



Staff Report

TO: City Council

FROM: Christina Taylor, Community Development Director

DATE: November 17, 2020

SUBJECT: **Hold a Public Hearing Continued from the November 3, 2020, City Council Meeting and Consider the First Reading of an Ordinance to Adopt the General Plan Update, the Revised Zoning Ordinance and Zoning Map and Adopt a Resolution Adopting a Statement of Overriding Considerations and Certifying the Final PEIR in Compliance with CEQA**

Background and Analysis:

State law requires each county and city to prepare and adopt a 20-year comprehensive and long-range general plan for its physical development (Government Code Section 65300). The General Plan has been called the “constitution” or “blueprint” for the City and offers a strong foundation for making future development decisions. The current General Plan was approved by City Council in March 2007. In December 2016, the City Council awarded a contract for the proposed General Plan Update. For the last several years, the City has been collaborating with the community in preparing a comprehensive update of the General Plan.

This update will allow the City to comply with Government Code Section 65300 mentioned above and will provide the City with a consistent framework for land use decision-making. The general plan and its maps, diagrams, goals, and policies form the basis for city zoning, subdivision, and public works actions. Under California law, no specific plan, area plan, zoning, subdivision map, nor public works project may be approved unless the City finds that is consistent with the adopted general plan.

The mandated elements of a general plan form a comprehensive set of planning policies:

- The Land Use Element (Land Use and Community Design) designates the general distribution and intensity of land uses within the planning area;
- The Circulation (Mobility) Element identifies the general location and extent of existing and proposed transportation facilities and utilities;

- The Housing Element is a comprehensive assessment of current and future housing needs for all segments of the City population, as well as a program for meeting those needs. The City is updating the Housing Element separately from the General Plan and in compliance with State guidelines;
- The Open-Space, Air Quality and Conservation Elements have been combined. This open-space portion describes measures for the preservation of open space for the protection of natural resources, the managed production of resources, and for recreation and public health and safety. The conservation portion addresses the conservation, development, and use of natural resources. The air quality portion describes local air quality conditions and air quality measures, including air quality standards, reduced greenhouse gas emissions, and reduction of vehicle miles traveled;
- The Safety Element establishes policies to protect the community from risks associated with natural and human-made hazards such as seismic, geologic, flooding, wildfire hazards, and climate change;
- The Noise Element identifies major noise sources and contains policies intended to protect the community from exposure to excessive noise levels; and
- The Health and Environmental Justice Element identifies disadvantaged communities within the City and issues of equity and environmental justice.

SB1000 signed into law in 2016 by Governor Brown requires cities to identify “environmental justice” or “disadvantaged communities” within their jurisdiction as part of the general plan process. This law has several purposes, including to facilitate transparency and public engagement in local governments’ planning and decision making processes, reduce harmful pollutants and associated health risks in environmental justice communities, and promote equitable access to health-inducing benefits, such as healthy food options, housing, public facilities, and recreation. In order to be compliant with SB1000, the City has included an element on Health and Environmental Justice.

A city may adopt a general plan in the format that best fits its unique circumstances (Government Code Section 65300.5). In doing so, the city must ensure that the General Plan and its component parts comprise an integrated, internally consistent, and compatible statement of development policies. The City of Beaumont has chosen to adopt a general plan that consolidates the mandatory elements, but also includes three (3) optional elements and integrates background information, goals and policies, and environmental analysis, as described below.

Beaumont General Plan

The Beaumont General Plan includes the preparation of a number of major documents. In addition to the mandated general plan elements required by the State, the City of Beaumont has added the three (3) optional elements listed below as they are important topics to be addressed as part of growth and development and improvement to the quality of life for the community.

Chapter 5-Economic Development + Fiscal Element (new element)

The purpose of the Economic Development and Fiscal Element is to establish policy guidance critical to Beaumont's overall fiscal and economic prosperity. Local business growth and investment, job creation and diversification, and the City's financial stability are foundational to the success of the community. As market forces beyond the City's control influence economic outcomes, this element provides a policy framework to give the City greater control of outcomes aimed at resiliency and long-term prosperity through changing economic cycles. Topics addressed in this chapter include business growth and support, workforce development, visitation and tourism, and economic and fiscal sustainability.

Chapter 7-Community Facilities + Infrastructure Element (new element)

Attractive and accessible community facilities, dependable electricity and water supply, and efficient waste removal are important to maintaining and enhancing quality of life in Beaumont – these are critical lifelines that support the wellbeing of residents, provision of basic services, and investments in the City. Community facilities and infrastructure systems must also be adaptable to changes in the City, accounting not only for existing capacity, but also future demand, sustainable design, and creative funding options.

