



Agenda Report

File #: 20-0724

**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 09/02/2020

TO: Honorable Mayor and City Council Members

FROM: Community Development Department

SUBJECT:

Public Hearing for City Council consideration of Ordinance No. 3320, first reading of an Ordinance of the City of Corona, California for Specific Plan Amendment (SPA2020-0001) amending the El Cerrito Specific Plan (SP91-01), Section 12.11.2(D) to prohibit residential use and cold storage warehouse in the Light Industrial designation. (Applicant: City of Corona)

RECOMMENDED ACTION:

That the City Council:

- a. Approve SPA2020-0001 as recommended by the Planning and Housing Commission.
- b. Introduce by title only and waive full reading for consideration of Ordinance No. 3320, first reading of an ordinance to approve the amendment to the El Cerrito Specific Plan (SPA91-02) to prohibit residential land uses and cold storage warehouses in the light industrial zone designation.

ANALYSIS:

Specific Plan Amendment 2020-0001 (SPA2020-0001) proposes to amend the El Cerrito Specific Plan to prohibit residential and cold storage warehouses in the Specific Plan's Light Industrial (LI) designation. The proposed specific plan amendment satisfies the condition of approval for the Latitude Business Park approved by the Planning and Housing Commission on February 24, 2020. The Latitude Business Park is located in Planning Areas 1 and 2 of the El Cerrito Specific Plan and zoned LI. The condition of approval was in response to the comment letters the Community Development Department received from the California Department of Justice (DOJ) and South Coast Air Quality Management District (SCAQMD) for the Latitude Business Park. The DOJ and SCAQMD commented that transport refrigeration units (TRUs) could potentially be used in the project but were not analyzed in the project's air quality modeling of potential air quality emissions. TRUs are

refrigeration containers used to transport perishable goods, which includes trucks, trailers, and shipping containers. Powered by diesel, TRUs emit particulate matter into the air, which the California Air Resources Board (CARB) considers a toxic air pollutant and potential health risk for nearby communities. Because TRUs are typically associated with large distribution centers or cold storage warehouses, large industrial projects like the Latitude Business Park are usually a “red flag” to environmental groups and regulatory agencies.

The developer for the Latitude Business Park was not proposing cold storage warehouse operations for the site which is why the use was not included in the project’s air quality analysis. However, there is no guarantee that in the future cold storage warehouse would not locate within the project. Therefore, the City agreed to place a zoning restriction on the LI designation to prohibit cold storage warehouse, which would prevent the use of TRUs. If a future business wants to locate in the LI designation and operate a cold storage warehouse, the operator would need to process a specific plan amendment to permit the use in the LI designation, in addition to preparing an environmental analysis pursuant to the California Environmental Quality Act (CEQA) to assess air emissions and health risks. Additionally, staff is using this amendment as an opportunity to expressly restrict residential land uses from the LI designation. Like other industrial zones in the City, residential is prohibited because the use is incompatible with industrial uses.

Proposed Specific Plan Amendment

Section 12.11 of the El Cerrito Specific Plan contains the regulations for the LI designation and includes several subsections that regulate the permitted uses and development standards for the LI designation. Currently, there are no uses that are expressly prohibited in the LI designation. Therefore, staff is proposing to modify subsection 12.11.2(D) to expressly prohibit residential uses and cold storage warehouse. The added text is shown below with an underline.

12.11.2 Permitted Uses and Development Standards.

D. Prohibited Uses.

The following uses are expressly prohibited in the LI District:

Residential uses.

Cold storage warehouse. To allow cold storage warehouse in the LI District, a specific plan amendment is required in addition to environmental analysis under the California Environmental Quality Act to assess air quality emissions and health risk from business operations and transportation involving Transport Refrigeration Units.

The amendment is consistent with the General Plan because it will restrict residential uses from the Light Industrial designation. Additionally, the amendment is consistent with General Plan Land Use Policy LU-12.7 by regulating the development of industrial uses consistent with local and state regulations that use, store, produce, or transport toxic and hazardous materials, generate unacceptable levels of air or noise pollution, or result in other adverse impacts.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

The amendment was initiated by the City. Therefore, no application fees are associated with this amendment.

ENVIRONMENTAL ANALYSIS:

Per Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA), a Notice of Exemption has been prepared for the project because Section 15061(b)(3) states that a project is exempted from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This amendment is solely a text revision to the El Cerrito Specific Plan to limit potential land use, and there is no possibility that this activity will have a significant effect on the environment.

PLANNING AND HOUSING COMMISSION ACTION:

At its meeting of August 10, 2020, the Planning and Housing Commission considered the subject matter and took the following action:

Motion was made, seconded (Hooks/Jones) and carried unanimously, with Commissioner Meza absent, to recommend approval of SPA2020-0001 to the City Council based on the findings contained in the staff report. The minutes of the Planning and Housing Commission meeting are included as Exhibit 4.

PREPARED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

REVIEWED BY: ROGER BRADLEY, ASSISTANT CITY MANAGER

SUBMITTED BY: JACOB ELLIS, CITY MANAGER

Attachments:

1. Exhibit 1 - City Ordinance No. 3320
2. Exhibit 2 - Planning and Housing Commission Staff Report
3. Exhibit 3 - Minutes of the Planning and Housing Commission meeting of August 10, 2020

APPLICANT INFORMATION

City of Corona, 400 S. Vicentia Avenue, Corona CA 92882