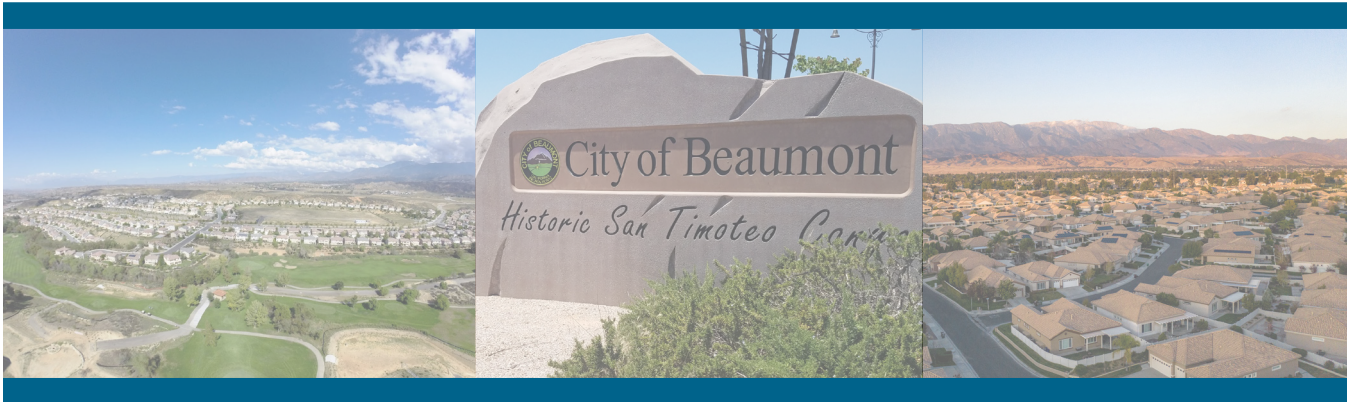




City of Beaumont Zoning Code Update



Background Review and Recommendations Report

May 2024

Public Review Draft

Prepared for:

City of Beaumont
550 East 6th Street
Beaumont, CA 92223

Prepared by:

Lisa Wise Consulting, Inc.
939 South Broadway Suite #611
Los Angeles, CA 90015

LWC

This page is intentionally blank

Contents

Contents 1

Introduction 1

 Project Overview 1

 Purpose of the Report 1

Chapter 1 Background Review Findings 2

Section 1.1 Policy Review..... 2

 General Plan 2

 Housing Element..... 4

 Parking Management Master Plan 4

 Economic Development Strategic Plan 5

 Downtown Beaumont Revitalization Plan 6

Section 1.2 Legal Consistency Review 6

 Religious Uses 7

 Parking 7

 Accessory Dwelling Units 8

 Manufactured Housing 8

 Telecommunications 8

 Family Day Care Homes 8

 Cottage Food Operations 9

 Permit Streamlining Act..... 9

 Housing Opportunity and More Efficiency (HOME) Act 9

 Commercial Density Bonus 10

 Development Agreements..... 10

 Rezoning 10

 Residential Development in Commercial Zones 10

Chapter 2 Recommendations 12

Section 2.1 Code Organization..... 12

 Logical Sequence and Grouping 12

 Hierarchy of Importance in Organization..... 13

 Definitions and Clear Rules of Measurement..... 13

Tables and Graphics 14

Section 2.2 Zoning Districts 16

 Base Zones 17

 Overlay Zones..... 17

 Zoning Map 19

Section 2.3 Use Regulations 22

 An Updated Approach to Uses..... 22

 Clarity and Organizational Improvement of Uses..... 23

Section 2.4 Development and Design Standards 23

 Industrial and Commercial Design Standards..... 23

 Parking 24

 Other Development and Design Standard Recommendations 25

Section 2.5 Administration and Procedures 25

 Organization Issues 25

 Other Administration and Procedures Recommendations 26

Chapter 3 Next Steps 27

Introduction

Project Overview

The City's Zoning Code (Title 17 of the Municipal Code) has not been comprehensively updated since 2007. Since that time, the City has adopted its General Plan 2040, 6th Cycle Housing Element (2021-2029), Economic Development Strategic Plan, and Parking Management Master Plan. While the City has made ad hoc amendments to the Zoning Code to implement some of these policy documents, a comprehensive Zoning Code update has not been completed since 2007. The City is now beginning a process to comprehensively update its Zoning Code. The objectives of this update are to:

- **Modernize and Improve Usability.** Update the Zoning Code to be easier for City staff to administer and user-friendly for the public, including modernizing language (e.g., clear definitions) and standards.
- **Internal and External Consistency.** Ensure the Zoning Code is internally consistent with itself and implements various City policy documents (e.g., General Plan, Downtown Beaumont Revitalization Plan, Economic Development Strategic Plan, Parking Management Master Plan, etc.).
- **Streamline the Zoning Code.** Update the Zoning Code to be more succinct and better organized.
- **Industrial/Commercial Design Standards.** Create design standards for industrial and commercial uses, particularly warehouses, to address aesthetic impacts and compatibility with surrounding uses.

The update will also ensure Zoning Code compliance with applicable federal and state law.

Purpose of the Report

This Report evaluates the effectiveness of the existing Zoning Code and identifies recommendations to be considered for the Zoning Code update. A study session with the Planning Commission and City Council will be facilitated to discuss and refine these recommendations. Thereafter, an improved structure and organization of the Zoning Code (i.e., annotated table of contents) will be developed. A preliminary Style Guide will also be prepared to describe the Zoning Code layout, approach to incorporating cross references, terminology, and other stylistic elements based on issues identified in this Report. Then, a draft updated Zoning Code will be prepared for public review.

Chapter 1 Background Review Findings

Section 1.1 Policy Review

The background review for the Zoning Code update began with a technical assessment of the City's existing plans, regulations, and documents. This process involved reviewing the existing Zoning Code; 2040 General Plan; 2021-2029 Housing Element; and other relevant documents. This section identifies findings related to the Zoning Code's effectiveness to meet City goals; identifies items or topics to be considered or addressed through the Zoning Code update; summarizes key inconsistencies between the Zoning Code and state and federal law; and provides recommendations for addressing these issues in an updated Zoning Code.

General Plan

The 2040 General Plan is a comprehensive planning document that guides future development and establishes the Citywide vision for Beaumont. Adopted in December 2020, the General Plan includes a Land Use and Community Design Element; Mobility Element; Economic Development and Fiscal Element; Health and Environmental Justice Element; Community Facilities and Infrastructure Element; Conservation and Open Space Element; Safety Element; Noise Element; Downtown Area Plan; and an Implementation Chapter. The City completed Zoning Code amendments concurrently with the General Plan's adoption.



The following table includes General Plan policies and programs that are relevant to the Zoning Code update.

