



Staff Report

TO: City Council
FROM: Melody Arechiga, Senior Planner
DATE: February 18, 2025
SUBJECT: PLAN2024-0134 – Assembly Bill 98 Revisions to the Policy on Land Use and Sensitive Receptors (PLUS)

Description Adoption of amendments to the PLUS (PLAN2024-0134) in compliance with Assembly Bill (AB) 98.

Background and Analysis:

City of Beaumont PLUS Policy

Throughout 2022, staff and the Land Use Subcommittee worked together to prepare a draft of the PLUS policy for analysis of industrial developments. Staff worked with the Land Use Subcommittee on a draft PLUS policy which was originally presented to City Council on August 3, 2022. At that meeting, staff received feedback from City Council as well as stakeholders. Staff continued to work with stakeholders, with the primary concern related to the 1,000 feet separation between dock doors and sensitive receptors.

On September 6, 2022, staff presented the PLUS policy to the City Council with the additional information requested and additional points of discussion in a redline format.

On October 4, 2022, City Council held a discussion and adopted the PLUS policy. Staff subsequently formalized the PLUS policy, removing the redlines and incorporating Council's comments into a clean version of the policy.

On December 19, 2023, City Council considered changes to the Community Benefit section of the PLUS policy and discussed additional changes to the document.

On February 6, 2024, City Council considered the PLUS policy changes to the Community Benefit section. There was general consensus in favor of the community benefit section amendments with direction to staff to discuss additional amendments with the Land Use Subcommittee.

On April 23, 2024, the Land Use Subcommittee met to discuss additional amendments to the PLUS policy. The additional amendments included requirements for signage requiring name and phone number to report air quality events, minimum tree trunk measurement requirements, and updates to design standards including requiring earth tone palette and varied pad heights to blend with existing topography.

On May 21, 2024, City Council approved the changes discussed by the Land Use Subcommittee.

Assembly Bill (AB) 98

On September 29, 2024, Governor Newsom signed into law Assembly Bill (AB) 98 which takes effect January 1, 2026. The new bill requires new statewide warehouse design and build standards for any proposed new or expanded logistic use developments. Projects that are approved or in the local entitlement process by September 30, 2024, are not subject to the requirements of AB 98. The standards include provisions for building design and location, parking, truck loading bays, landscaping buffers, entry gates, and signage for logistics use developments where the loading docks are within 900 feet of a sensitive receptor.

AB 98 includes design standards and provisions for logistic use developments for facilities that are greater than 250,000 square feet and less than 250,000 square feet where the loading docks are within 900 feet of a sensitive receptor. It also includes design standards and provisions for logistic use developments where the loading bays are within 900 feet of a sensitive receptor and are located on land that is not zoned industrial or are located within the “warehouse concentration region.” Under AB 98, the City of Beaumont is not one of the jurisdictions listed under the definition of a “warehouse concentration region.”

Other provisions of AB 98 include requirements for landscape buffers, placing entry gates in locations to allow a minimum of 50 feet of total stacking depth or 70 feet for every 20 loading bays beyond 50 loading bays and conditions of approval requiring 2-to-1 replacement of any demolished housing unit and providing displaced tenants with an equivalent of 12 months’ rent.

Additionally, local jurisdictions will be required to update circulation elements to identify and establish travel routes for the transport of goods, materials or freight. The deadline for this is January 1, 2028, or if the jurisdiction is located within a “warehouse concentration region” the deadline is January 1, 2026. If the deadline is not met, the Attorney General may impose up to a \$50,000 fine every 6 months.

Staff has prepared redlines to the PLUS policy to incorporate the new and updated requirements of AB 98, to the extent applicable. The redlines include a paragraph on the background of AB 98 and its requirements, references to relevant government code sections, and a paragraph noting the applicability to facilities subject to AB 98. Furthermore, the applicability of the PLUS policy would be extended to logistic use developments that are less than 100,000 square feet where the loading docks are within 900 feet from a sensitive receptor in compliance with AB 98. Where the current PLUS policy is more restrictive or includes additional mandates/requirements, those provisions remain the same.

On December 5, 2024, Staff presented the PLUS policy redlines to the Land Use Subcommittee, which reiterated the goal to protect sensitive receptors and to continue the more restrictive requirements of the PLUS policy, while incorporating the new changes required by state law. Subsequently, on January 27, 2025, Staff presented to the Land Use Subcommittee the updated redlines incorporating the comments received in the previous meeting.

Consistency with Adopted Goals, Plans, and Programs:

General Plan Consistency

The proposed amendments to the PLUS policy are in conformance with the 2040 General Plan. The proposed amendments are consistent with Policy 3.4.8 of the General Plan Where industrial uses are near existing and planned residential development, require that industrial projects be designed to limit the impact of truck traffic, air and noise pollution on sensitive receptors.

Zoning Consistency

The proposed amendments to the PLUS policy are consistent with the Development Standards of the applicable industrial zoning districts and specific plans.

Fiscal Impact:

The cost to prepare this report and the changes to the PLUS is approximately \$450.

Recommended Action:

Hold discussion and adopt PLAN2024-0134 – Amended PLUS as proposed.

Attachments:

- A. PLUS AB 98 - Redlines
- B. PLUS AB 98 - Clean Version
- C. AB 98 Legislative Text

Incorporated by Reference:

- City of Beaumont General Plan
- City of Beaumont Zoning Ordinance
- Policy on Land Use and Sensitive Receptors (PLUS)
- Contents of City of Beaumont Planning Department Project File PLAN2024-0134