



Agenda Report

File #: 20-0637

**PLANNING AND HOUSING COMMISSION
STAFF REPORT**

DATE: 8/10/2020

TO: Honorable Chair and Commissioners

FROM: Community Development Department

APPLICATION REQUEST:

SPA2020-0001: Specific plan amendment to the El Cerrito Specific Plan (SP91-01) amending Section 12.11.2(D) to prohibit residential use and cold storage warehouse in the Light Industrial designation. (Applicant: City of Corona, 400 S. Vicentia Avenue, Corona, CA 92882)

RECOMMENDED ACTION:

That the Planning and Housing Commission recommend APPROVAL of SPA2020-0001 to the City Council, based on the findings contained in the staff report.

BACKGROUND

El Cerrito Specific Plan Background

The El Cerrito Specific Plan lies on the City's eastern boundary and contains properties that are located within the city limits of Corona and unincorporated territory of Riverside County. The Specific Plan was originally adopted by the City in 1992 when the El Cerrito area was in the process of being annexed into the City. As a requirement of the annexation process, the City was required to establish rezoning of the El Cerrito area which would then become effective upon completion of the annexation process. The Specific Plan was established to satisfy the rezoning requirement. The annexation was never approved by the Riverside Local Agency Formation Commission (LAFCO) because of a successful protest by El Cerrito residents. However, the Specific Plan remains effective for the properties that are located within city limits. The properties that are within the Specific Plan but under the jurisdiction of Riverside County are regulated by Riverside County's zoning standards. The land use plan for the El Cerrito Specific Plan is attached as Exhibit 2.B.

Specific Plan Amendment Background

Specific Plan Amendment 2020-0001 (SPA2020-0001) proposes to amend the El Cerrito Specific Plan to prohibit residential use and cold storage warehouse in the Specific Plan's Light Industrial (LI) designation. The properties that are designated LI are on the north side of Tom Barnes Street and

along the east side of Temescal Canyon Road, between Tom Barnes Street and Cajalco Road. These areas are separated into four planning areas - Planning Areas 1, 2, 3, and 4.

Planning Areas 1 and 2 are located within Corona on the north side of Tom Barnes Street and contain undeveloped properties recently entitled for the development of 15 light industrial buildings. The development is known as the Latitude Business Park. Planning Area 3 is comprised of developed commercial and residential properties within the jurisdiction of Riverside County. Planning Area 4 is also within the jurisdiction of Riverside County, and contains an outdoor recreational vehicle storage facility, an indoor self-storage center, and service station.

The proposed specific plan amendment was spurred by comment letters that the Community Development Department received in February 2020 from the California Department of Justice (DOJ) and South Coast Air Quality Management District (SCAQMD). The comment letters were in response to the Initial Study and Mitigated Negative Declaration prepared for the Latitude Business Park during its entitlement. 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 for the site. Despite this, the Community Development Department 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 property owner wants to have cold storage warehouse, the property owner or developer 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. Staff is using this amendment as an opportunity to expressly restrict residential land uses from the LI designation, as residential uses are typically incompatible with industrial uses and inconsistent with the intent of the LI designation.

The proposed specific plan amendment was reviewed and cleared by city staff at the Project and Environmental Review Committee meeting on June 11, 2020, before being scheduled for the August 10, 2020 Planning and Housing Commission meeting.

PROPOSED SPECIFIC PLAN AMENDMENT

The proposed specific plan amendment is shown in Exhibit 2.A. New text is shown in a red and underlined format. Deleted text is shown in a strikethrough format. 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, the Community Development Department is proposing to modify subsection 12.11.2(D) to expressly prohibit residential uses and cold storage warehouse as shown below:

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.

CODE REQUIREMENTS

The authority for amendment of Specific Plans is embodied in Section 65453 of the California Government Code, Section 17.53.110 of the Corona Municipal Code, and in the El Cerrito Specific Plan itself under Section 14.5. The El Cerrito Specific Plan states, in part:

It should be understood that while this document [El Cerrito Specific Plan] attempts to be comprehensive, not all things can be envisioned in its preparation. Applications for specific plan amendments shall be made to the Community Development Director pursuant to Corona Municipal Code Section 17.53.110. Applications shall be considered by the Planning Commission and City Council.

The amendment to the El Cerrito Specific Plan may be adopted by ordinance of the City Council, based upon the criteria outlined in the *Findings* section of this report.

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. The Notice of Exemption is attached as Exhibit 3.

FISCAL IMPACT

No fees are associated with this proposal, as the amendment has been initiated by the City.

PUBLIC NOTICE AND COMMENTS

A 10-day public notice was advertised in the *Sentinel Weekly News* and posted on the city's website. No public correspondence was received by the Community Development Department as of the

preparation of this staff report.