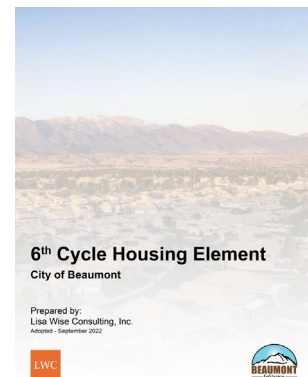
Table 1.A: General Plan - Key Zoning Considerations	
Relevant Policies for Zoning Code Update	Policy/Program
Modify zoning map and zoning standards to maintain consistency with General Plan.	LUCD-2
Prepare design guidelines to illustrate community character and complement development requirements.	LUCD-4
Develop a variety of housing types at varying densities that meet the needs of residents of a variety of incomes and lifestyles.	3.3.2
Ensure new development projects and infill construction are of a compatible scale in existing neighborhoods and provide adequate transitions to residential properties.	3.3.9
Review the zoning code, subdivision regulations, development regulations, and fire and building codes to address potential regulatory barriers to mixed use development.	LUCD-9
Continue to maintain and conserve existing residential neighborhoods.	3.3.3

Table 1.A: General Plan - Key Zoning Considerations

Relevant Policies for Zoning Code Update	Policy/Program
Incentivize infill housing development in the Downtown and new higher density housing in the Urban Villages.	3.3.5
Require residential and commercial development standards that strengthen connections to transit and promote walking to neighborhood services.	4.1.5
Update the City's Zoning Code to reflect modern business uses and needs, including allowing flexible or shared workspaces, streamline permitting and procedures, attract desired business and services, ensure tourism-related enterprises are allowed in appropriate locations, allow for the pairing of uses that support business spin-offs (e.g., R&D with retail), and encourage experiential retail concepts that mix service uses with traditional retail so that retailers remain competitive in an increasingly online marketplace.	EDF-21
Find efficiencies and make development permitting as simple and as transparent as possible, such as establish online permitting processes, where possible and integrate GIS functionality with permitting and planning.	LUCD-5
Promote the development of neighborhood commercial uses in the vicinity of residential neighborhoods and larger commercial retail centers along the major transportation corridors.	3.4.2
Require that all new neighborhoods be designed to be pedestrian-friendly and include features such as short blocks, wide sidewalks, and safe streets.	3.7.1
TDM Plan Requirements. Update the City's development processing requirements to require that TDM plans and strategies are developed for residential and employment uses that reduce vehicle trips or vehicle trip lengths.	M-3
Encourage developers to meet their minimum parking requirements via shared parking between uses, payment of in-lieu fees, joint parking districts, or off-site parking within a reasonable walking time of 10 minutes or less.	4.7.2
Update the City's parking standards to provide a reduction in parking standards if comprehensive TDM programs are provided, increase the number of electric vehicle charging stations in parking areas, be consistent with the Downtown Specific Plan.	M-29
Update zoning and building codes to enable innovative sustainability measures such as: greywater capture and reuse system; on-site bioretention-based stormwater facilities; coordinated below grade installation/repair between various providers and agencies; wind generation on residential and commercial buildings; electric vehicle infrastructure requirements; and green building performance standards.	CFI-2

Housing Element

The 2021-2029 Housing Element was adopted by the City Council on September 20, 2022, and certified by the California Department of Housing and Community Development (HCD) on December 12, 2022. The Housing Element plans to accommodate 4,210 units of new housing for Beaumont to meet future housing needs and address existing unmet needs, especially related to the lack of housing stock and current housing cost burdens present in the Southern California Association of Governments (SCAG) Region. To best plan for the existing and future population of Beaumont, the Housing Element sets forth programs and actions to promote and preserve housing while also furthering other goals in the General Plan, including building vibrant and walkable neighborhoods, and maintaining an equitable balance of land uses.



The City completed Zoning Code amendments concurrently with the Housing Element's adoption. As with most jurisdictions in the SCAG region, the City adopted rezoning changes to accommodate its Residential Housing Needs Assessment (RHNA). The Zoning Code amendments process consisted of the City identifying programs in the Housing Element that were inconsistent with the Zoning Code and adopting amendments to resolve the inconsistencies. The amendments included the following:

- Updating Accessory Dwelling Units (ADUs) regulations consistent with state law;
- Adding the new Housing Sites Overlay which requires a minimum density of 11 units per acre (also see Section 2.2 (Zoning Districts) that discusses overlay zones);
- Adding new definitions for Transitional Housing, Supporting Housing, and Low Barrier Navigation Centers (LBNCs) as required by state law;
- Modifying the existing Density Bonus Ordinance to comply with state law; and
- Updating off-street parking requirements to align with the Parking Management Master Plan recommendations.

Parking Management Master Plan

The City's Parking Management Master Plan (PMMP) was adopted on February 28, 2021, to guide development toward achieving the Downtown Area Plan vision of creating a balanced and integrated mixed-use area (General Plan Chapter 11). The PMMP was adopted to guide parking regulations for this balanced and integrated mixed-use vision and to make it more feasible for businesses to operate. The Zoning Code should implement applicable strategies and implementation actions of the PMMP.

The following preliminary Zoning Code update recommendations are based on the PMMP.

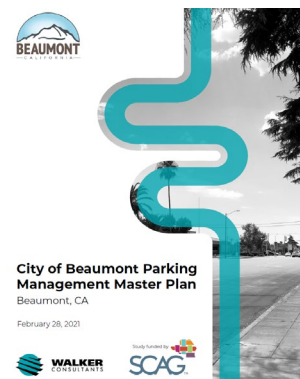


Table 1.B: Parking Management Master Plan - Key Zoning Recommendations

Preliminary Recommendations for Zoning Code Update ¹	Actions
Update the Zoning Code to allow public parking (e.g., the Civic Center parking lot, etc.) to be allowed for off-site parking.	Short-Term Recommendation 2
While changes to the parking requirements changes have been made, further revisions are recommended to allow lower parking requirements in the downtown area, especially through alternative parking strategies or transportation demand management (TDM) measures.	Short-Term Recommendation 3
Update the Zoning Code to address a “pool of publicly available parking” as an alternative parking or TDM parking strategy.	Shared Parking Recommendation 8.3.2
Add pedestrian connectivity standards in downtown zones (i.e., BMU, SSMU, SSMU-R, and DMF zones) that do not currently provide such standards.	Mid-Term Recommendation 9

¹ Also see Section 2.4 (Development and Design Standards), which discusses parking recommendations.

In September 2023, due to concerns that the City’s parking requirements were constraining downtown businesses, the City Council suspended off-street parking requirements for existing non-residential uses in the Downtown District for a maximum period of 18 months¹. The City staff report for this item described that on-site parking requirements are a barrier for downtown businesses and hinder business operations. Many downtown properties were developed decades ago, and parking standards do not take into consideration site constraints and are not facilitating downtown revitalization. See Section 2.4 for additional discussion on parking.

Economic Development Strategic Plan

The City’s Economic Development Strategic Plan (EDSP) was adopted on July 2, 2019, to guide the City’s economic development activities. The main goals of the EDSP are to develop an economically balanced community, attract and retain employment talent, and create a quality place for the Beaumont community to build and grow businesses. The Zoning Code should implement applicable strategies and implementation actions of the EDSP.

The following preliminary Zoning Code Update recommendations are based on the EDSP.



¹ City of Beaumont, “Second Reading of an Ordinance Temporarily Suspending Off-Street Parking Requirements for Existing Non-residential Structures in the Downtown District as identified in the Downtown Districts Map Staff Report”, September 19, 2023 Council Agenda Packet (p. 99)

Table 1.C: Economic Development Strategic Plan - Key Zoning Recommendations	
Preliminary Recommendations for Zoning Code Update	Actions
Implement the Downtown Beaumont Revitalization Plan (see below) to encourage and/or incentive development in designated revitalization areas.	Action 7.C
Streamline development approval processes and offer economic development incentives packages based on industry targets for expediting approvals.	Actions 8.A and 8.B
While not a specific recommendation, consider the relationship between housing supply and economic development by providing a range of affordable housing types and affordability levels for the workforce and employees, including but not limited to housing price levels to accommodate relatively affluent high-skilled workers, entrepreneurs, and business owners. Also, see the Housing Element discussion, above.	Action 13.B

Downtown Beaumont Revitalization Plan

The Downtown Beaumont Revitalization Plan (DBRP) is the City's effort to implement the Downtown Vision Plan to establish the downtown area as a balanced and integrated mix of residential, office, retail, and civic land uses for daytime and nighttime activities². This DBRP is expected to be adopted by Summer 2024 and may have implications for the Zoning Code update. The Zoning Code update will integrate recommendations from the adopted Downtown Beaumont Revitalization Plan as appropriate.

