



Legislation Text

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**REQUEST FOR CITY COUNCIL ACTION**

DATE: 09/15/2021

TO: Honorable Mayor and City Council Members

FROM: Planning & Development Department

**SUBJECT:**

Ordinance No. 3334, first reading of an ordinance adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approving an amendment to the El Cerrito Specific Plan (SP91-02) to allow cold storage warehouse in Planning Areas 1 and 2 of the Light Industrial Zone. (SPA2021-0001)

**EXECUTIVE SUMMARY:**

Specific Plan Amendment 2021-0001 (SPA2021-0001) is an amendment to the El Cerrito Specific Plan (SP91-2) to include cold storage warehouse operations as a permitted land use in the Light Industrial (LI) Zone for Planning Area 1 and Planning Area 2. The proposed amendment supports light industrial operations allowed by the LI Zone, which is consistent with the land uses intended in Planning Area 1 and Planning Area 2.

**RECOMMENDED ACTION:**

**That the City Council** introduce by title only and waive full reading for consideration of Ordinance No. 3334, first reading of an ordinance adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approving an amendment to the El Cerrito Specific Plan (SP91-02) to allow cold storage warehouse in Planning Areas 1 and 2 of the Light Industrial Zone. (SPA2021-0001)

**BACKGROUND & HISTORY:**

The City Council at its meeting on August 4, 2021, held a public hearing on SPA2021-0001. The City Council approved SPA2021-0001 and introduced the first reading of Ordinance 3334, adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and amending the El Cerrito Specific Plan to allow cold storage warehouse in Planning Areas 1 and 2.

The City Council at its meeting on September 1, 2021, removed the second reading of Ordinance 3334 from the agenda at the request of the applicant. The applicant obtained new information on

the health risk assessment originally prepared in June 2021, which was included in the project's initial study discussion associated with the Mitigated Negative Declaration. The health risk assessment included information regarding the operation of Transportation Refrigeration Units (TRUs) for the project. The newly added information to the assessment included discussion on the current regulation that requires TRUs to meet Airborne Toxic Control Measures (ATCM). The additional information provided in the updated health risk assessment dated September 3, 2021, concluded that the current regulations by the California Air Resources Board (CARB) for the operation of TRUs would not limit trucks to a five-minute idle time on the project site. The revised analysis also concluded that the use of TRUs in the project's operation would remain less than significant. Therefore, the project's mitigation measure was revised to remove the five-minute idle time. However, the project is still required to provide electric power plugs at the warehouse loading docks to power TRUs when parked.

Since the project's environmental Mitigation Monitoring and Reporting Program is included as part of the ordinance, and new information was presented since the first reading of the ordinance on August 4, 2021, the ordinance needed to be reintroduced for a first reading. All other aspects of the project remain the same since the public hearing on August 4, 2021.

#### **ANALYSIS:**

The amendment to the El Cerrito Specific Plan (SP91-2) would allow cold storage warehouse operations in the Light Industrial (LI) Zone up to a combined floor area of 175,000 square feet between Planning Areas 1 and 2. The amendment would amend the permitted uses for PA 1 and PA 2 listed in Section 12.11.2 of SP91-2. PA 1 and PA 2 are both zoned LI and allow for various industrial and manufacturing land uses. The amendment will also remove cold storage warehouse as a prohibited use in Section 12.11.2 (D).

The proposed amendment is shown below in the redline changes to Section 12.11.2 of SP91-2.

#### **12.11.2      Permitted uses and Development Standards.**

The LI, Light Industrial District shall be subject to the provisions of CMC Title 17, Chapter 17.44, Industrial Zones- M-1 Zone, and the Community Development Department's Commercial and Industrial Design Guidelines, with the following exceptions:

##### **A.      Permitted Uses in PA-1 of the LI District:**

The following uses shall be permitted in PA-1 in addition to those uses listed in CMC Title 17, Chapter 17.44.030:...

*Cold storage warehouse (up to a combined floor area of 175,000 square feet between Planning Areas 1 and 2) provided that the building includes electric power plugs that will power Transportation Refrigeration Units when parked at the loading docks. [SPA2021-0001].*

B. Permitted Uses in PA-2 of the LI District:

The following uses shall be permitted in PA-2, in addition to those uses listed in CMC Title 17, Chapter 17.44.030:...

*Cold storage warehouse (up to a combined floor area of 175,000 square feet between Planning Areas 1 and 2) provided that the building includes electric power plugs that will power Transportation Refrigeration Units when parked at the loading docks. [SPA2021-0001].*

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 LI Zone land uses include various types of operations associated with the industrial and manufacturing industry. In addition to the land uses allowed by the El Cerrito Specific Plan for PA 1 and PA 2, the land uses allowed by the Industrial Zones in [Chapter 17.44 of the Corona Municipal Code](#) are also allowed for this area. The permitted land uses table in Section 17.44.030 of CMC Chapter 17.44, allows food processing and packaging, warehouse and distribution, truck terminals and wash, packaging businesses, parcel delivery service, and a host of other uses similar to cold storage warehouse. Cold storage warehouse is normally used in operations involving food packaging and delivery. Therefore, the request to allow cold storage warehouse in PA 1 and PA 2 of SP-91-2 is compatible with other allowed uses.

**FINANCIAL IMPACT:**

The applicant paid the application processing fees of \$13,823 to cover the cost of the Specific Plan Amendment.

**ENVIRONMENTAL ANALYSIS:**

Per Section 15070 of the State Guidelines for Implementing the California Environmental Quality Act (CEQA) and Section 6.02 of the City's Local Guidelines, a Mitigated Negative Declaration was prepared for the project because the Initial Study identified that the project's potentially significant effects to the environment are capable of being mitigated to a point where no significant effects would occur. There is no substantial evidence, in light of the whole record before the City, that the

project may have a significant or potentially significant effect on the environment.

**PREPARED BY:** JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

**Attachments:**

1. Exhibit 1 - City Ordinance No. 3334
2. Exhibit 2 - Initial Study & Mitigated Negative Declaration for SPA2021-0001