distillery and other alcoholic beverage production with or without onsite sales, tasting or consumption subject to Conditional Use Permit approval in the Commercial Neighborhood (CN), Commercial Community (CC) Manufacturing (M) and Urban Village (UV) zones

Revision to Table 17.03-3 Changing self-storage facilities from Not Permitted (N) to Conditionally permitted (C) in the Urban Village Zone

Revisions to Table 17.19-1 adding brewery, distillery and other alcoholic beverage production with or without onsite sales, tasting or consumption subject to Conditional Use Permit approval in all Downtown zones

Revisions to Table 17.19-1 adding Public Parking Lots or Structures as a permitted use in all Downtown zones

Modification of footnotes in Table 17.19-1

Revision to Chapter 17.19.040, .050, .060 and .070 removing Floor Area Ratio Requirements

Attachments:

- A. Redline Beaumont Municipal Code Chapter 17.02 Administration
- B. Redline Beaumont Municipal Code Table 17.03-3
- C. Redline Beaumont Municipal Code Table 17.19-1
- D. Redline Chapter 17.19 Downtown Zones