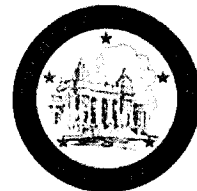


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 3.23

(ID # 11303)

MEETING DATE:

Tuesday, November 19, 2019

FROM: TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA):

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY: Approve Board Policy F-3, Good Neighbor Policy for Logistics and Warehouse Uses, establishing general policies for the development of logistics and warehouse projects within the unincorporated area of Riverside County. CEQA Exempt. All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find Board Policy No. F-3 EXEMPT from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);
2. Approve Board of Supervisors Policy No. F-3 establishing the Good Neighbor Policy for Logistics and Warehouse Uses within the unincorporated area of Riverside County, attached hereto as Attachment A;
3. Provide policy direction on the appropriate setback stated in Section 3.1 by approving either 3.1A or 3.1B; and
4. Direct the Clerk of the Board to deliver the Notice of Exemption to the Office of the County Clerk for filing within five (5) working days of this Board hearing.

ACTION:Policy

Juan C. Perez, Director of Transportation & Land Management

11/13/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Hewitt, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that Board Policy F-3, Good Neighbor Policy for Logistics and Warehouse Uses, is found to be EXEMPT from the California Environmental Quality Act (CEQA), the policy is approved with the truck bays and loading docks siting provisions provided in Section 3.1A and that the policy guidelines apply to new projects submitted after the Policy approval date, and will be implemented during the land use review process on a district by district basis.

Ayes: Spiegel, Perez and Hewitt
Nays: Jeffries and Washington
Absent: None
Date: November 19, 2019
xc: TLMA

Kecia R. Harper
Clerk of the Board

By:
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 19/20	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The logistics industry is a well-established and growing sector of the Riverside County economy that has contributed to local job growth, fueled by societal growth trends in e-commerce and coupled with our strategic location along a major trade corridor that connects to the Ports of Los Angeles and Long Beach. It is expected that we will continue to see strong demand for growth in the logistics industry. However, it is also recognized that the construction and operations of logistics projects that are in close proximity to residences or other sensitive land uses (sensitive receptors) can negatively affect the quality of life of those existing communities. Sensitive receptors generally include residences, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and similar uses.

This policy has been developed to provide a framework through which large-scale logistics and warehouse uses can be better designed and operated in a way that lessens their impact on surrounding communities and the environment. It is meant to apply Best Management Practices to help minimize potential impacts to sensitive receptors, and is intended to be used in conjunction with the County's Land Use Ordinance, which has established development requirements for said projects, and the environmental review process. This policy document does not replace the need for preparation of the appropriate project-specific environmental review and application of any necessary mitigation measures that may arise out of that review. It does, however, provide a series of development and operational criteria that can be implemented to supplement project-level mitigation measures in order to further reduce impacts related to logistics and warehousing development and operations. The framework of the policy is organized into specific categories, to address these potential quality of life issues from the initial design process, to construction, and through operations.

Riverside County has been at the forefront of implementing many of these Best Management Practices on recently approved large-scale logistics projects, such as the San Geronio Crossings and the Trammell Crow projects on Harvill, in order to provide for projects that are more compatible with their surrounding communities. This policy document serves to formally institutionalize these Best Management Practices so that they can be consistently applied to similar future projects.

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This item was continued from the August 6, 2019 Board meeting (Agenda Item 3.43) and the September 24, 2019 Board meeting (Agenda Item 3.27). Since then, staff has presented the item to the Mead Valley Municipal Advisory Council to solicit comments, and has met with NAIOP (representing the logistics industry), individual community members, and held discussion with Air Quality Management District (AQMD) staff to discuss this policy in greater detail. This item was again continued from the October 24, 2019 Board meeting (Agenda Item 3.27). Since then, staff has received further comments from NAIOP. Staff has also received comments from the California Attorney General's Office, which are included as Attachment B.

Furthermore, staff has received a recommendation from Supervisor Jeffries providing alternate language for Section 3.1, which would generally require an increase in the size of the setback to sensitive receptors from 300 feet to 1,000 feet. Said alternative policy states: "Warehouse/distribution facilities shall be designed so that its on-site, arriving and departing commercial diesel trucks, which are idling, in-motion, or parked, as well as the on-site loading docks are at least 1000 feet from an occupied residential structure, school, children's playground, assisted living or day care facility. This distance may be reduced if the appropriate site perimeters are significantly enhanced with a combination of berms, topographical or grade changes, walls, and densely planted and maintained landscaping and mature trees, in such a manner as to reasonably achieve a projected 80% dissipation of anticipated harmful emissions (generated from the proposed site) at the occupied structure(s) and/or facilities previously mentioned."

Staff has considered all of the comments submitted as well as prior comments made during the course of Board meetings, and is recommending the final draft contained herein. Staff has included Supervisor Jeffries' recommendation on setbacks as Section 3.1B, as well as staff's recommended language in Section 3.1A, and is asking the Board to provide direction as to which section should be included in the final version of the policy.

We also note that there are at least two other major regional efforts underway to further address impacts from the logistics industry. The Riverside County Transportation Commission (RCTC) has recently approved a Regional Logistics Fee Study, which could be used as the basis for adoption by local member jurisdiction of an additional transportation fee to further mitigate impacts. RCTC will be considering an implementation plan as the next step in that process, after which time individual jurisdictions could consider moving forward with implementation, which would be subject to its own separate Board action. The South Coast AQMD is also considering several policy initiatives to further address air quality impacts from the logistics industry, including the drafting of a Warehouse Indirect Source Rule, which will be undergoing an extensive rule-making review process. This policy, while complimentary to those efforts, stands alone as an innovative approach to incorporate beneficial Best Management Practices in the design and operations of individual logistics projects considered for approval in the unincorporated area.

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California Environmental Quality Act

In accordance with CEQA, the use of the Common Sense Exemption is based on the "general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment." State CEQA Guidelines section 15061(b)(3). The use of this exemption is appropriate if 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 policy will not approve any specific projects nor allow any development with the potential to cause a physical environmental impact. The policy itself would only apply to future development and would actually lessen the potential for future physical environmental impacts pursuant to CEQA. Furthermore, as the policy would not result in a direct or reasonably foreseeable indirect physical change to the environment and would ultimately be more protective of the environment, approval of the project itself would not be deemed a "project" for CEQA purposes based on the language under Section 15060(c)(2) of the State CEQA Guidelines.

Applicability

This policy is intended to be applied to logistics and warehouse projects that include any building larger than 250,000 square feet in size. It is intended to provide general guidance that will be appropriate for most industrial and warehouse projects. Project-level review under CEQA would continue to apply to any projects, regardless of their square footage and size, and which may include technical reports including, but not limited to, noise, air quality, and traffic related impact evaluations. The hearing body (Planning Commission or Board of Supervisors) has the authority to approve projects that deviate from the guidance provided in this policy, subject to site-specific conditions, appropriate environmental review, and other factors that the Commission or Board may consider.

Impact on Residents and Businesses

The residents and businesses in the unincorporated areas of Riverside County will benefit from a Logistics and Warehouse Good Neighbor policy because it will provide for logistics projects that are more compatible with their surrounding communities.

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS

ATTACHMENT A. Policy No. F-3 Redline


ATTACHMENT B. Attorney General Riverside County Good Neighbor Policy Comment Letter

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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Jason Farin, Senior Management Analyst

11/14/2019



Gregory L. Priamos, Director County Counsel

11/14/2019

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Purpose:

The logistics industry is a well-established sector of the Riverside County economy that has contributed to local job growth, fueled by societal growth trends in e-commerce and coupled with our strategic location along a major trade corridor that connects to the Ports of Los Angeles and Long Beach. It is expected that Riverside County will continue to see strong demand for growth in the logistics industry. However, it is also recognized that the construction and operations of logistics and warehouse projects in close proximity to residences or other sensitive land uses ("sensitive receptors") may negatively affect the quality of life of those existing communities. Sensitive receptors generally include residences, schools, parks, playgrounds, community centers, assisted living, day care centers, nursing homes, hospitals, and similar uses.

This policy provides a framework through which large-scale logistics and warehouse projects can be designed and operated in a way that lessens their impact on surrounding communities and the environment. It is meant to apply Best Management Practices to help minimize potential impacts to sensitive receptors and is intended to be used in conjunction with the County's Land Use Ordinance, which provides development requirements for said projects, and the California Environmental Quality Act (CEQA). This policy does not replace the need for preparation of the appropriate project-specific environmental review and application of any necessary measures that may arise out of that review. This policy provides a series of development and operational criteria that can be implemented to supplement project-level mitigation measures, in order to further reduce impacts related to logistics and warehousing development and operations.

The application of this policy is intended to be included in the conditions of approval as part of individual development projects. This will provide a mechanism by which applicants and the public are made aware of how these guidelines are specifically implemented on a project by project basis, and will provide an opportunity for County staff to monitor the individual conditions of approval. The following policies are organized into specific categories, to address these potential quality of life issues from the initial design process, to construction, and through operations.

Applicability

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This policy applies to logistics and warehouse projects that include any building larger than 250,000 square feet in size with more than 20 loading bays. It is intended to provide a general guidance that will be appropriate for most industrial and warehouse projects larger than 250,000 square feet in size with more than 20 loading bays. Project-level review under CEQA would continue to apply to any projects, regardless of their square footage and size, and which may include technical reports including, but not limited, noise, air quality, and traffic related impact evaluations. The Planning Department shall use this policy to review industrial projects and in instances where a project does not conform to the policy shall document findings to be considered by the Planning Commission and Board of Supervisors. The hearing body (Planning Commission or Board of Supervisors) has the discretion and authority to approve projects that deviate from the guidance provided in this policy, subject to site-specific conditions, (such as the specifics of site topography, proximity of adjacent sensitive receptors, and other relevant factors), appropriate environmental review, and other factors that the Board may consider.

Studies / Analysis:

- 1.1 An "Air Quality" study shall be prepared in accordance with the Air Quality Management District (AQMD) guidelines which includes both project specific and cumulative impact analysis.
- 1.2 A "Health Risk Assessment" shall be prepared when a proposed warehouse/distribution facility is located within 1,000 feet of a sensitive receptor, in accordance with AQMD guidelines.
- 1.3 A "Noise Impact Analysis" shall be prepared for use during the land use entitlement review process to evaluate potential impacts to the neighboring properties. The analysis shall include construction and operations-related noise impacts, including stationary and off-site increases to ambient noise levels.
- 1.4 A "Construction Traffic Control Plan" shall be prepared prior to grading, which details the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations. This is in addition to a Traffic Impact Study as may be required for the environmental review process.