Section 1.2 Legal Consistency Review

California law grants cities and counties relatively broad discretion in the regulation of land uses and development, and the Federal courts and United States Congress have, for the most part, left land use and environmental regulation up to state and local governments. There are, however, some important exceptions to this approach. If local regulations conflict with federal law, pursuant to the supremacy clause of the United States Constitution, then local laws are preempted. In some cases, both the United States Congress and the State of California have identified matters of critical concern that limit the authority of California cities.



This section discusses some examples of state and federal laws that are recommended to be addressed as part of the Zoning Code update.

² City of Beaumont, Downtown, <https://beaumontcabusiness.gov/advantages/downtown>

Religious Uses

The Federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) requires public agencies to demonstrate a compelling government interest and to use the least restrictive means when making a land use decision that imposes a substantial burden on religious exercise. Religious uses must be treated the same as similar non-religious uses. Additionally, regulations cannot impose a substantial burden to religious uses.

The Zoning Code currently requires a conditional use permit for "churches" and "monasteries, convents, or similar religious use " in several zones (e.g., some residential, downtown, and other zones). It is recommended that the Zoning Code be revised to regulate religious uses and other meeting facilities as "places of assembly" or "community assembly" rather than distinguish and specify the religious nature of certain uses. Additionally, it is recommended that the assembly use be allowed as a permitted use (i.e., allowed by right) when up to a certain size, and require a Conditional Use Permit only for larger assembly uses. The size threshold could be seating capacity (e.g., over 200 seats) and/or floor area.

Parking

Assembly Bill (AB) 2097, codified in California Government Code §65585 and §65863.2, prohibits minimum parking requirements for projects within a half-mile of a major transit stop³ unless findings are made that not requiring minimum parking would have a "substantially negative impact" on:

- The jurisdiction's ability to meet its RHNA for lower income households;
- The jurisdiction's ability to meet any special housing needs of the elderly or persons with disabilities; or
- Existing residential or commercial parking within a half-mile.

Even if the findings are made, no minimum parking requirements apply to housing development projects with a minimum of 20 percent affordable units or fewer than 20 units, or to developments subject to parking reductions based on other applicable laws. It is recommended that the Zoning Code be revised to reflect AB 2097.

Assembly Bill (AB) 139, codified in California Government Code §65583(a)(4) and §65589.5, limits parking for emergency shelters based on staffing level only, not on shelter capacity. It is recommended that the Zoning Code be revised to update the emergency shelter parking ratio accordingly.

Assembly Bill (AB) 1317, codified in California Civil Code §1947.1, requires that parking be unbundled from apartment leases unless parking is in an individual garage that is part of the unit. Unbundled parking means that tenants who want a parking space must pay for that space, and tenants who do not want a space do not pay for parking (i.e., pay a lower rent). AB 1317 applies to new buildings with 16 or more units, and only

³ California Public Resources Code §21064.3 defines a "major transit stop" as a site containing any of the following: (a) an existing rail or bus rapid transit station, (b) a ferry terminal served by either a bus or rail transit service, or (c) the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

applies in 10 counties, including Riverside County. It is recommended that the Zoning Code be revised to require unbundled parking for new buildings with 16 or more units.

Accessory Dwelling Units

Accessory Dwelling Unit (ADU) law continues to be amended regularly at the state level. The City's ADU standards are recommended to be updated consistent with the following current ADU laws:

- California Government Code §65852.2, §65852.22, and §65852.23, and the California Health and Safety Code §17980.12 (SB 897) requires increased height limits for Accessory Dwelling Units (ADUs) between 16 and 25 feet depending on the location of the ADU. The Zoning Code currently reflects the 16-foot height limit (Section 17.15.060.C).
- California Government Code §65852.2 and §65852.26 (AB 1033) permits jurisdictions to allow ADUs to be conveyed as condominiums separate from the primary dwelling unit. The Zoning Code currently restricts separate conveyance (Section 17.15.050.A).
- California Government Code §65852.27 requires local agencies to have a program for pre-approved ADU design plans and approve ADUs using pre-approved design plans within 30 days. The Zoning Code currently includes a 60-day review period (Section 17.15.040.B.1).

Manufactured Housing

California Government Code §65852.3-65852.5 requires local agencies to allow the installation of manufactured homes certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§5401 et seq.) on a foundation system, pursuant to California Health & Safety Code §1855, on lots zoned for single-family dwellings. Manufactured homes must be subject to the same development standards and permit requirements as a single-family home and subject to the same permit requirements as a conventional single-family dwelling. It is recommended that the Zoning Code be revised to remove the unique application requirements for manufactured homes as these are not specified for other single-family dwellings (Section 17.11.120.B-D).

Telecommunications

The Federal Telecommunications Act of 1996, California Government Code §65850.6 and 65964.1, and several Federal Communications Commission (FCC) rulings limits state or local government's authority to regulate placement, construction, and modification of personal wireless service facilities and colocation facilities. The City's Wireless Telecommunication Facilities standards were adopted in 2020 (Chapter 17.18). It is recommended that Zoning Code Chapter 17.18 be revised to reflect any recent federal updates (e.g., include the application review period and to define and include standards for colocation facilities).

Family Day Care Homes

Pursuant to California Health & Safety Code §1597.30 et seq., small family day care homes in a residential unit are a residential use and are not subject to a fee or business license. California Health and Safety Code §1597.45, effective January 1, 2020, further states that large family day care homes (caring for up to 14 children) shall be treated the same as small family day care homes (caring for up to 8 children) under all local laws. Cities and counties must consider the operation of a large family day care home as a residential use of property similar to the treatment of small family day care homes.

While the Zoning Code currently allows small and large family day care homes consistent with state law, the definitions of these terms do not correspond to the headcounts for small and large families. It is recommended that the Zoning Code definitions for Family Day Care Home, Large and Small be revised to be consistent with the headcounts reflected in the land use table (Table 17.03-3).

Cottage Food Operations

California Government Code §51035 (AB 1616) states that cities and counties must allow cottage food operations (i.e., homemade and packaged food defined in California Health and Safety Code §113758) in residential dwellings, and either:

1. Classify cottage food operations as a permitted use of residential property.
2. Grant a nondiscretionary permit to use a residence as any cottage food operation that complies with local ordinances concerning concentration, traffic control, parking, and noise control. The permit issued shall be granted by the zoning administrator or person designated by the planning agency to grant the permit, without a hearing.
3. Require a use permit for cottage food operations, reviewed and acted upon by the zoning administrator or person designated by the planning agency to grant the permit, pursuant to local ordinances concerning concentration, traffic control, parking, and noise control.

Cottage food operations must be considered residences for the purposes of the California Uniform Building Standards Code and local building and fire codes, and do not constitute a change of occupancy from a residential use.

The Zoning Code currently permits Cottage Food Operations as a subcategory of Home Occupation Businesses, which are allowed in all residential districts pursuant to a Home Occupation Permit. However, while the Commercial Neighborhood (CN) Zone allows for multi-family housing developments along Sixth Street, Home Occupation Businesses are not allowed in the CN Zone. As discussed above, California Government Code §51035 requires that Cottage Food Operations must be allowed in residential uses, including apartments. It is recommended that the Zoning Code be amended to allow Cottage Food Operations in the CN Zone with a Home Occupation Permit.

Permit Streamlining Act

The Permit Streamlining Act, codified in California Government Code §65920 et seq., specifies permit review requirements and timelines, including a 30-day timeframe to determine whether an application can be accepted as complete (California Government Code §65943). It is recommended that the Zoning Code include the 30-day completeness review in its application processing procedures (Section 17.02.040.C).

