



## Staff Report

**TO:** City Council  
**FROM:** Carole Kendrick, Planning Manager  
**DATE:** February 20, 2024  
**SUBJECT:** California Environmental Quality Act (CEQA) Exemption (Class 1, 2 & 3) for the Stewart Park Remodel (CIP P-10)

---

**Description** A request for the City Council to determine that the Stewart Park renovation (P-10) is exempt from further environmental review under the requirements of CEQA and is consistent with Categorical Exemption Class 1, 2 & 3.

**Background and Analysis:**

On June 2, 2020, the City Council adopted Resolution No. 2020-49 adopting a five-year capital improvement plan (CIP) for fiscal years 2021/2022 through 2024/2025. In that plan, Stewart Park was programmed to receive funding. On October 6, 2020, the City Council adopted Resolution No. 2020-43 amending the five-year CIP and allocated additional funding for the Stewart Park renovation. The project funding is provided below:

Funding Year	Funding Source	Amount
20/21	Community Facilities District (CFD)	\$2,250,000
20/21	General Fund	\$4,750,000
22/23	Community Park Development Impact Fee (DIF)	\$1,024,853
23/24	Development Impact Fee – CPARK	\$1,500,000
		<b>\$9,524,853</b>

The City Council was updated on the status of the project on November 21, 2023. The required discretionary actions of the City Council for the Project, require compliance with the guidelines and regulations of the California Environmental Quality Act (CEQA). The determination that the Stewart Park renovation (P-10) is exempt from further environmental review under the requirements of CEQA will complete a necessary step in order to advance the project.

## **Project**

The Stewart Park Remodel Project (P-10) proposes to renovate the existing Stewart Park bordered by Orange Avenue, Maple Avenue, East Eleventh Street and approximately 150 feet north of East Eighth Street on Assessor Parcel Numbers (APN) 415-243-002, 415-273-002 and 415-323-002.

The project (P-10) site contains the existing Stewart Park (Assessor's Parcel Numbers 415-243-002, 415-273-002 and 415-323-002). The project site covers three city blocks; Ninth Street and Tenth Street divide the park into three separate park areas. The project site is bounded to the north by Eleventh Street, to the south by Eighth Street, to the east by Maple Street, and to the west by Orange Avenue within the City of Beaumont. The project site is approximately 0.25 miles north of Interstate 10 (I-10).

The proposed project would result in the renovation of the entirety of the existing 11-acre park. Improvements would include relocation and upgrades to the park's basketball courts, skate park, playgrounds/play areas, pathways, and improvements to the stormwater detention basin. The proposed project would also include installation of a splash pad (which would replace the former pool) with a new restroom and outdoor showers; stage; multipurpose field; picnic areas, tables, and shade structures; walking trails; entry plazas; park lighting; landscaping including low and medium water use turf grasses and trees; an irrigation system; and three (3) bioretention areas.

The proposed project would also include connection of the park across Ninth and Tenth Streets to create a continuous park space, which would result in the closure of Ninth and Tenth streets between Orange and Maple Avenue. Parking would include diagonal and parallel street parking areas. Other site conditions would include a new easement with Beaumont Cherry Valley Water District along the portion of Tenth Street that is within the project site, which contains existing water utility service. Overhead electrical utilities along Tenth Street are being removed and the overhead fiber optic lines would be placed underground.

The park would be open year-round to residents, similar to current conditions. It is assumed that the splash pad will be open during the approved park hours during the months of May to September (summer) and open intermittently depending on weather conditions during the months of October to April (fall, winter, and spring).

## **Construction**

Construction of the proposed project is anticipated to start in summer 2024 and last approximately 12 months in one phase. The proposed project would include the

demolition of the existing fencing, signage, skate park, landscaping, concrete curb and gutter on the portion of the northern park area abutting Maple Avenue and Orange Avenue, striping, some utility poles and boxes, and 14 trees.