Construction Phase:

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- 2.1 During construction of the warehouse/distribution facility, all heavy duty haul trucks accessing the site shall have CARB-eCompliant 2010 engines or newer approved CARB engine standards.
- 2.2 All diesel fueled off-road construction equipment greater than 50 horsepower, including but not limited to excavators, graders, rubber-tired dozers, and similar "off-road" construction equipment shall be equipped with CARB Tier 3 & 4 Compliant engines or better. If the operator lacks Tier 4 equipment, and it is not available for lease or short-term rental within 50 miles of the project site, Tier 3 or cleaner off-road construction equipment may be utilized subject to County approval.
- 2.3 The maximum daily disturbance area (actively graded area) shall not exceed 10 acres per day. Non-Grading construction activity in areas greater than 10 acres is allowed.
- 2.4 Construction contractors shall utilize construction equipment, with properly operating and maintained mufflers, consistent with manufacturers' standards.
- 2.5 Construction contractors shall locate or park all stationary construction equipment so that the emitted noise is directed away from sensitive receptors nearest the project site, to the extent practicable.
- 2.6 The surrounding streets shall be swept on a regular basis to remove any construction related debris and dirt.
- 2.7 Appropriate dust control measures that meet the SCAQMD standards shall be implemented for grading and construction activity.
- 2.8 Construction equipment maintenance records and data sheets, which includes equipment design specifications and equipment emission control tier classifications, as well as any other records necessary to verify compliance with items 2.1-2.7 above, shall be kept onsite and furnished to the County upon request.
- 2.9 Construction Contractors shall prohibit truck drivers from idling more than five (5) minutes and require operators to turn off engines when not in use, in compliance with the California Air Resources Board regulations.

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- 2.10** During construction, the Transportation & Land Management Agency representative shall conduct an on-site inspection with a facility representative to verify compliance with these policies, and to identify other opportunities to reduce construction impacts.

Siting and Design:

- ~~**3.1** The siting of a warehouse/distribution facility is unique to the location, characteristics of the property, and surrounding uses. The following measures are subject to modification based on the specifics of site topography, proximity of adjacent sensitive receptors, and other relevant factors.~~

- 3.23.1 A)** Warehouse/distribution facilities should be generally designed so that truck bays and loading docks are a minimum of 300 feet, measured from the property line of the sensitive receptor to the nearest dock door using a direct straight-line method. This distance may be reduced if the site design include berms or other similar features to appropriately shield and buffer the sensitive receptors from the active truck operations areas. Other setbacks appropriate to the site's zoning classification shall be incorporated in the design.

OR

B) Warehouse/distribution facilities shall be designed so that its on-site, arriving and departing commercial diesel trucks, which are idling, in-motion, or parked, as well as the on-site loading docks are at least 1000 feet from an occupied residential structure, school, children's playground, community centers, assisted living or day care facility. This distance may be reduced if the appropriate site perimeters are significantly enhanced with a combination of berms, topographical or grade changes, walls, and densely planted and maintained landscaping and mature trees, in such a manner as to reasonably achieve a projected 80% dissipation of anticipated harmful emissions (generated from the proposed site) at the occupied structure(s) and/or facilities previously mentioned.

- 3.33.2** Warehouse/distribution facilities shall be designed to provide adequate on-site parking for commercial trucks and passenger vehicles and on-site queuing for trucks that is away from sensitive receptors. The general queuing and spill-over

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of trucks onto surrounding public streets shall be prevented. Commercial trucks shall not be parked in the public road right-of-way or nearby residential areas.

3.43.3 Truck Driveways shall generally be placed, on streets that do not have fronting sensitive receptors.

3.53.4 Sites shall clearly mark entry and exit points for trucks and service vehicles.

3.63.5 Sites shall be densely screened with landscaping along all bordering streets and adjacent sensitive receptors, with trees spaced no further apart than 25 feet on center. Fifty percent of the landscape screening shall include a minimum of 36-inch box trees. Facility operators will be responsible to establish a long-term maintenance mechanism to assure that the landscaping remains in place and functional in accordance with the approved landscaping plan.

3.73.6 On-site speed bumps shall not be allowed except at security/entry gates. Truck loading bays and drive aisles shall be designed to minimize truck noise.

3.83.7 Dock doors shall be located where they are not readily visible from sensitive receptors or major roads. If it is necessary to site dock doors where they may be visible, a method to screen the dock doors shall be implemented. A combination of landscaping, berms, walls, and similar features shall be considered.

3.93.8 An additional "wing-wall" shall be installed perpendicular to the loading dock areas to further attenuate noise related to truck activities and also address aesthetics by screening the loading area when adjacent to sensitive receptors.

3.103.9 _____ To the extent possible, establish separate entry and exit points within a warehouse/distribution facility for trucks and vehicles to minimize vehicle/truck conflicts.

3.113.10 _____ All lighting used in conjunction with a warehouse/distribution facility operations, shall be directed down into the interior of the site and not spill over onto adjacent properties.

3.123.11 _____ Warehouse/distribution facilities shall install electrical panels and conduit to facilitate future electrical connections, to eliminate idling of main and auxiliary

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engines during the loading and unloading process, ~~and provide for refrigerated trucks and other trucks requiring electrical power.~~ At all cold storage facilities electrical connections shall be provided to each dock.

3.133.12 Facility construction shall comply with the hours of operation and exterior noise decibel levels as required by Riverside County Ordinance No. 847 ("Noise Ordinance")

Operations:

- 4.1 Facility operators shall maintain records of their facility owned and operated fleet equipment and ensure that all diesel-fueled Medium-Heavy Duty Trucks ("MHDT") and Heavy-Heavy Duty ("HHD") trucks with a gross vehicle weight rating greater than 19,500 pounds accessing the site use year CARB compliant 2010 or newer engines. The records should be maintained on-site and be made available for inspection by the County.
- 4.2 Facility operators shall prohibit truck drivers from idling more than five (5) minutes and require operators to turn off engines when not in use, in compliance with the California Air Resources Board regulations.
- 4.3 Facility operators shall train their managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- 4.4 Facility operators shall coordinate with CARB and SCAQMD to obtain the latest information about regional air quality concentrations, health risks, and trucking regulations.
- 4.5 On-site equipment, such as forklifts, shall be electric with the necessary electrical charging stations provided.
- 4.54.6 Facility operators shall establish specific truck routes between the facility and regular destinations, identifying the most direct routes to the nearest highway/freeway and avoid traveling ~~through local residential communities.~~ near sensitive receptors.

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4.64.7 Facility operators shall require their drivers to park and perform any maintenance of trucks in designated on-site areas and not within the surrounding community or on public streets.

4.74.8 Facility operators for sites that exceed 250 employees shall establish a rideshare program, in accordance with AQMD rule 2202, with the intent of discouraging single-occupancy vehicle trips and promote alternate modes of transportation, such as carpooling and transit where feasible.

4.84.9 A minimum of 5% or as required by the Cal Green Code, whichever is greater of employee parking spaces shall be designated for electric or other alternative fueled vehicles.

4.94.10 If a public address (PA) system is being used in conjunction with a warehouse/distribution facility operations, the PA system shall be oriented away from sensitive receptors and the volume set at a level not readily audible past the property line.

4.104.11 Facility Operation shall comply with the exterior noise decibel levels as required by Ord. 847 (Noise Ordinance), which includes a maximum exterior decibel level of 55 dba (between 7:00 a.m. and 10:00 p.m.) and 45 dba (between 10:00 p.m. and 7:00 a.m.) as measured on adjacent occupied residences, or as modified by the most current version of Ordinance No. 847.

Signage:

5.1 Signs should be posted in the appropriate locations that trucks should not idle for more than five (5) minutes and that truck drivers should turn off their engines when not in use.

5.2 Signs should be posted in the appropriate locations that clearly show the designated entry and exit points for trucks and service vehicles.

5.3 Signs should be posted in the appropriate locations that state parking and maintenance of all trucks is to be conducted within designated areas and not within the surrounding community or on public streets.

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5.4 Signs should be posted in the appropriate locations and/or handouts should be provided that show the locations of nearest food options, fueling, truck maintenance services, and other similar convenience services, if these services are not available onsite.

5.5 Each Facility shall designate a Compliance Officer responsible for implementing the measures described herein and/or in the project conditions of approval and mitigation measures. Contact information should be provided to the County and updated annually, and signs should be posted in visible locations providing the contact information for the Compliance Officer to the surrounding community. These signs shall also identify the website and contact information for the South Coast Air Quality Management District.

5.6 Signs shall be posted in accordance with Ordinance No. 348, which may be amended from time to time.

Community Benefits:

6.1 Applicants for proposed warehouse/distribution facilities shall engage in a community outreach effort to engage the existing community in determining issues of concern that can be addressed through site design and other means during the project land use entitlement process. Suggested outreach efforts include but are not limited to, hosting community meetings, making presentations at Municipal Advisory Councils and Community Councils, and hosting job fairs.

6.16.2 Additionally project applicants shall post on-site notice in accordance with Planning Department requirements during the Notice of Preparation stage of the EIR, in order to provide opportunity for early public comment. Said on-site notice shall include a link to a project website provided by the applicant and the Planning Department's Notice of Preparation link. Website should include information such as a complete and accurate project description, maps and drawings of the project design, and directions for how communities can provide input. The website should be in a format that is easy to navigate and understand.

6.26.3 Applicants for proposed new facilities should look beyond their immediate development footprint and look for opportunities to enhance the surrounding community through upgrades such as street paving, walls, landscaping, or other

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types of infrastructure improvements. On-site and off-site upgrades and improvements which offset potential air quality impacts, based on a showing of substantial evidence by means of a technical report as determined by the County, shall reduce the supplemental funding contribution policy listed in Section 6.4.

On-site and off-site upgrades and improvements which could offset potential air quality impacts, include, not are not limited to:

- Project design features that directly offset NOx reductions above and beyond what is required by existing air quality regulations;
- Project design features that generally improve air quality such as paving of dirt roads, installation of additional trees, landscaping, and air filters for sensitive receptors;
- Provision of additional buffers between the new facility and sensitive receptors, in addition to those setbacks required pursuant to Section 3.1 herein; and
- Project design features that lead to reduced emissions by promoting alternate forms of transportation such as bicycle lanes, new sidewalks, bus turnouts, or other transit-related uses.

6.36.4 Given the potential for community impacts related to the construction and operation of logistics and warehouse facilities, the applicant for any new facility may be required to provide a supplemental funding contribution, which would be applied to further off-set potential air quality impacts to the community and provide a community benefit above and beyond any CEQA related mitigation measures. Said financial contribution would generally be determined by the Transportation and Land Management Agency based on the level of nitrogen oxides (NOx) emissions generated by the project that exceeds the regional NOx significance thresholds established by the appropriate AQMD. Said supplemental funding contribution will be collected on a one-time basis. Funds collected under said supplemental funding program will be subject to designation for use by the Board of Supervisors, and will generally be used for projects that directly benefit the impacted community wherein the project is located. The types of projects that the Board of Supervisors may designate for use of these funds include, but are not limited to:

- Projects that directly offset NOx reductions above and beyond what is required by existing air quality regulations;

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- Projects that generally improve air quality such as paving of dirt roads, installation of additional trees and landscaping, and air filters for sensitive receptors;
- ~~Projects that provide an enhanced buffer between the new facility and sensitive receptors; and~~ Provision of additional buffers between the new facility and sensitive receptors, in addition to those setbacks required pursuant to Section 3.1 herein; and
- Projects that lead to reduced emissions by promoting alternate forms of transportation such as bicycle lanes, new sidewalks, bus turnouts, or other transit-related uses.