Housing Opportunity and More Efficiency (HOME) Act

Senate Bill (SB) 9, codified in California Government Code §65852.21 and §66411.7, overrides certain local zoning standards for two-unit development projects and urban lot split projects on qualifying single-family zoned lots in urban areas. For two-unit development projects, state law allows up to two primary units on one single-family parcel. For urban lot splits, state law allows a split of a single-family parcel into two parcels with a primary unit on each resulting parcel. It is recommended that the Zoning Code be revised to reflect the allowance for two-unit development projects and urban lot splits consistent with state law.

Commercial Density Bonus

Assembly Bill (AB) 1551, codified in California Government Code §65915.7, requires local jurisdictions to grant a commercial developer a density bonus when an applicant requesting approval of a commercial development has entered into an agreement for partnered housing with an affordable housing developer to contribute affordable housing through a joint project or two separate projects encompassing affordable housing. The density bonus incentives may include:

1. Up to a 20 percent increase in maximum allowable intensity in the General Plan.
2. Up to a 20 percent increase in maximum allowable floor area ratio.
3. Up to a 20 percent increase in maximum height requirements.
4. Up to a 20 percent reduction in minimum parking requirements.
5. Use of a limited-use/limited application elevator for upper floor accessibility.
6. An exception to a zoning ordinance or other land use regulation.

It is recommended that the Zoning Code incorporates a reference to state law for commercial density bonuses as the current density bonus chapter (Chapter 17.10) focuses on residential development (e.g., 17.10.040.A.1).

Development Agreements

California Government Code §65864 et seq. sets forth provisions for development agreements. The Zoning Code does not include any discussion of development agreements. It is recommended that the Zoning Code be updated to include development agreement procedures and requirements consistent with state law.

Prezoning

California Government Code §65858 and §56375 allows a city to prezone unincorporated territory to determine the zoning that will apply upon annexation. The Zoning Code does not include any discussion of prezoning. It is recommended that the Zoning Code be revised to include procedures for the City to prezone unincorporated territory that reflect the General Plan land use designations identified within the City's Sphere of Influence (General Plan Figure 3.5).

Residential Development in Commercial Zones

Senate Bill (SB) 6 and Assembly Bill (AB) 2011 allow residential development on sites currently zoned and designated for commercial or retail uses (e.g., commercial zones). These bills went into effect on July 1, 2023.

AB 2011 creates a CEQA-exempt, ministerial approval process for multi-family housing developments on sites within a zone where office, retail, or parking are the principally permitted use. The law provides for slightly different qualifying criteria (1) for 100-percent affordable projects and (2) for mixed-income projects located in "commercial corridors." AB 2011 projects must pay prevailing wages to construction workers, among other labor standards.

Unlike AB 2011, SB 6 does not create any new approval process. SB 6 instead provides that projects meeting certain criteria may invoke SB 35 and the Housing Accountability Act. A project proposed under SB 6 may be either a 100-percent residential project or a mixed-use project where at least 50 percent of the floor area is dedicated to residential uses. SB 6 projects are not required to be affordable and CEQA applies. SB 6 projects are required to pay prevailing wages and utilize a “skilled and trained workforce.”

Since these bills sunset in 2033, it is recommended that they not be adopted into the Zoning Code; they will remain in force and effect through state law.

Chapter 2 Recommendations

Section 2.1 Code Organization

Logical Sequence and Grouping

The Beaumont Zoning Code, Title 17 (Zoning), is organized into the following chapters:

Chapter 17.01	Introduction
Chapter 17.02	Administration and Enforcement
Chapter 17.03	Zoning Map and Zone Districts
Chapter 17.04	Performance Standards
Chapter 17.05	Off-Street Parking and Loading Standards
Chapter 17.06	Landscaping Standards
Chapter 17.07	Signs
Chapter 17.08	Nonconforming Uses
Chapter 17.09	Animal Keeping
Chapter 17.10	Affordable Housing Incentives/Density Bonus Provisions
Chapter 17.11	General Development Standards
Chapter 17.12	Adult Entertainment
Chapter 17.13	Unlicensed Group Homes
Chapter 17.14	Definitions
Chapter 17.15	Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs)
Chapter 17.16	Single Room Occupancy Facilities
Chapter 17.17	Parolee/Probationer Home
Chapter 17.18	Wireless Telecommunication Facilities
Chapter 17.19	Downtown Zone Districts
Chapter 17.20	No Net Loss Program

As listed above, the existing Zoning Code includes 20 chapters, numbered consecutively between 1 and 20.

Zoning codes are complex, with elements building upon, refining, supplementing, and providing exceptions to each other. They are also living documents that change over time. Due to this level of intricacy, it is important that the structure of the Zoning Code reflects the relationships between individual elements and allows incorporation of amendments into the most logical location. Without a logically consistent organization, the intent of regulations is obscured, and users may struggle to understand what is required of them.

Specifically, the Zoning Code's structure of a running list of chapters without gaps in numbering (i.e., 17.01, 17.02, 17.03, etc.) prevents new chapters from being inserted in the appropriate location over time. This has resulted in the Zoning Code being comprised of a disorganized list of chapters. Chapter 17.03 includes standards for most of the City's zones; however, the Downtown Zone Districts standards are separated in Chapter 17.19. The Zoning Code should be reorganized so topics are grouped together (e.g., zone districts) and chapters displayed in a logical order. Groupings of chapters can be organized as "divisions" to aid in Code usability⁴.

Similarly, standards specific to certain land uses should be grouped (e.g., animal keeping, ADUs/JADUs, home occupations, single room occupancy facilities, etc.) into a new Specific to Uses chapter, and definitions should be consolidated. Chapter 17.14 contains definitions, yet other chapters contain sections with their own definitions (e.g., 17.12.020, 17.18.020, 17.20.020, etc.). This can cause duplication and internal inconsistencies over time. Therefore, it is recommended that all definitions be grouped in once (see Definitions and Clear Rules of Measurement, below).

Hierarchy of Importance in Organization

Where appropriate, the chapters, sections, and subsections of the Zoning Code should be organized to place the content of highest importance at the beginning. The measure of importance might be defined as the frequency with which Zoning Code users need to reference each chapter, or the value that a particular standard has to the character of Beaumont. This enhances usability, as users searching the Zoning Code will be more likely to find the information they need quickly and efficiently. This also communicates to users the regulations specific to development that the City has determined to be most important to its vision and policies.

Where no other organizational scheme seems applicable, alphabetization should be used to give some degree of structure to a section and to help with navigation in the Zoning Code. This approach is appropriate for sections with many unrelated elements, such as standards for specific uses, where each subsection has equal importance and does not modify or affect any of the other subsections.

Definitions and Clear Rules of Measurement

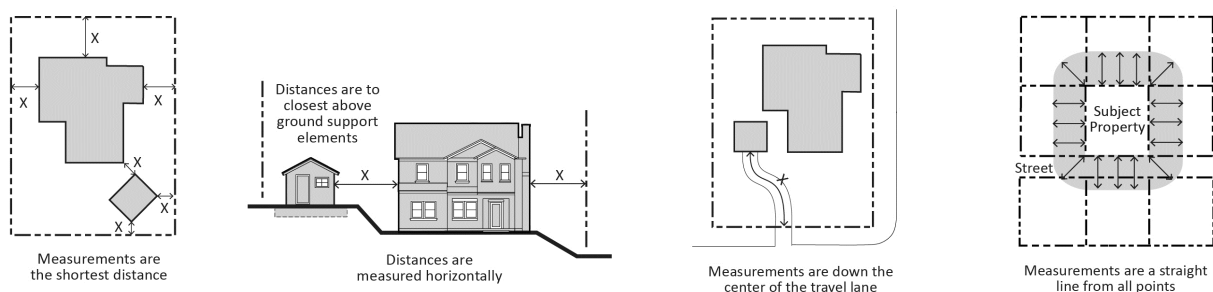
Organizational improvements to other elements of the Zoning Code are recommended for clarity. For example, it is recommended that "use" definitions be separated from the definitions of "terms," rather than combined, as in the existing Zoning Code (Section 17.14.030). Where uses are defined, *only* the uses that appear in the use tables – and *all* the uses that appear in the use tables – will be defined. Definitions are

⁴ For example, divisions are used in Title 5 (Business Taxes, Licenses and Regulations).

recommended to be consolidated as described above. All appropriate terms and acronyms will be defined and reflect current definitions. See Section 2.3 of this Report for recommendations regarding modernizing uses.

