



City of Arts & Innovation

Utility Services / Land Use / Energy Development Committee

**TO: UTILITY SERVICES/LAND USE/ENERGY
DEVELOPMENT COMMITTEE MEMBERS**

DATE: MARCH 9, 2020

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT**

WARDS: ALL

**SUBJECT: PROPOSED CHANGES TO THE 2008 GOOD NEIGHBOR GUIDELINES AND
TITLE 19 – ZONING CODE, RELATED TO SITING INDUSTRIAL DEVELOPMENT
ADJACENT TO RESIDENTIAL NEIGHBORHOODS, SCHOOLS, PARKS,
PLAYGROUNDS, DAY CARE CENTERS, NURSING HOMES, HOSPITALS AND
OTHER PUBLIC PLACES**

ISSUE

Review the proposed changes to the *2008 Good Neighbor Guidelines for Siting New and/or Modified Warehouse Distribution Facilities* and Title 19 – Zoning Code of the Riverside Municipal Code related to siting industrial uses in the City of Riverside when located adjacent to residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and other public places.

RECOMMENDATIONS

That the Utility Services/Land Use/Energy Development Committee:

1. Review the staff proposed changes to the *Good Neighbor Guidelines for Siting New and/or Modified Warehouse Distribution Facilities* and Title 19 – Zoning Code of the Riverside Municipal Code related to siting industrial development when adjacent to residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals and other public places;
2. Recommend that the City Council approve the proposed changes to the *Good Neighbor Guidelines for Siting New and/or Modified Warehouse Distribution Facilities*; and
3. Refer the proposed Title 19 – Zoning Code changes, including development standards, to the Planning Commission for their recommendation to City Council.

BACKGROUND

In October 2008 the City Council approved the 2008 “*Good Neighbor Guidelines for Siting New and/or Modified Warehouse Distribution Facilities*” (2008 GNG) (Resolution No. 21734) that were

based on the Western Riverside Council of Governments' Good Neighbor Guidelines for Warehouse Facilities (Attachment 7). The City's 2008 GNG addressed potential impacts to neighborhoods related to the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers. The 2008 GNG provide a policy framework for discretionary decisions, but do not mandate requirements. In addition, the 2008 GNG do not include policies related to noise, including hours of operation, and neighborhood character, including setbacks, heights, building massing, privacy or aesthetics/architecture.

At the May 19, 2015 City Council meeting, Councilmember Melendrez requested a staff presentation to the Utility Services/Land Use/Energy Development Committee (LUC) on existing City policies and standards related to industrial/warehouse development in relation to adjacent residential zones.

On March 10, 2016, the LUC received a staff report and presentation on the City's policies and zoning development standards for industrial buildings, and directed staff to: (1) review the City's 2008 GNG and determine if changes are warranted; (2) analyze the City's existing development standards for industrial projects adjacent to residential zones; and (3) present staff's findings directly to the City Council, rather than returning to the LUC (Attachments 3 and 4).

On October 25, 2016, City Council received a report on Western Riverside Council of Governments' *Good Neighbor Guidelines for Warehouse Facilities*, the City's 2008 GNG, the South Coast Air Quality Management District regulations, and a summary of regional best practices related to truck emissions in proximity to residential areas (Attachments 5 and 6). Development standards and guidelines related to industrial uses, in proximity to residential areas, were also discussed. The City Council referred the item back to the LUC to further consider emission standards, noise assessments, tiered setbacks and heights, and development standards related to industrial uses.

DISCUSSION:

Based on feedback received at the October 25, 2016 City Council hearing, staff is proposing changes to the 2008 GNG and Title 19 – Zoning Code (Zoning Code). The 2008 GNG have been reorganized and streamlined to better reflect the feedback provided by City Council. These changes are codified in the proposed Zoning Code changes to implement the revised Good Neighbor Guidelines (GNG-2020). The changes are described below.