6.46.5 The County recognizes that the South Coast Air Quality Management District is studying and considering the implementation of a mitigation fee program that would apply to logistics and warehouse uses. Should South Coast AQMD adopt a mitigation fee program that covers similar uses to achieve additional air quality benefits as intended by Section 6.3, the County recognizes that participation in said South Coast AQMD fee program would offset the supplemental fee requirement in Section 6.3.

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



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November 13, 2019

Mr. Juan C. Perez
Director
County of Riverside, Transportation and Land Management Agency
4080 Lemon St., 14th Floor
P.O. Box 1605
Riverside, CA 92502-1605

RE: Proposed "Good Neighbor" Policy for Logistics and Warehouse/Distribution Uses

Dear Mr. Perez:

The California Attorney General's Bureau of Environmental Justice supports Riverside County's efforts to establish a good neighbor policy setting minimum standards for logistics and warehouse projects. As the policy recognizes, the logistics industry has experienced rapid growth in recent years, especially in the Inland Empire. A robust set of minimum standards can protect residents, level the playing field for projects across the County, and provide a predictable business environment. The Attorney General's Office therefore urges the County to adopt a good neighbor policy and provides several recommendations for improving the policy.

I. LOCAL IMPACTS OF WAREHOUSE FACILITIES AND THE NEED FOR A GOOD NEIGHBOR POLICY

The Inland Empire region, including Riverside County, has been an epicenter of warehouse development in the state. The Los Angeles Times reports that, "[i]n the last decade, more than 150 million square feet of industrial space, the vast majority of it warehouses, has been built in the Inland Empire."¹ Among the largest 100 logistics leases signed in 2018 nationwide, 20 were in the Inland Empire, nearly double the jurisdiction with the second-most signed leases.² Those 20 deals, representing only a fraction of overall logistics growth in the Inland Empire, were for a total of nearly 20 million square feet.³ Furthermore, this development has proliferated near communities. For example, in the Mead Valley area of Riverside County

¹ Los Angeles Times, *When your house is surrounded by massive warehouses*, October 27, 2019.

² See <https://www.cbre.us/about/media-center/inland-empire-largest-us-warehouse-leases>.

³ *Id.*

and the neighboring City of Perris, significant new warehouse developments have been placed adjacent to and surrounding pre-existing neighborhoods.⁴

The draft policy acknowledges that construction and operation of warehouse projects can come with significant environmental and public health impacts for nearby sensitive receptors. Indeed, the Attorney General's Office has recently filed several comment letters on logistics projects pursuant to the California Environmental Quality Act to ensure that those impacts are properly disclosed and mitigated.⁵ In addition, the California Air Resources Board (CARB)⁶ and South Coast Air Quality Management District (SCAQMD)⁷ regularly submit comment letters on the air quality impacts of logistics projects. This substantial involvement from state and regional actors underscores the need for minimum development standards for warehouse projects. It should also assure local decision-makers that attracting economic development need not be a race to the bottom.

As the County understands, nearby residents, schools, parks, and places of worship are exposed to the air pollution, noise, and traffic generated by logistics facilities. Among other pollutants, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a cause of respiratory problems like asthma, bronchitis, lung irritation, and lung cancer—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.⁸ Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.⁹ The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate contribute to traffic jams, deterioration of road surfaces, and traffic accidents.

⁴ See Attachment A, Warehouse Proliferation in the Mead Valley Vicinity from 2012 to 2019.

⁵ California Office of the Attorney General, Comment Letters Filed under the California Environmental Quality Act, <https://oag.ca.gov/environment/ceqa/letters>.

⁶ California Air Resources Board, California Environmental Quality Act Letters for Freight Facilities, <https://ww2.arb.ca.gov/resources/documents/california-environmental-quality-act-letters-freight-facilities>.

⁷ South Coast Air Quality Management District, CEQA Comment Letters – Year 2019, <http://www.aqmd.gov/home/rules-compliance/ceqa/commenting-agency/comment-letters-year-2019>

⁸ California Air Resources Board, Nitrogen Dioxide & Health, <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health> (NO_x); California Air Resources Board, Summary: Diesel Particulate Matter Health Impacts, <https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts>; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf> (DPM).

⁹ Noise Sources and Their Effects, <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

These environmental impacts tend to be concentrated in neighborhoods already suffering from disproportionate health impacts. According to CalEnviroScreen 3.0, CalEPA's screening tool that ranks each census tract in the state for pollution and vulnerability, many communities in unincorporated Riverside County experience some of the highest pollution in the state and are especially vulnerable to the resulting health effects.¹⁰ For example, several census tracts in Mead Valley rank worse than 90 percent of the rest of the state for combined pollution burden and vulnerability. The majority of Riverside County is in the worst 10% for exposure to ozone, and areas near Mead Valley, Moreno Valley, Corona, Indio, Murrieta, and Temecula have elevated exposures to fine and/or diesel particular matter. Unsurprisingly, Riverside County residents suffer from health issues that correspond with high levels of air pollution. Areas near Banning, Hemet, Mead Valley, Moreno Valley, and Perris have among the worst rates of asthma and/or cardiovascular disease in the state, and many communities suffer from especially high rates of low birth weight infants. These health issues both are caused by exposure to air pollution, and make the residents more vulnerable to that exposure. Moreover, various communities across unincorporated Riverside County are low-income communities and communities of color. Nearly half of the County's population is Latinx, 19% of whom live below the poverty line.¹¹ Given the high exposure County residents experience, and their vulnerability to this exposure, the County should take care to avoid adding to the existing pollution burden in these communities.

Despite the negative environmental and health impacts they bring to communities, warehouse facilities are often approved on the promise that they will bring jobs. However, the economic benefits of these facilities are often overstated. Many warehouse jobs are part-time, temporary, lack benefits, and/or do not pay a living wage. According to a report from the Los Angeles County Economic Development Corporation's Institute for Applied Economics (LAEDC report), employment in warehousing and logistics jobs in Los Angeles and the Inland Empire grew by 55.1% from 2005 to 2015, while real wages decreased by 9% in the same period.¹² Moreover, a 2018 nationwide industry-sponsored study found that 48% of warehouse employees worked a second job, and that 40% of those employees worked at least 31 hours per

¹⁰ CalEnviroScreen 3.0, available at <https://oehha.ca.gov/calenviroscreen> (as of January 17, 2019). CalEnviroScreen is a tool created by the Office of Environmental Health Hazard Assessment that uses environmental, health, and socioeconomic information to produce scores and rank every census tract in the state. A census tract with a high score is one that experiences a much higher pollution burden than a census tract with a low score. Office of Environmental Health Hazard Assessment, CalEnviroScreen 3.0 Report (January 2017), available at <https://oehha.ca.gov/media/downloads/calenviroscreen/report/ces3report.pdf>.

¹¹ U.S. Census Bureau, American Community Survey (data from 2017). 15.6% of all people in Riverside County live below the poverty line, compared to the national average of 13.4%.

¹² Los Angeles County Economic Development Corporation, *Goods on the Move! Trade and Logistics in Southern California*, https://laedc.org/wp-content/uploads/2017/06/TL_20170515_Final.pdf, at 17-18.

week at their second jobs.¹³ Although logistics industry growth and the attendant demand for workers has increased wages somewhat in recent years, still only 65% of workers surveyed made at least \$12 an hour.¹⁴

Job growth from warehouse projects may also be temporary. The LAEDC report warned that “employment prospects for tomorrow will dim as ... automation of these jobs becomes a reality.” In fact, JD.com, a major online retailer in China, last year unveiled a fully automated warehouse that can fulfill 200,000 packages a day while employing only four workers, who service the facility’s robots.¹⁵ Prominent American retailers’ substantial investments in automation are well-documented.¹⁶

For all these reasons, the County should take special care analyzing the expected benefits of logistics facilities, as well as evaluating the environmental and health impacts of siting these facilities near communities. A good neighbor policy would appropriately place minimum development standards on warehouse projects to ensure that the facilities in fact benefit the communities where they are located. Although improvements are suggested below, the County’s good neighbor policy would be a step in the right direction toward more thoughtful, health-protective, and just warehouse development County-wide. The good neighbor policy could also become a model for other jurisdictions that are grappling with similar issues. Accordingly, the Attorney General’s Office encourages the County to adopt a good neighbor policy.

II. RECOMMENDATIONS FOR IMPROVING THE DRAFT “GOOD NEIGHBOR” POLICY

While we applaud the County’s effort in developing the policy, we have identified several areas that would benefit from revisions to the draft policy. These recommendations fall into four categories—(1) buffers between warehouses and sensitive receptors, (2) cumulative impacts analyses, (3) mitigation of engine emissions, and (4) community engagement.

¹³ ProLogistix, 2018 Warehouse Employee Opinion Survey Results, <https://www.newcastlesys.com/hubfs/docs/2018-Warehouse-Employee-Opinion-Survey-Results.pdf>, at 2.

¹⁴ *Id.* Even though Amazon made headlines when it announced that it will pay its employees a \$15 per hour minimum wage, it simultaneously ended programs that paid workers bonuses and gave them stock. CBS News, *Amazon cutting bonuses and stock benefits as it raises minimum wage to \$15*, <https://www.cbsnews.com/news/amazon-to-cut-bonuses-for-warehouse-workers-and-stock-benefits-as-it-raises-minimum-wage-to-15/>.

¹⁵ Freight Waves, *JD.com opens automated warehouse that employs four people but fulfills 200,000 packages daily*, <https://www.freightwaves.com/news/technology/jdcom-opens-automated-warehouse-that-employs-four-people-but-fulfills-200000-packages-daily>.

¹⁶ See, e.g., InvestorPlace, *Amazon Stocks Should Grow on Its Automation Efforts*, <https://investorplace.com/2019/06/amazon-stock-can-deliver-better-returns-due-to-higher-automation-investments/>; Bloomberg, *Kroger Goes Full Robot to Take On Amazon*, <https://www.bloomberg.com/opinion/articles/2019-07-22/kroger-goes-full-robot-to-take-on-amazon-with-ocado>.