The Zoning Code also lacks a comprehensive section defining rules of measurement, including standards for measuring building height, measuring setbacks, determining lot area, calculating floor area ratio (FAR), and other relevant measurements. Clear rules of measurement are helpful to ensure that development standards are interpreted uniformly among Zoning Code users. For example, clear rules of measurement help to determine applicability of standards in cases of irregularly shaped lots. Placing a complete set of rules of measurement in one location in the Zoning Code provides an easy-to-locate reference tool to ensure consistent interpretation and application of standards.

Figure 2.1: Example Graphics for Rules of Measurement



Tables and Graphics

Tables and graphics are effective tools to communicate zoning standards and requirements clearly and succinctly. While the Zoning Code includes tables in certain circumstances (e.g., land use tables), tables are not used for all zoning district standards. Zoning district standards are presented in lists instead, which are sometimes duplicated with tables (e.g., Table 17.03-1, RSF Zone setbacks). Lists generally rely on omission to indicate when a standard is not required, which leaves room for misinterpretation. For example, for the Sixth Street Mixed Use – Residential (SSMU-R) Zone, the list of setback standards is silent on rear yard setbacks (Section 17.19.070.C.2).

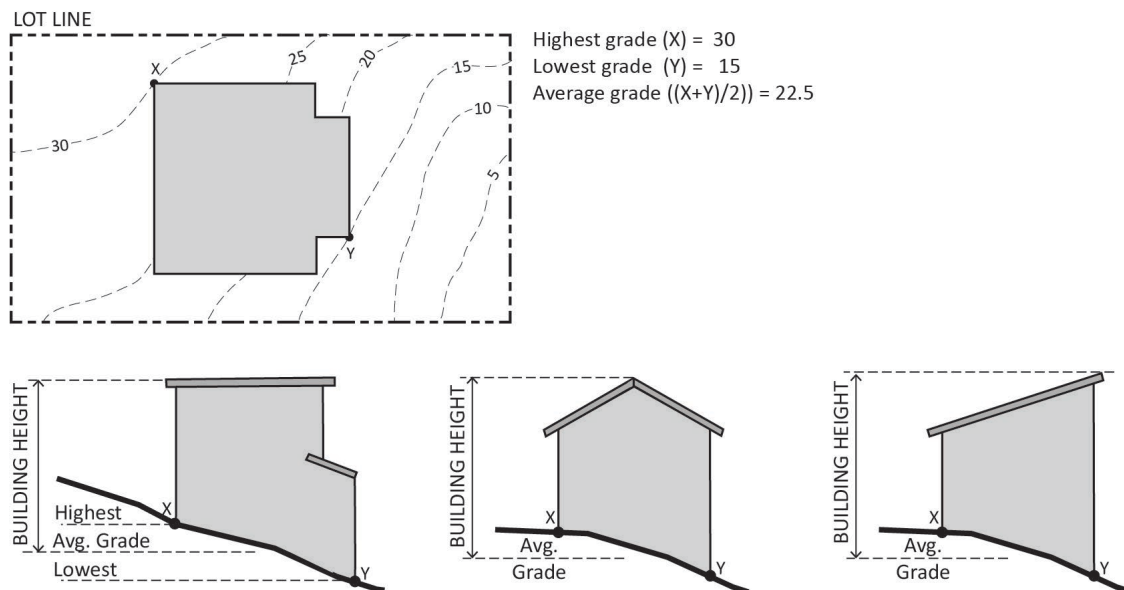
When lists are duplicated with tables, inconsistencies can arise. For example, in the Residential, Multiple-Family (RMF) Zone, the front yard setback standard in the list is a minimum of 20 feet and maximum of 25 feet (Section 17.03.070.C.2.a), while the standard in the table is a minimum of 15 feet and a maximum of 20 feet (Table 17.03-2.5). Therefore, zoning district development standards are recommended to be organized into table format only, such as the table example provided in Figure 2.2, with appropriate cross-references to other Zoning Code sections when needed.

Figure 2.2: Example Development Standards Table

Table 17.24.030-1: Development Standards – Residential Zones					
Standard	R-L	N-P	R-LM	R-M	R-H
Density and Lot Standards					
Density (units/acre)	1- 8	1- 8	5-15	8.1-19.9	20-40
Lot Area (sq. ft.)					
Corner Lot	Min. 6,000				
Interior Lot	Min. 5,000	Min. 5,000	Min. 5,000		
Small Lot Subdivision	Min. 3,000	Min. 3,000	Min. 3,000	n/a	n/a
Lot Width (ft.)					
Corner Lot	Min. 60	Min. 60	Min. 60	n/a	n/a
Interior Lot	Min. 50	Min. 50	Min. 50	n/a	n/a
Small Lot Subdivision (see Section 17.56.040)	Min. 32	Min. 32	Min. 32	n/a	n/a
Max. Lot Coverage	50%	50%	60%	60%	70%
Building Form and Placement Standards					
Max. Building Height (ft.)	30	40	30	40; 30 within 40 feet of an R-L, N-P or R- LM zone	45; 30 within 40 ft of an R- L, N-P or R- LM zone
Min. Setbacks (ft.)					
Front, Primary Structure	20 (A)	20 (A)	20 (A)	15	15
Front, Garage	20	20	20	n/a	n/a
Street Side	15	15	10	10	10
Interior Side	5	5	5	5; 10 when abutting R-L or N-P	5, 10 when abutting R-L or N-P
Rear	20	20	20	10; 15 when abutting R-L or N-P	10; 15 when abutting R-L or N-P
Alley	4 (B)	4 (B)	4 (B)	4 (B)	4 (B)
Small Lot Subdivision	See Section 17.56.040				
Site and Open Space Standards					
Max. Impervious/Paved Area	50% of required front and street side setbacks	50% of required front and street side setbacks	50% of required front and street side setbacks	n/a	n/a
Min. Private Open Space	n/a	n/a	100 sq. ft. per unit	48 sq. ft. per unit	n/a
Min. Private Open Space Dimension	n/a	n/a	6 ft.	6 ft.	n/a
Min. Common Open Space	n/a	n/a	100 sq. ft. per unit	100 sq. ft. per unit	n/a
Private OR Common Open Space	n/a	n/a	n/a	n/a	48 sq. ft. per unit

Lastly, while graphics are included throughout the Zoning Code, additional graphics are recommended to be added, especially where new design standards are proposed (see Section 2.4, Development and Design Standards).

Figure 2.3: Example Graphics for Average Slope and Building Height



Section 2.2 Zoning Districts

While a General Plan establishes land use designations and the overall policy basis for land use and development, zoning creates the framework for implementation of the General Plan policies and land use designations. It also establishes districts which are intended to define distinct locations for different uses consistent with the General Plan. The 2040 General Plan identifies the specific zoning district(s) that implements each of the General Plan land use designations (General Plan Table 3.3 and Downtown Area Plan, Chapter 11). The Zoning Code must carry forward those recommendations.

Generally, zoning codes include two types of zoning districts (i.e., zones) - base zones and overlay zones. “Base zones” establish the basic regulations that apply within the geographic area that defines the zone. A community may want to vary some of the regulations within the base zone to respond to particular conditions within defined areas. “Overlay zones” are often used for this purpose (e.g., hillside overlay, historic overlay, etc.). Overlay zones are “laid over” or applied above base zones in situations in which modification of permitted uses or required standards is appropriate due to specific conditions, circumstances, or goals. Overlay zones can be geographically defined and mapped or can apply wherever specific conditions exist.