Revised Good Neighbor Guidelines (GNG-2020)

The 2008 GNG include a number of actionable policies that are still applicable today and reflect direction received from City Council in 2016. The revised Good Neighbor Guidelines (GNG-2020) (Attachment 1) expand the policy document to address all new industrial uses by maintaining applicable existing policies and adding new policies. The GNG-2020 include policies related to air quality (4 policies), noise (6 policies), and neighborhood character (7 policies) for all industrial uses as they relate to residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and other public places (sensitive receptors).

For air quality, policies address: 1) minimizing exposure to diesel emissions, 2) requiring modeling to identify significant air quality impacts, 3) minimizing air quality impacts of new industrial uses and 4) promoting the installation of loading bay electric hook-ups.

For noise, policies address: 1) for small industrial uses, when possible, locating driveways, docks and bays away from sensitive receptors, 2) for large industrial uses, requiring driveways, docks and bays be located away from sensitive receptors, 3) requiring Transportation Demand Management measures for uses with over 100 employees, 4) minimizing traffic through residential neighborhoods, 5) minimizing noise from construction activity and 6) ensuring compliance with Title 7 – Noise.

For neighborhood character, policies address: 1) requiring tiered regulations related to heights, setback and building massing, 2) ensuring sensitive receptors are screened, 3) requiring landscaping, 4) minimizing impacts of entrance and exit points, 5) requiring on-site signage for trucks, 6) encouraging distribution of information to truck drivers on local services and 7) enforcing compliance with the Riverside Municipal Code.

The GNG-2020 policies will be implemented through the Zoning Code changes with enforceable requirements and development standards. The GNG-2020 ensure consistency with the existing policies of other agencies including California Air Resources Board (CARB), South Coast Air Quality Management District, and Western Riverside Council of Governments.

Title 19 - Zoning Code Amendments

The GNG-2020 policies are integrated into the proposed Title 19 - Zoning Code (Zoning Code) changes. Using the GNG-2020 policies, staff is proposing changes related to new industrial uses in the City. These proposed amendments are included as Attachment 2. The proposed amendments to the Zoning Code include the following additions and revisions to codify the air quality, noise and neighborhood character policies in GNG-2020.

A. Development Standards Specifically for Warehousing and Distribution Facilities

To ensure that impacts related to air quality and health risks are evaluated for new projects, Development Standards are proposed for Warehousing and Distribution Facilities in a new Chapter 19.435 - Warehousing and Distribution Facilities. The proposed changes include the need for applicable studies related to air quality and health risks and requirements to minimize noise related to location of loading docks, operating hours, truck idling, etc. The proposed requirements are based on the size of the new industrial uses and include:

Buildings 10,000 square feet or less:

1. Locate loading docks, bays and driveways away from sensitive uses (residential, parks, schools, nursing homes, etc.) wherever possible and provide full visual screening
2. Minimum 8-foot masonry wall required along residential property line. A 6-foot high wall is currently required.
3. Operations must comply with Title 7 (Noise) limits.

Buildings 10,000 to 100,000 square feet:

1. Locate loading docks, bays and driveways away from sensitive uses (residential, parks, schools, nursing homes, etc.) wherever possible and provide full visual screening (8-foot minimum).
2. Operations limited to 7am-7pm Monday-Friday, 8am-5pm Saturday and prohibited Sundays and Holidays within 800 feet of residential unless a noise study verifies there are no impacts on residential properties.
3. Truck idling limited to 5 minutes; electrical hookups provided if refrigerated trucks are to

be used.

4. Facilities generating more than 50 trucks per day must establish a planned truck route that avoids sensitive uses.

Buildings larger than 100,000 square feet:

1. Locate loading docks, bays and driveways away from sensitive uses (residential, parks, schools, nursing homes, etc.) and provide full visual screening (8-foot minimum).
2. On-site truck queuing space is required.
3. Operations limited to 7am-7pm Monday-Friday, 8am-5pm Saturday and prohibited Sundays and Holidays unless a noise study verifies there are no impacts.
4. Truck idling prohibited; electrical hookups are required for all bays.
5. Truck route required; must avoid sensitive areas.
6. Facilities generating more than 150 truck trips per day must prepare a Health Risk Assessment (HRA).