Construction activities would include grading and excavation, trenching for site utilities, construction of foundations and structures, paving, exterior finishes, and landscaping including the planting of 170 trees. The portions of Ninth and Tenth Street located within the project site would be vacated and improved to connect the three park lots into one (1) continuous lot. The existing restroom would be protected from construction activities. All construction equipment and workers would be located within the boundaries of the project site, and contractors would adhere to construction noise regulations.

To avoid impacts to potential nesting birds, eggs, or young, preconstruction nesting bird surveys and monitoring would be implemented as a project design feature. The preconstruction nesting bird surveys and monitoring would be ensured through City implementation of the condition of approval.

### **Zoning and General Plan**

The project site is zoned Recreation/Conservation (RC) per the Beaumont Zoning Map and designated as Open Space (OS) in the Beaumont General Plan Land Use Map, respectively (Beaumont 2020b, Beaumont 2020c). The OS land use designation allows for open space lands used for recreation and conservation including parks, trails, and golf courses (Beaumont 2020a).

According to the City of Beaumont Municipal Code Section 17.03.040, the RC zoning designation is likewise intended for open space lands as well as for permanent open space in areas where natural hazards are present that might endanger residents. No minimum or maximum lot area standards are applicable to this zone. Furthermore, the maximum height of any building shall not exceed two stories or 35 feet, whichever is less, in this zone.

The project is consistent with General Plan policy 3.6.1 to improve existing parks and public spaces throughout the City to provide beautiful, comfortable, and inviting gathering spaces and 7.1.1 to manage and upgrade the City's aging infrastructure, as funds allow, and leverage funds whenever possible.

### **Environmental Documentation**

The proposed project is exempt from further environmental review under the requirements of the California Environmental Quality Act (CEQA) because it is

consistent with Categorical Exemption Class 1 (Existing Facilities), Class 2 (Replacement or Reconstruction), and Class 3 (New Construction or Conversion of Small Structures).

- Class 1, Existing Facilities (CEQA Guidelines § 15301) consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use.

The proposed project involves the alteration, repair, and improvements to an existing park facility and would not result in the expansion of its current use. More specifically, the proposed project involves improvements to an existing skate park, parking lot, stormwater retention basin, and utilities infrastructure. All improvements involve no or negligible expansion of use. Therefore, under CEQA Guidelines Section 15301, the proposed project is exempt from further CEQA analysis.

- Class 2, Replacement or Reconstruction (CEQA Guidelines § 15302) consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:
  - (a) Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent.
  - (b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
  - (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.
  - (d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

The proposed project would involve the reconstruction of the entirety of the existing Stewart Park. This includes the reconstruction of the park's existing

playgrounds and basketball courts. The new park would be located on the same site and have the same purpose and capacity as the existing park. Furthermore, the proposed project would involve the replacement of existing utility systems and/or facilities located within the project site involving negligible or no expansion of capacity. Therefore, under CEQA Guidelines Section 15302, the proposed project is exempt from further CEQA analysis.

- Class 3, New Construction or Conversion of Small Structures (CEQA Guidelines § 15303) consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

The proposed project would involve the construction of a splash pad with a new restroom and outdoor shower, amphitheater, multipurpose field, irrigation system, landscaping, and park amenities. which is covered under the Class 3 categorical exemption as a new, small facility; and installation of water utility extensions for the splash pad, which are covered under the Class 3 categorical exemption as utility extensions. Therefore, the proposed project is exempt from further CEQA analysis under Section 15303.

## **Noise**

The proposed project has identified that temporary construction noise will occur, but the noise impacts would be less than significant. Construction can generate varying degrees of ground vibration, depending on the construction procedures and equipment. The proposed project will result in temporary construction vibrations; however, construction of the proposed project would not result in vibration levels that would disrupt the operation of adjacent properties or damage any structures near the project site. Therefore, vibration levels would not exceed 0.2 in/sec PPV threshold, and vibration impacts would be less than significant.

The proposed project would not introduce any new noise sources to the project area. The project site is located within the existing Stewart Park. Implementation of the proposed project would not induce population growth; therefore, the proposed project would not significantly increase noise levels near or within the project site.