Preliminary recommendations for amendments to base zones are described in the table below. These recommendations include related amendments to the General Plan to ensure alignment of allowable densities between the General Plan land use designations and corresponding zones⁵.

Base Zones

Table 2.A: Base Zones - Preliminary Recommendations		
Zone	General Plan Land Use Designation	Preliminary Recommendation for the Zoning Code Update
Residential, Single-Family Zone (R-SF)	Single Family Residential (SFR)	The General Plan SFR Designation has a density standard of 4 dwelling units per gross acre. There is currently no maximum density standard for the R-SF Zone in the Code; however, a minimum lot size of 7,000 s.f. is required (approximately 6.2 units per net acre). While new subdivisions will set aside land for new roads right-of-way or other open space, these two density standards are not aligned. Retain the Code's 7,000 s.f. minimum lot standard and revise the General Plan to include a maximum density of 6 dwelling units per <i>net</i> acre for the SFR Designation.
	Downtown Residential Single Family	Same recommendation as Single Family Residential (SFR), above.
	Downtown Mixed Residential	Create a new maximum density of 15 dwelling units per acre for R-SF-zoned parcels within the Downtown Mixed Residential land use designation. Create an overlay for this purpose.
Residential, Traditional Neighborhood Zone (R-TN)	Downtown Mixed Residential	Increase maximum density of 12 dwelling units per acre to 15 dwelling units per acre for R-TN-zoned parcels within the Downtown Mixed Residential land use designation. Create an overlay for this purpose.
Manufacturing Zone (M)	Industrial (I)	Add a minimum FAR of 0.25 consistent with the General Plan (there is no minimum FAR for the M Zone currently).

Additionally, it is recommended that a standard for the maximum number of building stories be added to each zone where a maximum number of stories is described for the corresponding land use designation in the General Plan.

Overlay Zones

The City has three overlay zones, which are described in Section 17.03.130. These standards are intended to ensure that proposed uses and development result in desirable character consistent with the General Plan. The City's overlay zones are:

⁵ The City will propose any other General Plan amendment as necessary to ensure appropriate alignment of General Plan land use designations and zones with the final proposed modifications of the existing zones.

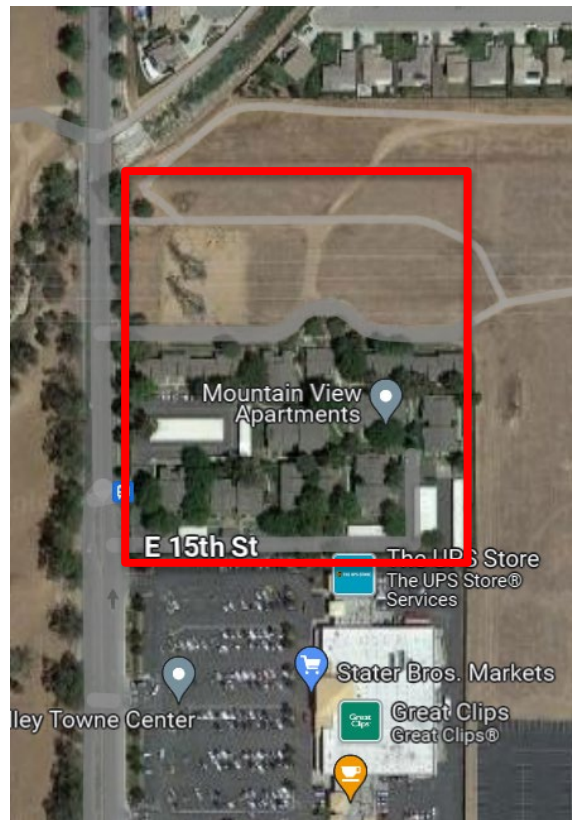
- **Transit Oriented District (TOD) Overlay.** The TOD Overlay applies to the area around a future Metrolink transit station. The area is intended to be a walkable transit-oriented environment.
- **Higher Density Overlay.** The Higher Density Overlay applies to parcels subject to rezoning as identified in the City's Housing Element and Zoning Map.
- **Housing Sites Overlay.** The Housing Sites Overlay establishes a required minimum residential density of 11 dwelling units per acre for parcels identified in the City's Housing Element for housing sites with no required minimum density.

See the Zoning Map discussion below for recommendations related to displaying overlays on the Zoning Map. In addition, as described in Table 2.A above, it is recommended that a new overlay zone be created to achieve consistency between the densities allowed in the R-SF and R-TN zones and the densities allowed by the Downtown Mixed Residential land use designation.

Zoning Map

The City's Zoning Map and 2040 General Plan Land Use Map (General Plan Figure 3.5) were analyzed for consistency. All parcels were found to be consistent except for one, located at 488 E 15th Street (APN 404190006). This parcel contains the Mountain View Apartments, north of Stater Bros Market, and is designated as High Density Residential (HDR) and Open Space (OS) in the General Plan. The OS-designated portion is along the north half of the parcel and is within a Southern California Edison (SCE) easement. This northern portion of the parcel is zoned Recreation/Conservation (R-C), which aligns with the OS General Plan designation. However, the southern portion of the parcel, where the Mountain View Apartments are located, is zoned Residential Single-Family (R-SF) instead of Residential Multiple-Family (R-MF); the R-MF Zone would correctly align with the HDR General Plan designation. Therefore, it is recommended that the southern portion of APN 404190006 be rezoned to Residential Multiple-Family (R-MF).

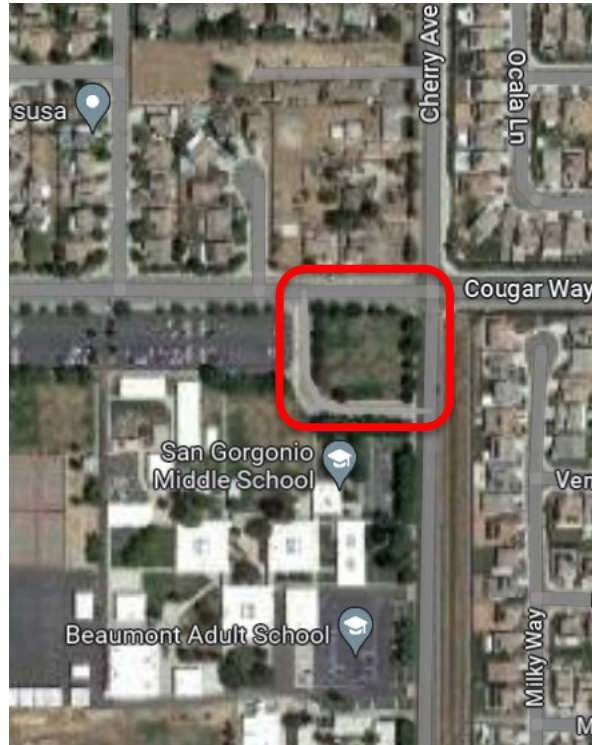
Figure 2.4: 488 E 15th Street (APN 404190006)



Source: Google Maps, 2024

The analysis also found that the southwest corner of Cherry Avenue and Cougar Way is designated as OS in the General Plan and zoned as R-C. This is part of the San Gorgonio Middle School and is recommended to be designated as Public Facilities (PF) in the General Plan and zoned as Public Facilities to be consistent with the rest of the San Gorgonio Middle School property.