A. The County Should Strengthen the Buffer Between Warehouses and Sensitive Receptors.

Most importantly, the County should increase the distance of the buffer between sensitive receptors and warehouse facilities and revise the way the buffer is measured. The current draft states that warehouse facilities “should be generally designed so that truck bays and loading docks are a minimum of 300 feet, measured from the dock building door to the occupied structure of a sensitive receptor. This distance may be reduced if the site design include berms or other similar features to appropriately shield and buffer the sensitive receptors from the active truck operations areas.”¹⁷ This buffer is insufficient for three reasons. First, it is too small. CARB recommends that sensitive land uses be separated from warehouses by at least 1,000 feet, based on data showing that localized air pollution drops off by 80% about 1,000 feet away.¹⁸ Riverside County has vast swathes of vacant land, such that implementation of CARB’s recommended buffer size is feasible without significantly constraining potential economic development.

Second, the way the 300-foot buffer is measured—from the warehouse dock building door to the occupied structure of a sensitive receptor—provides no actual protection. Three hundred feet—including a backyard, warehouse wall, vegetative buffer, and potentially a road—will typically separate any warehouse building and residence. For example, Attachment B to this letter contains an aerial image of a small, formerly rural community near Mead Valley that is now surrounded by warehouses. All of the occupied structures in the image are at least 300 feet from the nearest dock door. Measuring the buffer from the warehouse dock door to the occupied structure of a sensitive receptor also ignores how sensitive receptors are exposed to the facility’s impacts. Trucks drive and idle on other parts of a warehouse property besides the dock doors, and sensitive receptors are most exposed to pollution outdoors, such as in a backyard or school playground. Finally, the buffer provision expressly permits exceptions to its rule. It states that facilities “should generally be designed” with the buffer, and that the 300-foot buffer “may be reduced” if the site design shields the sensitive receptors. The entire good neighbor policy is non-binding guidance, so it already allows for reasonable flexibility. The buffer provision’s built-in exceptions invite development that ignores the buffer altogether.¹⁹

B. The County Should Add a Requirement to Conduct Meaningful Cumulative Air Quality Impact Analysis.

We are pleased that the draft good neighbor policy requires air quality, health risk assessment, noise, and construction traffic analyses for warehouse projects. In this spirit of robust disclosure, and particularly where a warehouse facility is sited near sensitive receptors,

¹⁷ Good Neighbor Policy (October 15, 2019 Draft), at 4.

¹⁸ California Air Resources Board, Air Quality and Land Use Handbook: A Community Health Perspective (April 2005), at 4-5.

¹⁹ Similarly, the County should remove Policy 3.1. The Purpose and Applicability sections make clear that individual projects are unique, such that deviating from a particular policy may be justified in special circumstances.

the County should also require analysis of a project's cumulative air quality impacts with other nearby sources of pollution. Often, analyses under the California Environmental Quality Act (CEQA) conclude that a project has no significant *cumulative* air quality impact on the basis that the project's impacts alone do not exceed SCAQMD's significance thresholds for an *individual* project. CEQA documents sometimes use this rationale even if the project is adjacent to other warehouses and their combined impact would clearly exceed SCAQMD standards. As a California appellate court has stated, "[o]ne of the most important environmental lessons evident from past experience is that environmental damage often occurs incrementally from a variety of small sources."²⁰ Including a requirement to expressly disclose a warehouse project's cumulative air quality impacts with other projects would ensure that decision makers are aware of the project's cumulative impacts when considering whether to approve facilities that would contribute to communities' cumulative pollution burden. It would also ensure compliance with CEQA's requirement that cumulative impact analysis consider the project's incremental impact in combination with past, present, and reasonably foreseeable future projects. CEQA Guidelines, Appendix G, §§ 15130, 15355; *Communities for a Better Env't v. California Res. Agency* (2002) 103 Cal.App.4th 98, 118 ("[T]he guiding criterion on the subject of cumulative impact is whether any additional effect caused by the proposed project should be considered significant given the existing cumulative effect."); *Kings Cty. Farm Bureau v. City of Hanford*, *supra*, 221 Cal.App.3d 692, 719-21 (holding that relatively small air quality impacts from a project do not eliminate the need to consider the project's combined impacts with other development).

C. The County Should Improve its Mitigation of Warehouse-Related Engine Emissions.

In addition, the County should strengthen its measures to reduce warehouse-related engine emissions. For example, the County should require that on-site equipment for operations be electric. This is a common mitigation measure found in many warehouse projects, and electric on-site equipment substantially reduces on-site emissions and noise. The County should also revise policy 2.2 so that off-road construction equipment must meet Tier 4 engine standards. Requiring Tier 4 engines is feasible—CARB enacted those standards in 2005—and much cleaner, reducing particulate matter and nitrogen oxide emissions by about 90%. In addition, the County should revise policy 3.12 to require electrical connections at all loading/unloading docks and trailer spaces for cold storage warehouses. Cold storage warehouses attract trucks with transport refrigeration units, which generate significantly higher levels of diesel, nitrogen oxide, and greenhouse gas emissions than trucks without such units.²¹ Without electrical connections, these auxiliary diesel engines idle at warehouse facilities, contributing to higher localized health

²⁰ *Kings Cty. Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 720.

²¹ California Air Resources Board, Preliminary Health Analyses: Transport Refrigeration Unit Regulation, Public Review Draft (October 18, 2019), https://ww3.arb.ca.gov/cc/cold-storage/documents/hra_healthanalyses2019.pdf, at ES-2 to ES-3.

risks.²² CARB is currently developing new regulations for transport refrigeration units, so it would also benefit projects in the County to get ahead of the incoming regulations.²³

D. The County Should Clarify its Community Engagement Requirement.

Finally, we appreciate the County's acknowledgment of the importance of including communities in the warehouse project design, siting, and approval process. Policy 6.1 requires warehouse project applicants to "engage in a community outreach effort to engage the existing community in determining issues of concern that can be addressed through site design and other means during the project land use entitlement process."²⁴ While this policy has good intentions, it is unclear what the County expects applicants to do to comply with the policy, and thus it may not accomplish the County's goal of increasing community engagement. More detail would make this community engagement policy more predictable for project applicants and more enforceable for the County. To provide more notice while maintaining flexibility, the County could add examples of recommended community engagement strategies to Policy 6.1. For example, Policy 6.1 could ask project applicants to hold a series of community meetings with affected residents and incorporate suggestions into the project design. Other suggestions to promote successful community outreach strategies include:

- Posting information on a website about the project, such as a complete, accurate project description, maps and drawings of the project design, and directions for how communities can provide input. The website and information should be in a format that is easy to navigate and understand.
- Providing notice by mail to residents and schools within a certain radius of the project and by erecting a prominent sign on the project site. The notice should include a brief project description and directions to the website and how to provide input on the project.
- Providing translation or interpretation in residents' native language, where appropriate.

III. CONCLUSION

The County's good neighbor policy would help safeguard residents' health, without posing undue burdens on economic development. We therefore urge the County to adopt minimum development standards for warehouse projects County-wide and incorporate the recommendations in this letter. We are available to provide assistance to the County as it considers the good neighbor policy, and to provide feedback on any measure the County is considering. Please do not hesitate to contact me if you have any questions or would like to discuss.

²² *Id.*

²³ California Air Resources Board, New Transport Refrigeration Unit Regulation in Development, <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/new-transport-refrigeration-unit-regulation>.

²⁴ Good Neighbor Policy (October 15, 2019 Draft), at 7.

November 13, 2019
Page 8

Sincerely,

A handwritten signature in black ink, appearing to be 'RS' or similar initials, followed by a horizontal flourish.

ROBERT SWANSON
Deputy Attorney General

For XAVIER BECERRA
Attorney General

Attachment A: Warehouse Proliferation in the Mead Valley Vicinity from 2012 to 2019

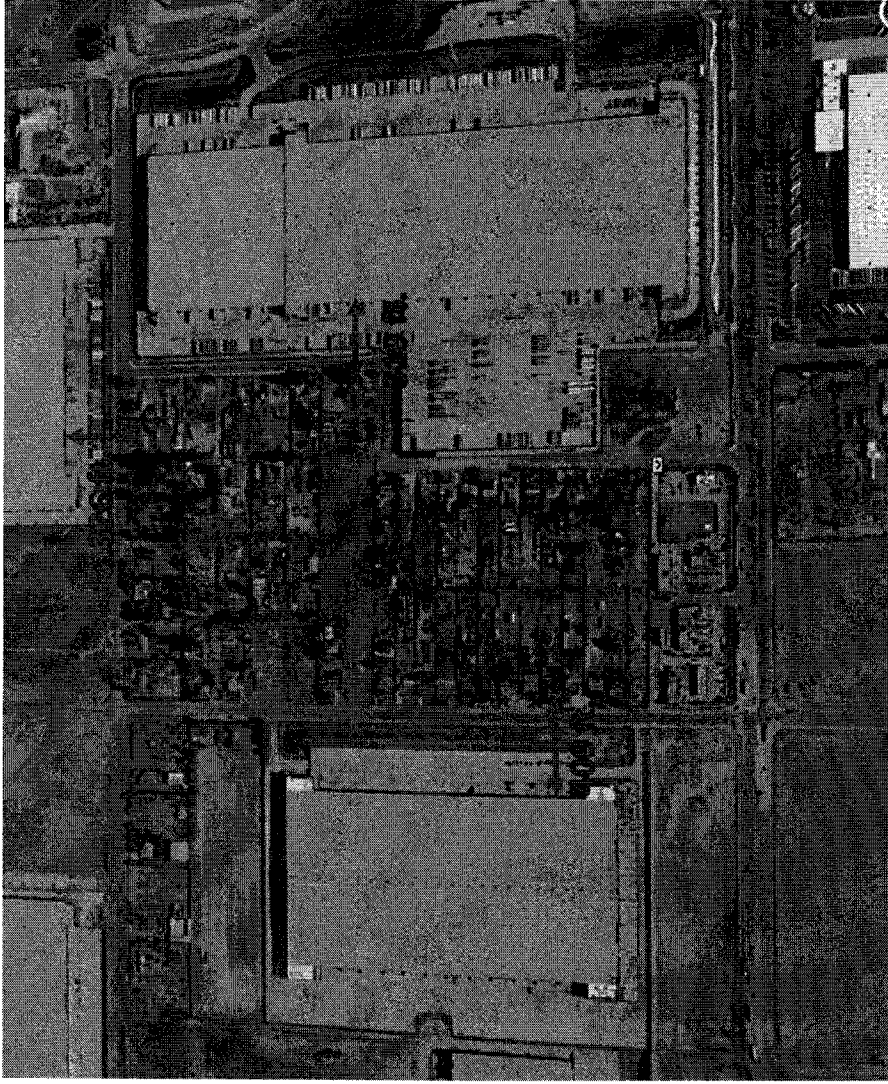


2012



2019

Attachment B: Aerial Image Illustrating a 300-Foot Buffer



As indicated by the annotations, all structures occupied by sensitive receptors in this image are at least 300 feet from the nearest warehouse dock door, even though warehouses surround this community and some of the dock doors face residences.²⁵

²⁵ Intersection of N. Webster Ave., W. Markham St., and Ramona Expy. in Perris. Cite: Google Earth (distances from ruler tool).

