



Staff Report

TO: City Council
FROM: Christina Taylor, Community Development Director
DATE: August 17, 2021
SUBJECT: Discussion and direction to City Staff on Zoning Standards for Tire Sales and Tire Repair Establishments

Background and Analysis:

On March 3, 2020, City Council adopted an Interim Urgency Ordinance for a temporary moratorium on tire sales and tire repair establishments. On April 7, 2020, 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 temporary moratorium on tire sales and tire repair establishments.

The purpose of the temporary 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 Beaumont 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.

City staff has been working with City departments to assess the most critical issues related to these uses and determine how to best address them. The primary issue is the storage of tires. The pictures included as Attachment A 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 Street, California Avenue and Fifth Street.

Chapter 17 - Zoning of the Beaumont Municipal Code does not speak to outdoor storage or display. City staff has typically relied on Chapter 8.32.115 - Outdoor Displays/Storage of Merchandise which reads:

Any outdoor display or outdoor storage of merchandise for sale which is offensive to the senses, or harbors therein or thereon flies, bed bugs, cockroaches, black widow spiders, lice, fleas, or any other insects or vermin is declared a public nuisance.

Or Chapter 8.32.220 Attractive Nuisances which reads:

Attractive nuisances dangerous to children, including, but not limited to, abandoned, broken or neglected equipment and machinery, unguarded or unfenced commercial outdoor displays and storage, hazardous pools and excavations, are declared a public nuisance.

Rather than a reactive approach and addressing the issue when there is a violation, City staff proposes the following for discussion and possible addition to Chapter 17.11 - General Development Standards and the Use Tables:

- Add tire sales (new and used) and tire repair uses to the use tables in the municipal code,
- Any outdoor display and/or storage must be reviewed and approved through the Plot Plan process. 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,
 - The Fire Department has some very specific requirements specific to storage both indoor and outdoor. Fire Department review and approval/conditions compliance will be required,
- Outdoor storage must be screened,
- Outdoor storage should not exceed 20% of the total lot area, and
- Structures utilized for storage of materials should be complimentary to the primary structure and meet the aesthetic intent of the area.

Should City Council direct City staff to bring back this item for code amendments, it will include a process to conduct outreach to work with businesses on reducing the safety and nuisance issues and obtaining compliance.

Fiscal Impact:

The cost to prepare this staff report is approximately \$500.

Recommended Action:

Discussion and direction to City staff.

Attachments:

- A. Tire Storage Pictures