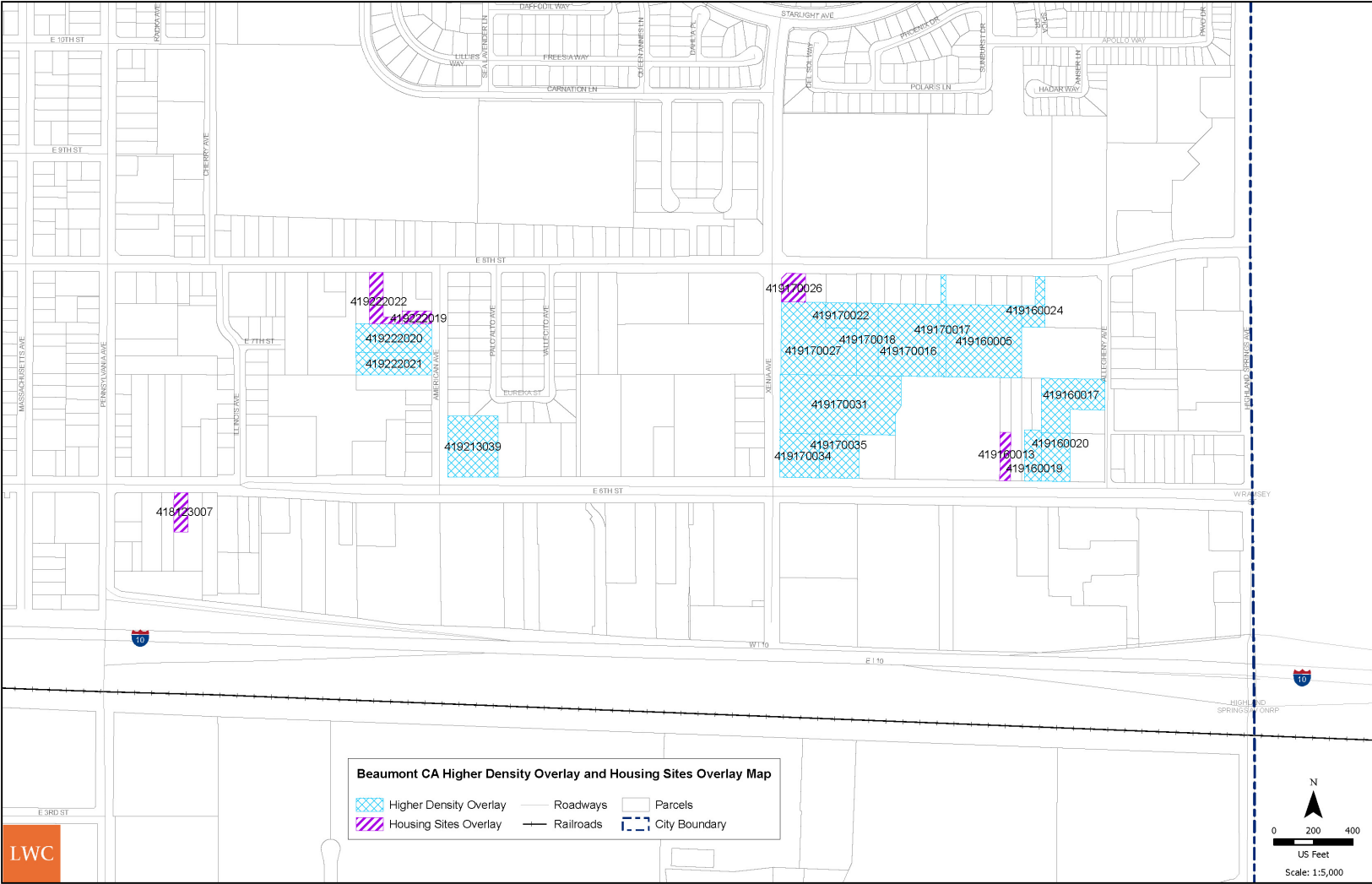
Figure 2.5: San Gorgonio Middle School (Southwest Corner Cherry Ave./Cougar Way)



Source: Google Maps, 2024

Additionally, the Zoning Map does not depict the Higher Density Overlay or the Housing Sites Overlay. It is recommended that these overlays be displayed on the Zoning Map for the parcels identified in the Housing Element. The Higher Density Overlay should be displayed on the parcels identified in Housing Element Table IV-1, and the Housing Sites Overlay should be displayed on the parcels subject to Housing Element Program 5 (see Figure 2.6).

Figure 2.6: Recommended Mapping of Housing Element Overlays (Housing Element Programs 1 and 5)



Section 2.3 Use Regulations

Use regulations, typically presented in a tabular format, detail the type of uses that are allowed, what approval is required, and specific limitations applicable to the activity or use. Land use categories are building blocks that establish the basis for regulation, while use regulations identify the specific use categories that are allowed, allowed with a permit, or prohibited in each zone. Use regulations may also include special requirements applicable to specific uses.

General Plan land use designations outline what is allowed in terms of uses and intensity of development, with each designation mapped on a land use diagram (General Plan Figure 3.5). In addition, Citywide policies, particularly those related to economic development, call attention to particular uses that should be promoted. It is important to ensure that the use regulations in the Zoning Code carry out these City policies.

An Updated Approach to Uses

The changing nature of land use demands flexibility in regulation. Specialized operations and segregated uses are becoming less prevalent as operations and uses adapt to rapidly changing technology and market preferences. Traditionally, a company may have manufacturing in one place, an office somewhere else, and a shop in still another location. Increasingly, and particularly for smaller operations, these functions are blended. For example, a craft brew establishment may brew and distribute beer, sell beer and brewery related merchandise, serve beer and food, and feature live entertainment all at the same location. This type of operation combines five traditionally separate uses: manufacturing, distribution, retail sales, eating and drinking, and entertainment. The current Zoning Code is recommended to be revised to make it easier to determine how operations that combine uses fit into the City's use regulation scheme.

The Zoning Code Update provides the opportunity to modernize the City's approach to use regulations to reflect contemporary uses, current development practices, and state and federal law. The updated regulations can address specific considerations for certain uses such as artisan workspace, entertainment, and others. They can provide flexibility to adapt to changing preferences, technology, and other circumstances. The updated use lists can also support community objectives such as providing a diversity of housing types and flexible commercial and employment centers.

To help modernize the Zoning Code, obsolete uses (i.e., those no longer allowed, or those containing outdated terms) are recommended to be eliminated and contemporary uses such as industrial flex space, shared office spaces, etc. added. The Zoning Code update will also incorporate mechanisms to allow for flexibility in the change in uses or combination of uses. In addition to identifying and providing for accessory uses that are typically associated with certain principal uses, the Zoning Code may incorporate provisions to allow other accessory uses (e.g., outdoor dining, coffee bar, rooftop gardens and/or dining), up to a certain threshold, which are subordinate and incidental to a principal use. Special attention can also be given to establishing uniform requirements or standards for uses, where appropriate. Reducing nuances between requirements for varying uses will ease administration and provide flexibility with regard to evolving operations and the re-use of property.

The allowable uses within each zone will be updated for compatibility with the purpose of the district, compatibility with adjacent districts and uses, consistency with the General Plan land use designation, consistency with other City policies (see Section 1.1 of this Report), and adaptability to contemporary trends.

Lastly, these revisions, together with appropriate standards for specific uses, can facilitate a reduction in the application of Conditional Use Permits (CUPs). Reducing the use of CUPs encompasses allowing uses by right or creating a lower the level of CUP required (i.e., City staff-level approval of a Minor Use Permit instead of the Planning Commission). Lowering approval requirements for desired uses provides efficiencies that can advance the City's goals for supporting new businesses and employment generation.