B. Development Standards for All New Industrial Development

Title 19 - Chapters 19.130 (Industrial Zones) and 19.150 (Base Zones Permitted Land Uses) include requirements for new industrial uses in the City of Riverside. To reflect the GNG-2020, changes are proposed related to setbacks, heights, and building massing as summarized below.

1. Increased Setbacks

The Zoning Code currently requires a minimum side and rear building setback of 50 feet for industrial buildings adjacent to residential zones. In comparing setback requirements of other jurisdictions, staff found that Riverside's 50 feet minimum setback is equal to or more restrictive than most other communities surveyed. However, based on the City Council feedback in October 2016, the proposed changes would increase the side and rear setbacks to 60 feet when adjacent to residential to adequately accommodate an increased landscape setback of 15 feet, drive aisles, and limited vehicle parking. Front and street side setbacks would remain unchanged.

Minimum Required Building Setbacks – Side and Rear					
Development Standard		Zones			
		BMP	I	AIR	Notes
Side Setbacks					
	Interior Side	0 ft.	0 ft.	0 ft.	
	Adj. to Residential Zone/Use	60 ft.	60 ft.	60 ft.	Minimum 15 feet landscaped along property line
	Street Side	Same as Front Yard	20 ft.	15 ft.	
Rear Setbacks					
	Minimum	0 ft.	0 ft.	0 ft.	
	Adj. to Residential Zone/Use	60 ft.	60 ft.	60 ft.	Minimum 15 feet landscaped along property line

2. Maximum Building Height

The Zoning Code currently allows a maximum building height of 45 feet for industrial buildings adjacent to residential zones. Building height is often identified as a compatibility issue when industrial buildings are located near residential zones because of the visual massing associated with large industrial buildings. Industrial buildings are typically concrete-

tilt-up structures with high ceilings to accommodate manufacturing equipment and/or high-pile storage. Most jurisdictions that address height compatibility do so by requiring taller industrial buildings to be set back farther from the adjacent residential property. Often this is done with a “graduated setback”, where the maximum allowable height of the industrial building increases the farther it is from the property line.

Proposed changes would limit industrial building heights to 35 feet within 200 feet of a residential zone or use to address concerns about height compatibility. Heights would increase to 45 feet for industrial uses located more than 200 feet from a residential zone or use.

Maximum Allowed Building Height				
Development Standard		Zones		
		BMP	I	AIR
	Within 200 feet of Residential Zone/Use	35 ft.	35 ft.	35 ft.
	All other locations	45 ft.	45 ft.	45 ft.

3. Maximum Building Size

In addition to setbacks and height, the overall massing and visual impact of industrial buildings is largely a result of building size. Proposed changes would limit the maximum industrial building size located within 200 feet of a residential zone or use to a maximum floor area of 10,000 square feet. This size limit is based on the threshold established within the description of the Business/Office Park (B/OP) Land Use designation within the General Plan 2025 Land Use and Urban Design Element. The General Plan establishes a limit of 10,000 square feet for light industrial and small warehouse uses that do not create nuisances due to odor, dust, noise or heavy truck traffic. Buildings located between 200 and 800 feet from a residential zone or use would be limited to 100,000 square feet, based on the City Council feedback in October 2016, and all other locations would be limited to the existing maximum Floor Area Ratio (FAR) for the zone.