STAFF ANALYSIS

The primary purpose for the specific plan amendment is to address air emissions concerns related to the use of TRUs associated with cold storage warehouses. The amendment ensures that industrial businesses proposing to utilize TRUs in their operations obtain the City's approval by a specific plan amendment to permit cold storage warehouse, and prepare an air emissions and health risk analysis before the use may be allowed on the property. The proposed land use restriction protects the health and safety of the surrounding community and environment. While prohibiting cold storage warehousing may not completely prohibit all businesses from including TRUs in their operations, it would help to reduce TRU activity within the Specific Plan area.

The amendment would only affect Planning Areas 1 and 2, which are located within the City and would be consistent with the intent of these two planning areas which are intended to accommodate "campus-style business parks with light industrial uses" per the Specific Plan. Planning Areas 3 and 4 have established uses and are currently under the jurisdiction of the County and regulated by the County's Zoning Code. This amendment would only affect Planning Areas 3 and 4 if the City were to annex these properties. SPA2020-0001 is recommended for approval based on the findings contained in this staff report.

FINDINGS OF APPROVAL FOR SPA2020-0001

1. The City of Corona has determined that this project is exempted from CEQA pursuant to Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempted from CEQA if the activity is covered by the *common sense exemption*, as 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 in question is not subject to CEQA. The proposed amendment involves text revisions to an existing specific plan to prohibit certain land uses within the specific plan boundary. There is no possibility that the restriction on land uses will have a significant effect on the environment.
2. The proposed amendment systematically implements and is consistent with the General Plan for the following reasons:
 - a. *The amendment maintains consistency with the General Plan's Light Industrial land use designation by restricting residential uses from the Light Industrial designation of the El Cerrito Specific Plan.*
 - b. *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.*
3. The proposed amendment provides for the development of a comprehensively planned project that is superior to development otherwise allowed under the conventional zoning

classifications for the following reason:

- a. The amendment would result in the development of projects that continue to be comprehensively planned in accordance with the provisions of the El Cerrito Specific Plan. The amendment also ensures the health and safety of the community and protection of the environment in general by requiring an environmental analysis to be prepared pursuant to CEQA for transport refrigeration units prior to the use being established on properties within the Light Industrial designation.*
4. The proposed amendment provides for the construction, improvement, or extension of transportation facilities, public utilities and public services required by the long-term needs of the project and/or other area residents, and complements the orderly development of the City beyond the project's boundaries for the following reason:
 - a. The amendment is solely a text revision to limit El Cerrito Specific Plan land uses. The restrictions proposed by the amendment would not impact the infrastructure that has been constructed, planned, or required as part of the El Cerrito Specific Plan.*
5. The proposed amendment provides for the appropriate orientation and relationship between land use within and adjacent to the project for the following reason:
 - a. The land use restrictions ensure consistency and land use compatibility between properties that are designated Light Industrial.*
6. The amendment is consistent with the findings required under Section 14.5 of the El Cerrito Specific Plan:
 - a. The proposed amendment is consistent with the City of Corona General Plan for the following reasons:
 - i. The amendment maintains consistency with the General Plan's Light Industrial land use designation by restricting residential uses from the Light Industrial designation of the El Cerrito Specific Plan.*
 - ii. 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.**
 - b. The proposed amendment is consistent with the intent of the El Cerrito Specific Plan for the following reason:
 - i. The amendment furthers the intent of the El Cerrito Specific Plan by restricting residential uses from the Light Industrial designation. The amendment also helps to maintain land use compatibility between properties with the same Light Industrial designation.**
 - c. The proposed amendment is consistent with the Preannexation Policy for El Cerrito as set out in Section 2.3 of the El Cerrito Specific Plan for the following reason:
 - i. The amendment does not conflict with the Preannexation Policy for El Cerrito as set out in Section 2.3 of the El Cerrito Specific Plan, because the amendment is strictly a text revision to prohibit specified land uses in the Light Industrial designation.**

- d. *The proposed amendment provides for adequate circulation to, from and within the El Cerrito area because:*
 - i. *The amendment will not impact the circulation to, from, and within the El Cerrito area because the amendment is strictly a text amendment to the El Cerrito Specific Plan.*
- e. *The proposal provides public service levels capable of adequately serving the Specific Plan area because:*
 - i. *The amendment is only a text revision to prohibit specific land uses within the Light Industrial designation, and will not impact or disrupt the public service levels of the El Cerrito Specific Plan area.*
- f. *The public and private open space system is neither disrupted nor depleted because:*
 - i. *The amendment is only a text revision to prohibit specific land uses within the Light Industrial designation.*
- g. *The proposed amendment is compatible with surrounding designations, will not create future land use incompatibilities, and provides adequate buffers, because:*
 - i. *The amendment helps to maintain land use compatibility between Light Industrial properties within the Specific Plan area by prohibiting residential land uses and cold storage warehouse from being established within these properties.*

PREPARED BY: SANDRA YANG, SENIOR PLANNER

REVIEWED BY: JAY EASTMAN, PLANNING MANAGER

SUBMITTED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

EXHIBITS

- 1. - Locational and Zoning Map
- 2.A - Proposed Amendment
- 2.B - El Cerrito Specific Plan Land Use Map
- 3 - Environmental Documentation

Case Planner: Sandra Yang (951) 736-2262