Chapter 11-Downtown Area Plan (new element)

The Downtown Plan provides a detailed vision, guiding principles, and goals and policies for downtown Beaumont. The City currently lacks a defined, recognizable downtown area, but maintains the historic development pattern of a California railroad town. Few cities have such great downtown potential and, with a rise in experiential retail and entertainment, the City is planning for its revitalization in the proposed Downtown Area Plan. This chapter provides the foundation for the future revitalization and redevelopment of the downtown core of the community and for guiding future public and private development decisions. Topics addressed include land use and development policies, streetscape improvements, transportation and parking guidance. This is a stand-alone chapter of the General Plan and the goals and policies located herein shall be consistent with the General Plan's other elements.

Chapter 12-Implementation (new chapter)

This chapter describes actions to implement the goals and policies of the General Plan. Generally, implementation actions are needed to direct City staff and decision makers, and execute specific policies within the General Plan, such as creating an ordinance or updating a master plan. This chapter also includes indicators to track the implementation of the General Plan over time.

General Plan Land Use Map

The General Plan not only includes the various elements/chapters, containing text and graphics, but also a Land Use Map of the entire City and its sphere of influence. This map identifies land uses for all properties within the City. Many of the land use categories in the proposed land use map have not changed. However, definitions have been refined to clarify intent and vision for the area; new definitions have been introduced to support specific densities or uses in select areas of the City; and a Downtown Area Plan has been introduced to support an efficient, functional, cost-effective and aesthetically pleasing strategy to meet development demands for various land uses within the 20-year time horizon of the General Plan.

The following are a list of proposed Land Use Categories in the proposed General Plan along with corresponding zoning designations:

LAND USE	ZONING DISTRICT	DESCRIPTION	DENSITY/ INTENSITY
RESIDENTIAL DESIGNATIONS			
Rural Residential 40 (RR40)	RR	Single family detached homes on 40 acre lots in a rural mountainous setting	Minimum 40 acre lots
Rural Residential 10 (RR10)	Not within City Limits	Single family detached homes on 10 acre lots in a rural setting	Minimum 10 acre lots
Rural Residential 1 (RR1)	Per County Zoning	Single family detached homes on 1 acre lots in a hillside setting	Minimum 1 acre lots

Single Family Residential (SFR)	R-SF	Single-family residential (attached or detached) Neighborhood commercial in specified locations	Maximum 4 du/acre Maximum FAR 0.35
Traditional Neighborhood (TN)	R-TN	Single-family detached houses and small-scale multi-family housing Neighborhood commercial in specified locations	Average Density 6 du/ acre Maximum 12 du/acre Maximum FAR 0.35
High-Density Residential (HDR)	R-MF	Multi-family housing (townhomes, condominiums, apartments, etc.) Neighborhood commercial in specified locations	Minimum 12 du/acre Maximum 30 du/acre Maximum FAR 0.35
<i>NON-RESIDENTIAL DESIGNATIONS</i>			
Neighborhood Commercial (NC)	C-N	Range of neighborhood supportive retail and service-oriented land uses, including markets, restaurants, and similar uses to serve walk-in traffic.	FAR up to 1.0
General Commercial (GC)	C-C	Variety of "big box" and "large format" retailers in commercial shopping centers that serve adjacent neighborhoods.	FAR up to 0.75
Employment District (ED)	Not within City Limits	Employment uses for market-supported light industrial, research and development, creative office and maker space type uses.	FAR 0.5 to 1.0
Industrial (I)	M	Range of industrial uses, including "stand- alone" industrial activities, general and light industrial, research parks, private trade schools, colleges, and business parks.	FAR 0.25 to 0.75

MIXED-USE DESIGNATIONS			
Downtown Mixed Use (DMX)	See Chapter 11	Mixed-use buildings with active ground floor retail uses, upper level professional office, service activities in conjunction with multifamily residential uses and live/work units.	0-22 du/acre; FAR up to 0.5
Urban Village (UV)	UV	Variety of specialized land uses, including a regional serving commercial, higher density residential development, educational uses and abundant open space and recreation amenities.	12-24 du/acre; FAR up to 1.0
Transit Oriented District Overlay (TOD Overlay)	TOD Overlay	Residential and supportive employment and commercial uses near the future transit station.	18-30 du/acre; FAR up to 1.0
OTHER/ PUBLIC DESIGNATIONS			
Public Facilities (PF)	PF	Public and/or civic use, including Civic Center, city yard, libraries, and K-12 public schools.	FAR up to 1.0
Open Space (OS)	R-C	Passive and active parks, trails, golf courses, community centers, supportive maintenance sheds, etc.	n/a