Maximum Allowed Building Size				
Development Standard		Zones		
		BMP	I	AIR
	Within 200 feet of Residential Zone/Use	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
	200-800 feet of Residential Zone/Use	100,000 sq. ft.	100,000 sq. ft.	100,000 sq. ft.
	All other locations	Per FAR	Per FAR	Per FAR

4. Health Risk Assessment Required

The proposed GNG-2020 includes a policy requiring the preparation of a Health Risk Assessment (HRA) to evaluate potential health impacts from diesel particulates and other emissions associated with industrial uses on the surrounding community. Proposed changes to the Zoning Code will require the preparation of an HRA for new industrial uses located within 1,000 feet of a residential zone or use.

5. Adjusted Permit Requirements

Currently, Warehousing & Wholesale Distribution Centers that are 400,000 square feet or less are permitted by right in the BMP, I and AIR Zones, while those larger than 400,000 square feet require a Minor Conditional Use Permit (MCUP). City Council identified a need to establish additional discretion and oversight for industrial projects of a certain scale,

regardless of location.

Staff is recommending an amendment to Chapter 19.150.020.A - Permitted Uses Table of the Zoning Code to limit industrial uses permitted by right to no more than 10,000 square feet. Buildings between 10,000 and 100,000 square feet would require a MCUP, approved by the Development Review Committee (DRC), and buildings larger than 100,000 square feet would require a Conditional Use Permit (CUP), approved by the Planning Commission.

C. Fences, Walls and Landscaping Standards

In addition to the increased wall height requirement identified in the new Chapter 19.435 - Warehousing and Distribution Facilities and landscaping setbacks along residential properties, staff is proposing changes to Chapters 19.285 – Outdoor Storage Yard, 19.510 – Outdoor Storage Yard-Incidental, and 19.550 – Fences, Walls and Landscape Materials. The change would include provisions that allow the Community & Economic Development Department (CEDD) Director to consider alternative screening methods. Alternative decorative screening materials, such as wrought iron and tubular steel combined with landscaping, may be considered to provide adequate screening of the industrial uses, subject to CEDD Director approval to provide flexibility in design.

D. Definitions

A definition for “Warehousing and Distribution Facility” is proposed to be added to Chapter 19.910 – Definitions of the Zoning Code to provide clarity for the applicability of the newly created Chapter 19.435. The proposed definition is as follows:

Warehousing and Distribution Facility - A building, structure or other facility primarily used for the warehousing, storage, sorting, packing, staging, shipping, receiving, distributing or holding of goods and merchandise of any kind, typically which are not manufactured, processed or otherwise produced in the same facility, for any length of time. Warehousing and distribution facilities include but are not limited to wholesale distribution, distribution centers, moving and transfer storage, cross-dock facilities, package handling centers, order fulfillment centers, or logistics centers and facilities.

Specific Plan Amendments

In addition to the Zoning Code, Specific Plans impacted by the proposed changes include the Sycamore Canyon Business Park Specific Plan and the Hunter Business Park Specific Plan. The Sycamore Canyon Specific Plan was initially adopted in July 1982 and the Hunter Business Park Specific Plan was initially adopted in 1988. Both specific plans have been amended and both areas are largely built out. The Specific Plans generally refer back to Title 19 - Zoning Code for specific regulations, so if City Council moves forward with the GNG-2020 and the Title 19 changes, staff would include amendments with any Title 19 amendments.

FISCAL IMPACT

There is no fiscal impact associated with this project.

Prepared by: David Welch, Community & Economic Development Director

Certified as to

availability of funds: Edward Enriquez, Chief Financial Officer/City Treasurer

Approved by: Rafael Guzman, Assistant City Manager

Approved as to form: Gary G. Geuss, City Attorney

Attachments:

1. Revised Good Neighbor Guidelines (GNG-2020)
2. Revised Title 19 – Zoning Code
3. March 10, 2016 Utility Services/Land Use/Energy Development Committee Staff Report
4. March 10, 2016 Utility Services/Land Use/Energy Development Committee Minutes
5. October 25, 2016 City Council Staff Report
6. October 25, 2016 City Council Minutes
7. Western Riverside Council of Governments Good Neighbor Guidelines for Warehouse Facilities
8. Presentation