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



3.27
(MT 11127)

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from the Transportation and Land Management Agency regarding the approval of Board Policy F-3, Good Neighbor Policy for Logistics and Warehouse Uses, establishing general policies for the development of logistics and warehouse projects within the unincorporated area of Riverside County, is continued to Tuesday, November 19, 2019 at 9:30 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on October 22, 2019 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: October 22, 2019
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: [Signature] Deputy

AGENDA NO.
3.27

xc: CØB

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.27
MT: (ID # 11127)**

MEETING DATE:

FROM : TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMAG), October 22, 2019

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY: Approve Board Policy F-3, Good Neighbor Policy for Logistics and Warehouse Uses, establishing general policies for the development of logistics and warehouse projects within the unincorporated area of Riverside County. CEQA Exempt. All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find Board Policy No. F-3 EXEMPT from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);
2. Approve Board of Supervisors Policy No. F-3 establishing the Good Neighbor Policy for Logistics and Warehouse Uses within the unincorporated area of Riverside County, attached hereto as Attachment A; and
3. Direct the Clerk of the Board to deliver the Notice of Exemption to the Office of the County Clerk for filing within five (5) working days of this Board hearing.

ACTION:Policy

Juan C. Perez, Director of Transportation & Land Management

10/16/2019

MINUTES OF THE BOARD OF SUPERVISORS

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 19/20	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The logistics industry is a well-established and growing sector of the Riverside County economy that has contributed to local job growth, fueled by societal growth trends in e-commerce and coupled with our strategic location along a major trade corridor that connects to the Ports of Los Angeles and Long Beach. It is expected that we will continue to see strong demand for growth in the logistics industry. However, it is also recognized that the construction and operations of logistics projects that are in close proximity to residences or other sensitive land uses (sensitive receptors) can negatively affect the quality of life of those existing communities. Sensitive receptors generally include residences, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and similar uses.

This policy has been developed to provide a framework through which large-scale logistics and warehouse uses can be better designed and operated in a way that lessens their impact on surrounding communities and the environment. It is meant to apply Best Management Practices to help minimize potential impacts to sensitive receptors, and is intended to be used in conjunction with the County's Land Use Ordinance, which has established development requirements for said projects, and the environmental review process. This policy document does not replace the need for preparation of the appropriate project-specific environmental review and application of any necessary mitigation measures that may arise out of that review. It does, however, provide a series of development and operational criteria that can be implemented to supplement project-level mitigation measures in order to further reduce impacts related to logistics and warehousing development and operations. The framework of the policy is organized into specific categories, to address these potential quality of life issues from the initial design process, to construction, and through operations.

Riverside County has been at the forefront of implementing many of these Best Management Practices on recently approved large-scale logistics projects, such as the San Geronio Crossings and the Trammel Crow projects on Harvill, in order to provide for projects that are more compatible with their surrounding communities. This policy document serves to formally institutionalize these Best Management Practices so that they can be consistently applied to similar future projects.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

This item was continued from the August 6, 2019 Board meeting (Agenda Item 3.43) and the September 24, 2019 Board meeting (Agenda Item 3.27). Since then, staff has presented the item to the Mead Valley Municipal Advisory Council to solicit comments, and has met with NAIOP (representing the logistics industry), individual community members, and held discussion with Air Quality Management District (AQMD) staff to discuss this policy in greater detail. As a result of these discussions, staff is proposing certain changes to the prior drafts of the policy (as shown on the attached exhibit with the redline version) to address some issues of concern and provide greater clarification on the intent of the policy.

We also note that there are at least two other major regional efforts underway to further address impacts from the logistics industry. The Riverside County Transportation Commission (RCTC) has recently approved a Regional Logistics Fee Study, which could be used as the basis for adoption by local member jurisdiction of an additional transportation fee to further mitigate impacts. RCTC will be considering an implementation plan as the next step in that process in Fall 2019, after which time individual jurisdictions could consider moving forward with implementation, which would be subject to its own separate Board action. The South Coast AQMD is also considering several policy initiatives to further address air quality impacts from the logistics industry, including the drafting of a Warehouse Indirect Source Rule, which will be undergoing an extensive rule-making review process. This policy, while complimentary to those efforts, stands alone as an innovative approach to incorporate beneficial Best Management Practices in the design and operations of individual logistics projects considered for approval in the unincorporated area.

California Environmental Quality Act

In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines section 15061(b)(3). The use of this exemption is appropriate if 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 policy will not approve any specific projects nor allow any development with the potential to cause a physical environmental impact. The policy itself would only apply to future development and would actually lessen the potential for future physical environmental impacts pursuant to CEQA. Furthermore, as the policy would not result in a direct or reasonably foreseeable indirect physical change to the environment and would ultimately be more protective of the environment, approval of the project itself would not be deemed a “project” for CEQA purposes based on the language under Section 15060(c)(2) of the State CEQA Guidelines.

Applicability

This policy is intended to be applied to logistics and warehouse projects that include any building larger than 250,000 square feet in size. It is intended to provide general guidance that will be appropriate for most industrial and warehouse projects. Project-level review under CEQA would continue to apply to any projects, regardless of their square footage and size, and

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

which may include technical reports including, but not limited to, noise, air quality, and traffic related impact evaluations. The hearing body (Planning Commission or Board of Supervisors) has the authority to approve projects that deviate from the guidance provided in this policy, subject to site-specific conditions, appropriate environmental review, and other factors that the Commission or Board may consider.

Impact on Residents and Businesses

The residents and businesses in the unincorporated areas of Riverside County will benefit from a Logistics and Warehouse Good Neighbor policy because it will provide for logistics projects that are more compatible with their surrounding communities.

Additional Fiscal Information

N/A



Contract History and Price Reasonableness

N/A

ATTACHMENTS

ATTACHMENT A. Policy No. F-3

ATTACHMENT B. Policy No. F-3 redline

	
Jason Farin, Senior Management Analyst	Gregory T. Priaplos, Director County Counsel
10/16/2019	10/16/2019

Perez, Juan

From: Scott Hildebrandt <scott.hildebrandt@webbassociates.com>
Sent: Monday, October 21, 2019 11:12 PM
To: Perez, Juan; Leach, Charissa; Gettis, Aaron; Maldonado, Michael
Cc: Rob Evans - NAIOP IE
Subject: Fwd: GNP
Attachments: Good Neighbor Policy.docx

CAUTION: This email originated externally from the **Riverside County** email system.
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Juan

Attached is my copy of the edited GNP. I highlighted the text in black to represent minor editorial changes. The highlighted text in red are comments that NAIOP cannot support primarily due to lack of foundation and the need for more study that does not appear to be available.

I understand that someone representing NAIOP will be present to discuss the comments.

I'm copying NAIOP in case they want to follow up with a letter as well.

Sorry for the late hour, I've been in the desert all afternoon.

Thank you,

Scott R. Hildebrandt
Senior Vice President
Albert A. Webb Associates



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[Protection Notice](#)

Submitted by Juan Perez

10-22-19 Item 3.27
(date)

[REDACTED]

From: [REDACTED]
Sent: Tuesday, October 22, 2019 8:22 AM
To: [REDACTED]
Subject: FW: JPerez Team and NAIOP IE Good Neighbor Guidelines Mtg follow up

From: Rob Evans <rob@naiopie.org>
Sent: Tuesday, October 15, 2019 9:55 AM
To: [REDACTED]; Rob Evans <rob@naiopie.org>
Cc: Jonathon Shardlow <Jonathan.Shardlow@GreshamSavage.com>; Scott Hildebrandt <scott.hildebrandt@webbassociates.com>; Peter Herzog <peter@talleyassoc.com>; [REDACTED]
Subject: Re: JPerez Team and NAIOP IE Good Neighbor Guidelines Mtg follow up

Debra,

Our apologies a couple folks had unexpected circumstance arise today - we are unable to make the meeting.

We will be in touch and hope to get an alternate time or at the very least get a redline to you.

Robert Evans rob@naiopie.org
Executive Director | NAIOP Inland Empire
25241 Paseo de Alicia, Suite 120 | Laguna Hills, CA 92653
Tel: (951) 710-8768

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From: [REDACTED]
Sent: Tuesday, October 22, 2019 8:20 AM
To: [REDACTED]
Subject: FW: JPerez Team and NAIOP IE Good Neighbor Guidelines Mtg follow up

From: Rob Evans [mailto:rob@naiopie.org]
Sent: Tuesday, October 15, 2019 11:44 AM
To: [REDACTED]
Subject: Re: JPerez Team and NAIOP IE Good Neighbor Guidelines Mtg follow up

I'm at a conference the next couple days, however I will try to get an answer and the redline from the committee over to that list of folks

Robert Evans rob@naiopie.org
Executive Director | NAIOP Inland Empire
25241 Paseo de Alicia, Suite 120 | Laguna Hills, CA 92653
Tel: (951) 710-8768

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COUNTY OF RIVERSIDE, CALIFORNIA

BOARD OF SUPERVISORS POLICY

"Good Neighbor" Policy for Logistics and Warehouse/Distribution Uses

Purpose:

The logistics industry is a well-established sector of the Riverside County economy that has contributed to local job growth, fueled by societal growth trends in e-commerce and coupled with our strategic location along a major trade corridor that connects to the Ports of Los Angeles and Long Beach. It is expected that Riverside County will continue to see strong demand for growth in the logistics industry. However, it is also recognized that the construction and operations of logistics and warehouse projects in close proximity to residences or other sensitive land uses ("sensitive receptors") may negatively affect the quality of life of those existing communities. Sensitive receptors generally include residences, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and similar uses.