Clarity and Organizational Improvement of Uses

The Zoning Code's definitions of land uses lack congruency and consistency. Some uses are not defined, and others are redundant across the various sections of the Zoning Code. For example, the Code lists breweries and distilleries under three different uses: "Brewery or Distillery," "Brewery, Distillery or Other Alcoholic Beverage Production with Onsite Tasting and Consumption," and "Brewery, Distillery or Other Alcoholic Beverage Production with Onsite Sales, Tasting or Consumption" in base zones and the downtown zones, respectively. Similarly, the Code lists "Catering Establishments" and "Catering Businesses" in base zones and downtown zones, respectively. None of these use examples is defined in the Zoning Code. It is recommended that redundant uses are consolidated under a clearly defined uniform use.

Additionally, very specific uses are listed (e.g., "Luggage Sales," "Beauty Supplies," "Book and Magazine Sales," "Candy Stores," "Gifts, Crafts, and Novelties," and "Hobby, Toy and Game Store"). As previously discussed, this approach limits flexibility and expands the use tables to an unwieldy size. Uses that are similar, would necessitate the same level of City approvals, and generate the same parking demand are recommended to be grouped under a broader use (e.g., General Retail) with appropriate supplemental regulation (i.e., standards specific to the use) if needed. This same approach is recommended for temporary uses so that specific standards address unique circumstances for temporary uses (e.g., special events, storage containers, etc.).

Section 2.4 Development and Design Standards

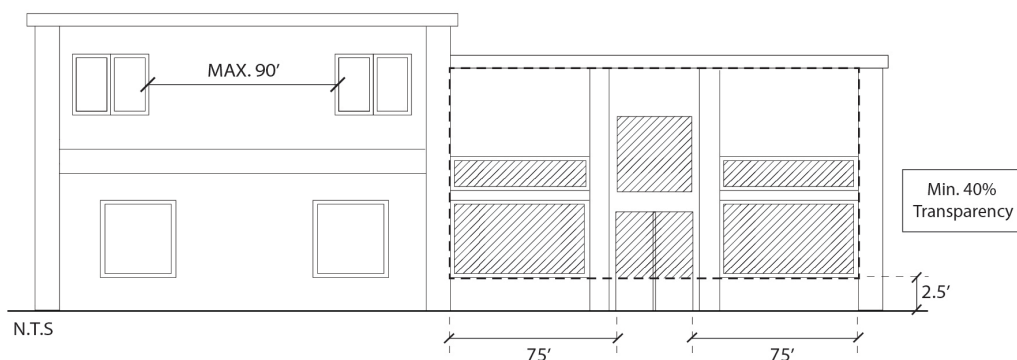
The current Zoning Code has a variety of standards that address design and quality of development. While the most recent update to certain standards took place in 2022 (adoption of objective design standards for single-family residential and multi-family residential development), additional updates are recommended to further reflect best practices and issues facing the community. The following subsections provide recommendations for improvement to development and design standards, in addition to those identified in Section 1.1 of this Report.

Industrial and Commercial Design Standards

While the City adopted Residential and Mixed-Use Objective Design Standards (ODS) applicable to qualifying single-family residential, multi-family residential, and residential mixed-use projects in 2022, the current Zoning Code does not include design standards for industrial and commercial developments. Industrial and commercial design standards would serve to enhance overall project design and appearance

of uses that may be less visually appealing and compatible with surrounding uses. Establishing these design standards is particularly important in Beaumont, considering the increasing extent of currently proposed warehouse and similar industrial uses. The Zoning Code's lack of these design standards reduces the likelihood of achieving well-designed industrial and commercial development projects. The Zoning Code update is recommended to include industrial and commercial design standards, which could include standards for building entrances, façade design and articulation, upper story step-backs, pedestrian and bicycle circulation, landscaping, parking and loading design, and lighting.

Figure 2.7: Example Graphic for Industrial Façade Design and Transparency



Parking

Parking standards for vehicles and bicycles are an important part of any Zoning Code. Parking ratios in the existing Zoning Code need to be updated and expanded to better accommodate the City's vision and to ensure consistency with state law (also see Sections 1.1 and 1.2 of this Report). As discussed with City staff, parking requirements are often too high, which necessitates Variances to parking standards for various projects to be approved; it also resulted in the City enacting a downtown parking moratorium (see Report Section 1.1).

It is, therefore, recommended that the parking provisions be updated to reduce minimum parking ratios citywide; consider establishing maximum parking ratios where appropriate (e.g., downtown); expand on allowed shared and alternative parking strategies; create requirements for transportation demand management (TDM) strategies that reduce the demand for parking; and expand the applicability of standards for both short- and long-term bicycle parking and storage citywide⁶.

⁶ Bicycle standards are currently in Zoning Code Section 17.03.065.I.11.

Other Development and Design Standard Recommendations

Other recommendations for development and design standards of the Zoning Code are listed below:

- Establish a minimum lot width for Residential Single-Family Zone (R-SF) (e.g., 60 to 75 feet) (there is no minimum lot width for this Zone currently). Consider space for accessory structures (e.g., patio covers).
- Consider increasing non-residential FAR where it is limited to 0.35, as this may be constraining to establishing new neighborhood commercial uses. This may require a General Plan amendment.
- Add a rear setback standard for the Sixth Street Mixed Use – Residential (SSMU-R) Zone (there is no rear setback standard for this Zone currently).
- While related to Code Organization (Section 2.1), improve integration of existing multi-family residential supplemental design standards within the Zoning Code; currently other zones cross-reference the R-TN Zone's supplemental multi-family residential development design standards (Section 17.03.065.I)).
- Due to concerns about the concentration of gas stations, consider adding a separation requirement between gas stations (e.g., 1,000 feet). This separation requirement should apply downtown but may also be appropriate in other areas.
- Modify setbacks for outdoor accessory uses (e.g., swimming pool equipment, BBQ islands) as appropriate based on City staff input.
- Modify the landscaping plan regulations in the Code to align with California Department of Forestry and Fire Protection (Cal Fire) and Fire Department standards and processes, where appropriate.

Section 2.5 Administration and Procedures

Organization Issues

The City's Zoning Code includes one generally organized and consolidated Administration and Procedures Chapter (Chapter 17.02 (Administration and Enforcement)). However, there are other chapters in the Code where administrative processes are also described or referenced, including Chapter 17.13 (Unlicensed Group Homes) and Chapter 17.17 (Parolee/Probationer Home). It is recommended that all of the Zoning Code administration and procedures sections be consolidated and appropriately organized. The consolidated division or chapter will then include all of the procedures and findings for various planning permits and approvals, amendments to the General Plan, amendments to the Zoning Map and Code, specific plans, appeals, noticing, enforcement, etc.

Other Administration and Procedures Recommendations

Other recommendations for administrative and procedure sections of the Zoning Code are listed below:

- Describe procedures for interpretations of the Zoning Code, including determination for similar uses not listed in the use tables.
- Describe procedures for amending planning approvals (e.g., Conditional Use Permits, etc.).
- Consider adding a Minor Conditional Use Permit (approved at the City staff level) (also see discussion in Section 2.3).
- Add a Temporary Use Permit and procedure.

Chapter 3 Next Steps

This Report will be used as the foundation to prepare the comprehensively updated Zoning Code. These preliminary findings and recommendations will be discussed, refined, and expanded through continued community engagement including a Planning Commission and City Council study session and discussion with City staff.

The next milestones for the Zoning Code update project are summarized as follows:

- **Public Review and Comment.** Public review and opportunities for discussion and feedback on this Report.
- **Planning Commission and City Council Study Session.** A joint Planning Commission and City Council Study Sessions will be facilitated to review this Report and receive feedback from City officials and community members.
- **Annotated Table of Contents.** An annotated Zoning Code table of contents will be prepared that proposes an improved structure and organization of the Zoning Code based on identified issues and findings of this Report.
- **Preliminary Style Guide.** A preliminary Zoning Code style guide will be prepared that identifies guidance for the updated Code layout, cross references, terminology, fonts, graphics, and other items.

This Report, study session feedback, and coordination efforts with City staff will continue to inform the update of the Zoning Code.