In addition to updating the General Plan, the City's zoning code must also be amended so it is consistent with the General Plan. There are 1,032 parcels that are affected by the proposed changes in land use and zoning. The majority of the affected parcels are within the proposed Downtown Area Plan. As part of the Downtown Area Plan, the Beaumont Avenue Overlay, Sixth Street Overlay, Commercial Manufacturing (CM) and Commercial General (CG) zone were replaced with more defined zones which will help facilitate meeting the goals of the plan. Elsewhere in the City, the Urban Village Overlay was removed and replaced with the Urban Village Zone and a Transit Oriented Development Overlay was created. The table below summarizes changes to the Zoning Code.

Modifications to Existing Zones

Current Zone	Proposed Zone	Notes
Commercial General (CG Zone)	Commercial Neighborhood (CN Zone)	Name change more accurately reflects purpose and intent of zone
Urban Village Overlay	Urban Village Zone	Changed from an overlay to a base zone because functions as a base zone

New Zones

Current Zone	Proposed Zone	Notes
N/A	Residential, Traditional Neighborhood (R-TN Zone)	Implements TN General Plan Land Use Designation
N/A	Transit Oriented District Overlay (TOD Overlay)	Implements TOD Overlay General Plan Land Use Designation

Eliminated Zones

Current Zone	Proposed Zone	Notes
Commercial, Light Manufacturing (CM Zone)	N/A	Area along West Sixth Street. Addressed and zoned with Neighborhood Commercial Zone

Beaumont Avenue Overlay	N/A	Addressed through Downtown Zone District: <ul style="list-style-type: none"> • Beaumont Mixed Use Zone (BMU Zone)
6 th Street Overlay	N/A	Addressed through Downtown Zone Districts: <ul style="list-style-type: none"> • Sixth Street Mixed Use Zone (SSMU Zone) • Sixth Street Mixed Use – Residential Zone (SSMU-R Zone) • Downtown Mixed Use (DMU Zone)
Mineral Resources Overlay	N/A	No longer relevant or necessary

Community Outreach

The community engagement process incorporated a variety of outreach techniques and activities, allowing residents and community members to participate in ways that worked best for them. A website www.elevatebeaumont.com was created as a forum to provide updates, share survey results and make information available to the public. Residents, business owners, and other stakeholders provided feedback to the planning team by participating in a community survey, attending meetings, events and workshops, and contributing comments through social media. A General Plan Advisory Committee (GPAC) was formed with fifteen (15) representatives of the community participating and providing expertise and advice as needed. The planning team used the community’s feedback and guidance to share all aspects of the plan, from creating a vision statement that reflected the aspirations of the community to creating the guiding principles needed to achieve that vision. For a detailed list of outreach events, see Chapter 1 of the General Plan Update (pages 25 through 27).

Public Communication

September 21, 2020, City staff mailed 1,032 letters to property owners advising that a change of zone associated with the General Plan Update is being considered on their property. As of October 29, 2020, City staff has received written and email correspondence from twenty-four (24) individual property owners and telephone calls from fifty-eight (58) individual property owners. City staff has kept a record of all correspondence received, saving written and email correspondence electronically and creating a spreadsheet to log details about each phone call.

As a result of the public communication, City staff received nine (9) requests to either retain the existing zoning on a parcel or provide a different zoning option. City staff has summarized these requests and provided recommendations. City staff will be prepared to discuss these recommendations which are outlined in Attachment E.

Environmental Review

A Program Environmental Impact Report (PEIR) was prepared for the 2040 General Plan Update. This process is governed by the California Environmental Quality Act (CEQA). The CEQA process requires a series of steps involving public notices, receiving public input, public meetings and responding to public comments, all culminating with a final PEIR. The draft PEIR was released for the required 45-day public review and comment period on September 8, 2020. The formal review and comment period ended October 22, 2020.

The final PEIR for the 2040 General Plan consists of the draft PEIR coupled with a response to comments section, a list of modifications to the text of the draft EIR based on comments received (referred to in the final PEIR as the “Errata”, and a mitigation monitoring and reporting program (MMRP)). The final PEIR is included as Attachment G.