This policy provides a framework through which large-scale logistics and warehouse projects can be designed and operated in a way that lessens their impact on surrounding communities and the environment. It is meant to apply Best Management Practices to help minimize potential impacts to sensitive receptors and is intended to be used in conjunction with the County's Land Use Ordinance, which provides development requirements for said projects, and the California Environmental Quality Act (CEQA). This policy does not replace the need for preparation of the appropriate project-specific environmental review and application of any necessary measures that may arise out of that review. This policy provides a series of development and operational criteria that can be implemented to supplement project-level mitigation measures, in order to further reduce impacts related to logistics and warehousing development and operations. The following policies are organized into specific categories, to address these potential quality of life issues from the initial design process, to construction, and through operations. **Where these policies conflict with adopted Ordinances, the adopted Ordinance shall apply.**

Applicability

This policy applies to logistics and warehouse projects that include any **SINGLE** building larger than 250,000 square feet in size **WITH MORE THAN 20 LOADING BAYS, SIGNIFYING A TRUCK-INTENSIVE OPERATION** which is **adjacent to existing sensitive receptors**. It is intended to provide a general guidance that will be appropriate for most industrial and warehouse projects **WITH BUILDINGS LARGER THAN 250,000 SF HAVING 20 OR MORE LOADING BAYS**. Project-level review under CEQA would continue to apply

COUNTY OF RIVERSIDE, CALIFORNIA

BOARD OF SUPERVISORS POLICY

"Good Neighbor" Policy for Logistics and Warehouse/Distribution Uses

to any projects, **REQUIRING DISCRETIONARY APPROVAL** regardless of their square footage and size, and which may include technical reports including, but not limited, noise, air quality, and traffic related impact evaluations. The Planning Department shall use this policy to review industrial projects and in instances where a project does not conform to the policy shall document findings to be considered by the **PLANNING DIRECTOR**, Planning Commission and/OR Board of Supervisors. The hearing body **THAT CONSIDERS THE DISCRETIONARY APPROVAL (PLANNING DIRECTOR, Planning Commission or Board of Supervisors)** has the discretion and authority to approve projects that deviate from the guidance provided in this policy, subject to site-specific conditions, appropriate Environmental review, and other factors that the Board may consider. **FOR PROJECTS SUBJECT TO THIS POLICY, THE FOLLOWING Studies / Analysis ARE RECOMMENDED:**

Technical analysis on how the square footage number was determined is required to establish the correct trigger in which impacts have the potential to occur. We request this square footage trigger to be modified to include only truck intensive operations defined by a certain amount of loading bays. Based on our experience, projects at or near this trigger are primarily used for general warehousing and manufacturing. The County should consider a trigger of 650,000 square feet or 40 acres which is the definition of an industrial project with statewide, regional, or areawide significance. (CEQA Guidelines Section 15206)

- 1.1 An "Air Quality" study shall be prepared in accordance with the Air Quality Management District (AQMD) guidelines.
- 1.2 A "Health Risk Assessment" shall be prepared when a proposed warehouse/distribution facility is located within 1,000 feet of a sensitive receptor, in accordance with AQMD guidelines.
- 1.3 A "Noise Impact Analysis" shall be prepared for use during the land use entitlement review process to evaluate potential impacts to the neighboring properties. The analysis shall include construction and operations-related noise impacts, including stationary and off-site increases to ambient noise levels.
- 1.4 A "Construction Traffic Control Plan" shall be prepared prior to grading, which details the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations. This is in addition to a Traffic Impact Study as may be required for the environmental review process.

COUNTY OF RIVERSIDE, CALIFORNIA

BOARD OF SUPERVISORS POLICY

“Good Neighbor” Policy for Logistics and Warehouse/Distribution Uses

Construction Phase:

- 2.1 During construction of the warehouse/distribution facility, all heavy duty haul trucks accessing the site shall have CARB-approved 2010 engines or newer approved CARB engine standards by January 1, 2023.
- 2.2 All excavators, graders, rubber-tired dozers, and similar “off-road” construction equipment shall be CARB Tier 3 **COMPLIANT** engines or better.
- 2.3 The maximum daily disturbance area (actively graded area) during mass grading activity shall not exceed 10 acres per day

The County should consult with AQMD and perform technical analysis to determine the appropriate trigger, as impacts are derived by the equipment being used, as well as other factors, and not just the disturbance area. The County needs to explain why the County is proposing different standards than Rule 403. (see also Section Policy 2.7)

- 2.4 Construction contractors shall utilize construction equipment, with properly operating and maintained mufflers, consistent with manufacturers' standards.
- 2.5 Construction contractors shall **locate or stage** all stationary construction equipment so that the emitted noise is directed away from sensitive receptors nearest the project site, to the extent practicable.
- 2.6 The surrounding streets shall be swept on a regular basis to remove any construction related debris and dirt.
- 2.7 Appropriate dust control measures that meet the **SCAQMD RULE 403** standards shall be implemented for grading and construction activity.
- 2.8 Construction equipment maintenance records and data sheets, which includes equipment design specifications and equipment emission control tier classifications, as well as any other records necessary to verify compliance with items 2.1-2.7 above, shall be kept onsite and furnished to the County upon request.
- 2.9 Construction Contractors shall prohibit truck drivers from idling more than

COUNTY OF RIVERSIDE, CALIFORNIA

BOARD OF SUPERVISORS POLICY

"Good Neighbor" Policy for Logistics and Warehouse/Distribution Uses

five (5) minutes and require operators to turn off engines when not in use, in compliance with the California Air Resources Board regulations.

- 2.10 During construction, the Transportation & Land Management Agency representative shall conduct an on-site inspection with a facility representative to verify compliance with these policies, and to identify other opportunities to reduce construction impacts.

Siting and Design:

- 3.1 The siting of a warehouse/distribution facility is unique to the location, characteristics of the property, and surrounding uses. The following policies are subject to adjustment based on the specifics of site topography, proximity of adjacent sensitive receptors, **INTERSECTION AND DRIVEWAY SPACING REQUIREMENTS** and other mitigating factors.
- 3.2 Warehouse/distribution facilities should be generally designed so that truck bays and loading docks are a minimum of 300 feet away from the nearest habitable structure of existing **GENERAL PLAN-CONFORMING AND ZONE-CONFORMING** sensitive receptor uses, measured from the dock building doors. This distance may be reduced if the site design include berms, **WALLS, LANDSCAPING AND/or** other similar features to appropriately shield and buffer the sensitive receptors from the active truck operations areas. Setbacks are determined by zoning development standards.
- 3.3 Warehouse/distribution facilities shall be designed to provide adequate on-site parking for commercial trucks and passenger vehicles **PER THE COUNTY'S LAND DEVELOPMENT ORDINANCE** and **ADEQUATE on-site queuing LANES** for trucks **IF THE DESIGN INCLUDES SECURITY GATES THAT WILL CAUSE QUEUING**. The general queuing and spill-over of trucks onto surrounding public streets shall be prevented.
- 3.4 Operators shall inform truck drivers that commercial trucks shall not be parked in the public road right-of-way or nearby residential areas.

COUNTY OF RIVERSIDE, CALIFORNIA

BOARD OF SUPERVISORS POLICY

"Good Neighbor" Policy for Logistics and Warehouse/Distribution Uses

- 3.5 **TRUCK** Driveways shall be placed, to the maximum extent feasible , on streets that do not have fronting sensitive receptors adjacent.
- 3.6 Sites shall clearly mark entry and exit points for trucks and service vehicles.

- 3.7 **THE SIDES OF BUILDINGS WITH LOADING BAYS** shall be densely screened with landscaping along all bordering streets and adjacent sensitive receptors, with trees spaced at no less than 50 feet on center. Fifty percent of the landscape screening **bordering sensitive receptors** shall include a minimum of 36-inch box trees. Facility operators will be responsible to establish a long-term maintenance mechanism to assure that the landscaping remains in place and functional in accordance with the approved landscaping plan.

The County should consider an alternative of 15-gallon or 24-inch box trees to be planted so long as they planted for a sufficient period of time prior to certificate of occupancy.

- 3.8 On-site speed bumps shall not be allowed, **except at security/entry gates**. Truck loading bays and drive aisles shall be designed to minimize truck noise.
- 3.9 To the extent feasible, dock doors shall be located where they are not readily visible from sensitive receptors or major roads. If it is necessary to site dock doors where they may be visible, a method to screen the dock doors shall be implemented. A combination of landscaping, berms, walls, and similar features shall be considered.

An additional "wing-wall" or screen wall shall be installed perpendicular to the loading dock areas to further attenuate noise related to truck activities and also address aesthetics by screening the loading area when adjacent to sensitive receptors.

Major roads needs to be defined and a basis for this requirement should be provided as this policy intended to apply to the protection of sensitive receptors and not views from "major roads"

- 3.10 To the extent possible **WHEN DRIVEWAY SPACING**

COUNTY OF RIVERSIDE, CALIFORNIA

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"Good Neighbor" Policy for Logistics and Warehouse/Distribution Uses

REQUIREMENTS CAN BE MET, establish separate entry and exit points within a warehouse/distribution facility for trucks and **PASSENGER** vehicles to minimize vehicle/truck conflicts.

- 3.11 All lighting used in conjunction with a warehouse/distribution facility operations, shall be directed down into the interior of the site and not spill over onto adjacent properties.
- 3.12 **Project specific mitigation should be applied for projects which propose refrigerated uses.**
- 3.13 Facility construction shall comply with the hours of operation and exterior noise decibel levels as required by Riverside County Ordinance No. 847 ("Noise Ordinance")

Operations:

- 4.1 Recordkeeping is superfluous and not feasible. The state already has strict requirements which require all trucks being registered in the state be CARB 2010 compliant and that all trucks by January 2023 must meet or exceed the CARB 2010 standard
- 4.2 Facility operators shall prohibit truck drivers from idling more than five (5) minutes and require operators to turn off engines when not in use, in compliance with the California Air Resources Board regulations.
- 4.3 Facility operators shall train their managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- 4.4 Facility operators shall coordinate with CARB and SCAQMD to obtain the latest information about regional air quality concentrations, health risks, and trucking regulations.
- 4.5 Facility operators shall identify specific truck routes between the facility and regular destinations, identifying the most direct routes to the nearest highway/freeway and avoid traveling through local residential communities.
- 4.6 Facility operators shall require their drivers to park and perform any maintenance of trucks in designated on-site areas and not within the

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surrounding community or on public streets.

- 4.7 Facility operators for sites that exceed 250 employees shall establish a rideshare program, in accordance with AQMD rule 2202, with the intent of discouraging single-occupancy vehicle trips and promote alternate modes of transportation, such as carpooling and transit where feasible.
- 4.8 A minimum of 5% of employee parking spaces shall be designated for electric or other alternative fueled vehicles.
- 4.9 If a public address (PA) system is being used in conjunction with a warehouse/distribution facility operations, the PA system shall be oriented away from sensitive receptors and the volume set at a level not readily audible past the property line.
- 4.10 Facility Operation shall comply with the exterior noise decibel levels as required by Ord. 847 (Noise Ordinance), which includes a maximum exterior decibel level of 55 dba (between 7:00 a.m. and 10:00 p.m.) and 45 dba (between 10:00 p.m. and 7:00 a.m.) as measured on adjacent occupied residences, or as modified by the most current version of Ordinance No. 847.

Signage:

- 5.1 Signs should be posted in the appropriate locations that trucks should not idle for more than five (5) minutes and that truck drivers should turn off their engines when not in use.
- 5.2 Signs should be posted in the appropriate locations that clearly show the designated entry and exit points for trucks and service vehicles.
- 5.3 Signs should be posted in the appropriate locations that state parking and maintenance of all trucks is to be conducted within designated areas and not within the surrounding community or on public streets.
- 5.4 Signs should be posted in the appropriate locations and/or handouts should be provided that show the locations of nearest food options, fueling, truck maintenance services, and other similar convenience services, if these services are not available onsite.