## **Biological Resources**

The City's General Plan identifies environmentally sensitive habitats for special-status plant and wildlife species with a State and/or Federal listing status and/or listed in the

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The project site does not contain potential habitat for such species as outlined in the Beaumont General Plan, nor is the project site within an area subject to the MSHCP. The project site is surrounded by urban development and in an area that is highly urbanized. Therefore, the project site has no value as habitat for endangered, rare, or threatened species.

### ***Nesting Birds***

The proposed project would involve the removal of 14 mature trees and other ornamental landscaped plants that could provide potential nesting habitat for birds protected by the Migratory Bird Treaty Act (MBTA), California Migratory Bird Protection Act (MBPA), and Fish and Game Code. In addition, indirect impacts from noise or vibration have the potential to disturb an active bird nest to the point of failure if the nest is within immediate proximity to project activities, and this would also be a violation of the MBTA and Fish and Game Code. To avoid impacts to potential impacts to nesting birds, eggs, or young, preconstruction nesting bird surveys and monitoring would be implemented as a project design feature. The preconstruction nesting bird surveys and monitoring would be ensured through City implementation of the condition of approval.

### ***Trees***

14 mature trees would be removed as a result of project development. However, none of the trees that would be removed are protected under the City's General Plan, MSHCP, or State or Federal law; therefore, there would be no loss of protected resources. The City would be subject to Section 12.12.130 of the municipal code, which outlines tree removal protocol. Therefore, the proposed project would ensure no impacts related to removal of trees.

### **Public Communications Received:**

Property owners located within a 300-foot radius of the project site were notified of the intended public hearing. In addition, a 10-day public notice was published in the Press Enterprise. Proof of the publication for CEQA and the public hearing proof of publication is included as Attachment B to this staff report.

At the time of report preparation, the Planning Department has not received any letters of comment from the agencies or public in favor or opposition to the project. Any comments received prior to the time of the scheduled City Council meeting will be provided to the Council at the time of the public hearing.

**Fiscal Impact:**

City staff time to prepare this staff report is approximately \$500. There is no fiscal impact with this report, but the project accounting has been provided below:

<b>P-10 Stewart Park Redevelopment &amp; Skate Park Project Accounting Summary</b>				
<b>Funding Summary</b>				
<b>Funding Year</b>	<b>Funding Source</b>		<b>Amount</b>	
20/21	CFD		\$2,250,000	
20/21	GENERAL FUND		\$4,750,000	
22/23	Community Park DIF (close P-01		\$1,024,853	
23/24	DIF - CPARK		\$1,500,000	
<b>Total Project Funding =</b>			<b>\$9,524,853</b>	
<b>Budget Summary</b>				
<b>Project Component</b>	<b>Budget</b>	<b>Encumbered</b>	<b>Paid to Date</b>	<b>Remaining Budget</b>
Project Management	\$0	\$0	\$0	\$0
Preliminary Services	\$7,300	(\$7,300)	(\$5,530)	\$0
Environmental	\$0	\$0	\$0	\$0
Design	\$697,886	(\$697,886)	(\$567,489)	\$0
Construction	\$8,815,589	\$0	\$0	\$8,815,589
Construction Management	\$0	\$0	\$0	\$0
Permits	\$0	\$0	\$0	\$0
Equipment	\$4,078	(\$2,985)	(\$2,985)	\$1,093
<b>Project Summary Totals</b>	<b>\$9,524,853</b>	<b>(\$708,171)</b>	<b>(\$576,004)</b>	<b>\$8,816,682</b>

**Recommended Action:**

Hold a public hearing; and,

Determine that the Stewart Park renovation (P-10) is exempt from further environmental review under the requirements of CEQA and is consistent with Categorical Exemption Class 1, 2 & 3; and

Direct staff to prepare a Notice of Exemption to be filed with the Riverside County Clerk Recorder.

**Attachments:**

- A. Attachment to the Notice of Exemption
- B. Proof of Publication

**Incorporated herein by Reference:**

City of Beaumont General Plan

City of Beaumont Zoning Ordinance

Project Site's Riverside Conservation Authority Multi-Species Habitat Conservation Plan  
Informational Map

Capital Improvement Project P-01 and P-10