Statement of Overriding Considerations

CEQA allows lead agencies to approve projects despite having significant and unavoidable impacts by adopting a statement of overriding considerations. A statement of overriding considerations documents the reasons why an agency chose to approve a project despite its significant and unavoidable impacts based on range of balancing factors, including economic, legal, social, technological, or other benefits conveyed by the project.

City staff is recommending adoption of a statement of overriding considerations for the 2040 General Plan and its implementing actions. In this instance, the economic, social, and other benefits of the General Plan implementation collectively outweigh the significant and unavoidable impacts noted above. Such benefits include the implementation of policies and programs preserving and enhancing community character, increasing community sustainability, providing high-quality and diverse housing opportunities, increasing economic vitality via new job and business creation, supporting technological advancements, and maintaining compliance with current law addressing the content of general plans. Acceptance of the noted significant and unavoidable impacts does not mean the City will forego efforts to mitigate the impacts to

the extent feasible. In addition, future projects will be subject to discretionary review procedures through which the City will consider project specific environmental impacts. As these reviews occur, decision makers will be updated on the status of applicable mitigation measures when making decisions on such projects.

The implementation of the Beaumont General Plan will result in significant and unavoidable impacts in four (4) areas:

- Air Quality,
- Greenhouse Gas (GHG),
- Noise, and
- Transportation.

Air Quality

Beaumont is within the South Coast Air Basin. Air Quality in the basin is already significantly impacted and even without any new projects, air quality issues are beyond mitigation. The impact to air quality as a result of General Plan implementation falls into two (2) categories: Operational Emissions Impacts which are project specific and cumulative; and Localized Criteria Pollutant and Toxic Air Contaminants (TAC) Impacts which are related to increased density and proximity of residential land uses to transit and commercial centers.

Greenhouse Gas

The impact to greenhouse gas emissions are project specific and cumulative. They are attributed to ongoing operational impacts of potential future businesses. The threshold for GHG would exceed established ratios thresholds.

Noise

The noise impacts are also project specific and cumulative. They are attributed to ongoing operational impacts of potential future businesses as well as the location of sensitive receptors in relationship to noise generating activities. Noise standards would be exceeded at noise sensitive receptors at 25 of 27 roadway segments studied.

Transportation

CEQA Guidelines recently changed requiring a change in the threshold of significance from Level of Service (LOS) to Vehicle Miles Traveled (VMT). Although the General Plan is retaining LOS as a means for ensuring traffic issues throughout the City can continue to be addressed, LOS is no longer the significance threshold for CEQA purposes. Thus, the analysis for the draft PEIR was conducted utilizing VMT. As a result

of this analysis, the VMT target of 23.7 per service population will be exceeded by about 25%. This is due mostly to the City of Beaumont having a heavily commuter population and the City has no access to high quality transit (as defined by the State). Additionally, the City is required to provide for housing in compliance with State housing directives such as the Regional Housing Needs Assessment (RHNA). Adding housing without having any high-quality transit results in more vehicle miles traveled to and from the City.

Mitigation Monitoring and Reporting Program

With the exception of the items identified in the Statement of Overriding Considerations, any impacts that can be mitigated below a level of significance have mitigation measures identified to achieve this goal. The mitigation monitoring program is included with the final EIR and provided as Attachment H.

Fiscal Impact:

The General Plan Update is Capital Improvement Project 2016-004 in the amount of \$840,129.

Recommended Action:

Hold the continued Public Hearing from the November 3, 2020, City Council Meeting,

Waive the full first reading and approve by title only, "An Ordinance of the City of Beaumont, California Adopting the Comprehensive General Plan Update, Zoning Code Amendments and Zoning Map encompassing the entire City," and

Waive the full reading and adopt by title only, "A Resolution of the City Council of the City of Beaumont, California Adopting CEQA Findings of Fact; Adopting a Statement of Overriding Considerations; Certifying the Final Environmental Impact Report; and Adopting a Mitigation Monitoring Plan for the General Plan Update."

Attachments:

- A. Ordinance Adopting General Plan Update, Zoning Code Amendment and Map
- B. Resolution adopting the Findings of Fact, Statement of Overriding Considerations, Certifying the Final Program Environmental Impact Report and Adopting the Mitigation Monitoring and Reporting Program
- C. General Plan Update Presentation
- D. General Plan Update

- E. Zoning Code Amendments
- F. Findings of Fact and Statement of Overriding Considerations
- G. Final Program Environmental Impact Report
- H. General Plan Update Errata
- I. Responses to Late Comments