COUNTY OF RIVERSIDE, CALIFORNIA

BOARD OF SUPERVISORS POLICY

"Good Neighbor" Policy for Logistics and Warehouse/Distribution Uses

- 5.5 Infeasible. Operator controlled function which differs wildly among uses.
- 5.6 Signs shall be posted in accordance with Ordinance No. 348, which may be amended from time to time.

Community Benefits:

- 6.1 Applicants for proposed warehouse/distribution facilities shall engage in a community outreach effort to engage the existing community in determining issues of concern during the project land use entitlement process.
- 6.2 Exactions as a condition of development are subject to Mitigation Fee Act compliance and constitutional requirements which are absent here. An ambiguous policy to enhance the surrounding community through upgrades such as street paving, walls, landscaping, or other types of infrastructure improvements is uncertain and unlawful. The County should consider conditioning developments to mitigate their fair share of impacts on an individual project basis. By not doing so, the Policy could be read and implemented to require a specific project to enhance the community above and beyond constitutionally permitted requirements,
- 6.3 Fees and exactions are subject to Mitigation Fee Act compliance and constitutional requirements which are absent here. The County has not developed a fee, indicated this fee is mitigation for an impact, the basis for the fee, determined how to calculate the fee or the amount of the fee, determined the nexus for the fee, or determined how the funding will be utilized to presumably offset air quality impacts. A nexus study is required to implement a fee, a "supplemental funding contribution," or a "financial contribution."

NAIOP

COMMERCIAL REAL ESTATE
DEVELOPMENT ASSOCIATION
INLAND EMPIRE CHAPTER

September 13, 2019

VIA E-MAIL

jcperez@rivco.org

Juan C. Perez, Director of TLMA
Transportation and Land Management Agency
4080 Lemon Street, 14th Floor
Riverside, CA 92502-1605

Re: Good Neighbor Policy

Dear Director Perez:

Thank you for meeting with representatives of NAIOP Inland Empire yesterday to discuss the Good Neighbor Policy ("Policy"). The Policy is currently scheduled to be heard by the Board of Supervisors on September 24, 2019. In order to adequately provide meaningful comments and obtain direction from the NAIOP Inland Empire Chapter Board, we request staff to continue this matter for an additional 30 days to the October 22, 2019 agenda. The next scheduled NAIOP Inland Empire Chapter Board meeting will be on October 8, 2019. We will commit to providing meaningful comments and proposed revisions shortly thereafter.

In addition to seeking direction from the NAIOP Inland Empire Chapter Board, we desire to engage in the public process, including having discussions with decision makers. In fact, Supervisor V. Manuel Perez has requested to meet with us which could not be scheduled to occur until the afternoon of the next Board of Supervisors meeting on September 24, 2019.

Thank you for your consideration of our request.

Very Truly Yours,



Robert Evans, Executive Director
NAIOP Inland Empire Chapter

**NAIOP 2019 OFFICERS AND
BOARD OF DIRECTORS**

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Mike Lee, City of Moreno Valley

Ward Mace, Goodman

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NAIOP INLAND EMPIRE STAFF

Robert Evans, Executive Director

Devon Sulli, Executive Assistant

Testimony for October 22, 2019 Riverside County Board of Supervisors Meeting

Karen Jakpor, MD, MPH

3.27 11127 Transportation and Land Management Agency: Approve Board Policy F-d Good Neighbor Policy for Logistics and Warehouse Uses, establishing general polices for the development of logistics and warehouse projects within the unincorporated area of Riverside County.

Good morning. My name is Dr. Karen Jakpor and I am a physician volunteer with the American Lung Association. I have been awarded a Clean Air Award from the South Coast Air Quality Management District. I not only have the perspective of a physician, but also a patient who has been hospitalized with asthma countless times.

A new study this year published in the Proceedings of the National Academy of Sciences showed 107,000 premature deaths in the United States in 2011. That's more deaths than traffic accidents and homicides combined. The American Lung Association states that "If two planes were going down every day — that's about the same number of deaths in this study — this would be on the front page of every newspaper." <https://ktla.com/2019/04/08/air-pollution-linked-to-more-than-107000-premature-deaths-in-u-s-in-2011-study/>

The proximity of sensitive receptors to the source of increased air pollution along roadways carrying big rigs traveling to warehouses is an important concern. Unfortunately, the proposed "Good Neighbor Policy" in 3.2 allows a minimum of **300 feet** measured from the dock building door to the occupied structure of a sensitive receptor. This is wholly inadequate and falls far short of CARB guidance.

I'm reading from the California Air Resources Board "Air Quality and Land Use Handbook: A Community Health Perspective" (April 2005) <https://ww3.arb.ca.gov/ch/handbook.pdf>

Distribution Centers "Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week).

I'm reading from an EPA report called "Report of the School siting Task Group of the Children's Health Protection Advisory Committee (February 27, 2010) https://www.epa.gov/sites/production/files/2014-05/documents/chpac_sstg_report2.pdf

On p. 28 in the appendix there is a table called Potential Environmental Hazards Screening Table.

The EPA states, "Avoid siting schools within 1,000 feet of a freeway, urban road with 100,000 vehicles/day or rural roads with 50,000 vehicles/day, or roadways with heavy diesel truck traffic."

I'm reading from an EPA document titled "Best Practices for Reducing Near-Road Pollution Exposure at Schools, p. 11, Table 2. https://www.epa.gov/sites/production/files/2015-10/documents/ochp_2015_near_road_pollution_booklet_v16_508.pdf

Dr. Karen
Jakpor

Submitted by
10/22/2019 Item 3.27
(date)

South Coast Air Quality Management District Recommends a buffer zone of no less than 500 feet, and as much as 1,000 feet, between schools and major roadways. (South Coast Air Quality Management District Air Quality Issues in School Site Selection: Guidance Document (2005, updated 2007))

California Department of Education Recommends distancing schools 2,500 feet from major roadways where explosives are carried and at least 1,500 feet from roads where gasoline, diesel, propane, chlorine, oxygen, pesticides, or other combustible or poisonous gases are transported. (School Site Selection and Approval Guide (2000))

Los Angeles Unified School District Recommends that new schools are not built within 500 feet of a freeway or major transportation corridor (>100,000 vehicles/day). (Distance Criteria for School Siting (2008))

I urge you to save lives by change the buffer zone from 300 feet to at least the 1000 feet recommended by California Air Resources Board guidance. Your decisions affect people's lives.

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



3.27

(MT 10947)

On motion of Supervisor Hewitt, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from the Transportation and Land Management Agency (TLMA) regarding the approval of Board Policy F-3, Good Neighbor Policy for Logistics and Warehouse Uses, establishing general policies for the development of logistics and warehouse projects within the unincorporated area of Riverside County, is continued to Tuesday, October 22, 2019 at 9:30 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on September 24, 2019 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: September 24, 2019
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: _____

Deputy

AGENDA NO.
3.27

xc: TLMA, COB

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.27
(ID # 10947)

MEETING DATE:

Tuesday, September 24, 2019

FROM : TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA):

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY: Approve Board Policy F-3, Good Neighbor Policy for Logistics and Warehouse Uses, establishing general policies for the development of logistics and warehouse projects within the unincorporated area of Riverside County. CEQA Exempt. All Districts. [\$0] (STAFF IS RECOMMENDING CONTINUANCE OF THIS ITEM TO OCTOBER 22, 2019)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find Board Policy No. F-3 EXEMPT from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);
2. Approve Board of Supervisors Policy No. F-3 establishing the Good Neighbor Policy for Logistics and Warehouse Uses within the unincorporated area of Riverside County, attached hereto as Attachment A; and
3. Direct the Clerk of the Board to deliver the Notice of Exemption to the Office of the County Clerk for filing within five (5) working days of this Board hearing.

ACTION:Policy

Juan C. Pineda, Director of Transportation & Land Management

9/17/2019

MINUTES OF THE BOARD OF SUPERVISORS

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 19/20	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The logistics industry is a well-established and growing sector of the Riverside County economy that has contributed to local job growth, fueled by societal growth trends in e-commerce and coupled with our strategic location along a major trade corridor that connects to the Ports of Los Angeles and Long Beach. It is expected that we will continue to see strong demand for growth in the logistics industry. However, it is also recognized that the construction and operations of logistics projects that are in close proximity to residences or other sensitive land uses (sensitive receptors) can negatively affect the quality of life of those existing communities. Sensitive receptors generally include residences, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and similar uses.

This policy has been developed to provide a framework through which large-scale logistics and warehouse uses can be better designed and operated in a way that lessens their impact on surrounding communities and the environment. It is meant to apply Best Management Practices to help minimize potential impacts to sensitive receptors, and is intended to be used in conjunction with the County's Land Use Ordinance, which has established development requirements for said projects, and the environmental review process. This policy document does not replace the need for preparation of the appropriate project-specific environmental review and application of any necessary mitigation measures that may arise out of that review. It does, however, provide a series of development and operational criteria that can be implemented to supplement project-level mitigation measures in order to further reduce impacts related to logistics and warehousing development and operations. The framework of the policy is organized into specific categories, to address these potential quality of life issues from the initial design process, to construction, and through operations.

Riverside County has been at the forefront of implementing many these Best Management Practices on recently approved large-scale logistics projects, such as the San Geronio Crossings and the Trammel Crow projects on Harvill, in order to provide for projects that are more compatible with their surrounding communities. This policy document serves to formally institutionalize these Best Management Practices so that they can be consistently applied to similar future projects.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

This item was continued from the August 6, 2019 Board meeting (Agenda Item 3.43). Staff is recommending one change to the policy that was submitted for the previous Board meeting, reducing the spacing for screening trees (Item 3.6 on attached policy).

We also note that there are at least two other major regional efforts underway to further address impacts from the logistics industry. The Riverside County Transportation Commission (RCTC) has recently approved a Regional Logistics Fee Study, which could be used as the basis for adoption by local member jurisdiction of an additional transportation fee to further mitigate impacts. RCTC will be considering an implementation plan as the next step in that process in Fall 2019, after which time individual jurisdictions could consider moving forward with implementation, which would be subject to its own separate Board action. The South Coast Air Quality Management District is also considering several policy initiatives to further address air quality impacts from the logistics industry. This policy, while complimentary to those efforts, stands alone as an innovative approach to incorporate beneficial Best Management Practices in the design and operations of individual logistics projects considered for approval in the unincorporated area.

California Environmental Quality Act

In accordance with CEQA, the use of the Common Sense Exemption is based on the "general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment." State CEQA Guidelines section 15061(b)(3). The use of this exemption is appropriate if 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 policy will not approve any specific projects nor allow any development with the potential to cause a physical environmental impact. The policy itself would only apply to future development and would actually lessen the potential for future physical environmental impacts pursuant to CEQA. Furthermore, as the policy would not result in a direct or reasonably foreseeable indirect physical change to the environment and would ultimately be more protective of the environment, approval of the project itself would not be deemed a "project" for CEQA purposes based on the language under Section 15060(c)(2) of the State CEQA Guidelines.

Applicability

This policy is intended to be applied to logistics and warehouse projects that include any building larger than 250,000 square feet in size. It is intended to provide general guidance that will be appropriate for most industrial and warehouse projects. Project-level review under CEQA would continue to apply to any projects, regardless of their square footage and size, and which may include technical reports including, but not limited to, noise, air quality, and traffic related impact evaluations. The hearing body (Planning Commission or Board of Supervisors) has the authority to approve projects that deviate from the guidance provided in this policy, subject to site-specific conditions, appropriate environmental review, and other factors that the Commission or Board may consider.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

Impact on Residents and Businesses

The residents and businesses in the unincorporated areas of Riverside County will benefit from a Logistics and Warehouse Good Neighbor policy because it will provide for logistics projects that are more compatible with their surrounding communities.

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS

ATTACHMENT A. Policy No. F-3
ATTACHMENT B. Policy No. F-3 redline
ATTACHMENT C. NAIOP Letter



Jason Farin, Senior Management Analyst

9/18/2019



Gregory L. Priamos, Director County Counsel

9/18/2019

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



3.55
(MT 10691)

On motion of Supervisor Hewitt, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from the Transportation and Land Management Agency regarding the approval of Board Policy F-3, Good Neighbor Policy for Logistics and Warehouse Uses, establishing general policies for the development of logistics and warehouse projects within the unincorporated area of Riverside County, is continued to Tuesday, September 24, 2019 at 9:30 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on August 27, 2019 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: August 27, 2019
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: _____

Deputy

AGENDA NO.
3.55

xc: TLMA, COB

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.55
(ID # 10691)

MEETING DATE:

Tuesday, August 27, 2019

FROM : TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA):

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY: Approve Board Policy F-3, Good Neighbor Policy for Logistics and Warehouse Uses, establishing general policies for the development of logistics and warehouse projects within the unincorporated area of Riverside County. CEQA Exempt. All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find Board Policy No. F-3 EXEMPT from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);
2. Approve Board of Supervisors Policy No. F-3 establishing the Good Neighbor Policy for Logistics and Warehouse Uses within the unincorporated area of Riverside County, attached hereto as Attachment A; and
3. Direct the Clerk of the Board to deliver the Notice of Exemption to the Office of the County Clerk for filing within five (5) working days of this Board hearing.

ACTION:Policy

Juan C. Reyes, Director of Transportation & Land Management

8/20/2019

MINUTES OF THE BOARD OF SUPERVISORS

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 19/20	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The logistics industry is a well-established and growing sector of the Riverside County economy that has contributed to local job growth, fueled by societal growth trends in e-commerce and coupled with our strategic location along a major trade corridor that connects to the Ports of Los Angeles and Long Beach. It is expected that we will continue to see strong demand for growth in the logistics industry. However, it is also recognized that the construction and operations of logistics projects that are in close proximity to residences or other sensitive land uses (sensitive receptors) can negatively affect the quality of life of those existing communities. Sensitive receptors generally include residences, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and similar uses.

This policy has been developed to provide a framework through which large-scale logistics and warehouse uses can be better designed and operated in a way that lessens their impact on surrounding communities and the environment. It is meant to apply Best Management Practices to help minimize potential impacts to sensitive receptors, and is intended to be used in conjunction with the County's Land Use Ordinance, which has established development requirements for said projects, and the environmental review process. This policy document does not replace the need for preparation of the appropriate project-specific environmental review and application of any necessary mitigation measures that may arise out of that review. It does, however, provide a series of development and operational criteria that can be implemented to supplement project-level mitigation measures in order to further reduce impacts related to logistics and warehousing development and operations. The framework of the policy is organized into specific categories, to address these potential quality of life issues from the initial design process, to construction, and through operations.

Riverside County has been at the forefront of implementing many these Best Management Practices on recently approved large-scale logistics projects, such as the San Geronio Crossings and the Trammel Crow projects on Harvill, in order to provide for projects that are more compatible with their surrounding communities. This policy document serves to formally institutionalize these Best Management Practices so that they can be consistently applied to similar future projects.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

This item was continued from the August 6, 2019 Board meeting. Staff is recommending one change to the policy that was submitted for the previous Board meeting, reducing the spacing for screening trees (item 3.6 on attached policy).

We also note that there are at least two other major regional efforts underway to further address impacts from the logistics industry. The Riverside County Transportation Commission (RCTC) has recently approved a Regional Logistics Fee Study, which could be used as the basis for adoption by local member jurisdiction of an additional transportation fee to further mitigate impacts. RCTC will be considering an implementation plan as the next step in that process in Fall 2019, after which time individual jurisdictions could consider moving forward with implementation, which would be subject to its own separate Board action. The South Coast Air Quality Management District is also considering several policy initiatives to further address air quality impacts from the logistics industry. This policy, while complimentary to those efforts, stands alone as an innovative approach to incorporate beneficial Best Management Practices in the design and operations of individual logistics projects considered for approval in the unincorporated area.

California Environmental Quality Act

In accordance with CEQA, the use of the Common Sense Exemption is based on the "general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment." State CEQA Guidelines section 15061(b)(3). The use of this exemption is appropriate if 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 policy will not approve any specific projects nor allow any development with the potential to cause a physical environmental impact. The policy itself would only apply to future development and would actually lessen the potential for future physical environmental impacts pursuant to CEQA. Furthermore, as the policy would not result in a direct or reasonably foreseeable indirect physical change to the environment and would ultimately be more protective of the environment, approval of the project itself would not be deemed a "project" for CEQA purposes based on the language under Section 15060(c)(2) of the State CEQA Guidelines.

Applicability

This policy is intended to be applied to logistics and warehouse projects that include any building larger than 250,000 square feet in size. It is intended to provide general guidance that will be appropriate for most industrial and warehouse projects. Project-level review under CEQA would continue to apply to any projects, regardless of their square footage and size, and which may include technical reports including, but not limited to, noise, air quality, and traffic related impact evaluations. The hearing body (Planning Commission or Board of Supervisors) has the authority to approve projects that deviate from the guidance provided in this policy, subject to site-specific conditions, appropriate environmental review, and other factors that the Commission or Board may consider.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

Impact on Residents and Businesses

The residents and businesses in the unincorporated areas of Riverside County will benefit from a Logistics and Warehouse Good Neighbor policy because it will provide for logistics projects that are more compatible with their surrounding communities.

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS

ATTACHMENT A. Policy No. F-3

ATTACHMENT B. Policy No. F-3 redline



Jason Farin, Senior Management Analyst

8/22/2019



Gregory V. Priapros, Director County Counsel

8/22/2019

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



3.43
(MT 10236)

On motion of Supervisor Spiegel, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the recommendation from the Transportation and Land Management Agency regarding the approval of Board Policy F-3, Good Neighbor Policy for Logistics and Warehouse Uses, establishing general policies for the development of logistics and warehouse projects within the unincorporated area of Riverside County, is continued to Tuesday, August 27, 2019 at 9:30 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington and Perez
Nays: None
Absent: Hewitt

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on August 6, 2019 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: August 6, 2019
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: *Kecia R. Harper* Deputy

AGENDA NO.
3.43

xc: TLMA, CQB

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.43
(ID # 10236)

MEETING DATE:

Tuesday, August 6, 2019

FROM : TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA):

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY: Approve Board Policy F-3, Good Neighbor Policy for Logistics and Warehouse Uses, establishing general policies for the development of logistics and warehouse projects within the unincorporated area of Riverside County. CEQA Exempt. All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find Board Policy No. F-3 EXEMPT from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);
2. Approve Board of Supervisors Policy No. F-3 establishing the Good Neighbor Policy for Logistics and Warehouse Uses within the unincorporated area of Riverside County, attached hereto as Attachment A; and
3. Direct the Clerk of the Board to deliver the Notice of Exemption to the Office of the County Clerk for filing within five (5) working days of this Board hearing.

ACTION:Policy

A handwritten signature in black ink, appearing to read "Juan C. Perez", is written over a horizontal line.

Juan C. Perez, Director of Transportation & Land Management

7/30/2019

MINUTES OF THE BOARD OF SUPERVISORS

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 19/20	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The logistics industry is a well-established and growing sector of the Riverside County economy that has contributed to local job growth, fueled by societal growth trends in e-commerce and coupled with our strategic location along a major trade corridor that connects to the Ports of Los Angeles and Long Beach. It is expected that we will continue to see strong demand for growth in the logistics industry. However, it is also recognized that the construction and operations of logistics projects that are in close proximity to residences or other sensitive land uses (sensitive receptors) can negatively affect the quality of life of those existing communities. Sensitive receptors generally include residences, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and similar uses.

This policy has been developed to provide a framework through which large-scale logistics and warehouse uses can be better designed and operated in a way that lessens their impact on surrounding communities and the environment. It is meant to apply Best Management Practices to help minimize potential impacts to sensitive receptors, and is intended to be used in conjunction with the County's Land Use Ordinance, which has established development requirements for said projects, and the environmental review process. This policy document does not replace the need for preparation of the appropriate project-specific environmental review and application of any necessary mitigation measures that may arise out of that review. It does, however, provide a series of development and operational criteria that can be implemented to supplement project-level mitigation measures in order to further reduce impacts related to logistics and warehousing development and operations. The framework of the policy is organized into specific categories, to address these potential quality of life issues from the initial design process, to construction, and through operations.

Riverside County has been at the forefront of implementing many these Best Management Practices on recently approved large-scale logistics projects, such as the San Geronio Crossings and the Trammel Crow projects on Harvill, in order to provide for projects that are more compatible with their surrounding communities. This policy document serves to formally institutionalize these Best Management Practices so that they can be consistently applied to similar future projects.

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

We also note that there are at least two other major regional efforts underway to further address impacts from the logistics industry. The Riverside County Transportation Commission (RCTC) has recently approved a Regional Logistics Fee Study, which could be used as the basis for adoption by local member jurisdiction of an additional transportation fee to further mitigate impacts. RCTC will be considering an implementation plan as the next step in that process in Fall 2019, after which time individual jurisdictions could consider moving forward with implementation, which would be subject to its own separate Board action. The South Coast Air Quality Management District is also considering several policy initiatives to further address air quality impacts from the logistics industry. This policy, while complimentary to those efforts, stands alone as an innovative approach to incorporate beneficial Best Management Practices in the design and operations of individual logistics projects considered for approval in the unincorporated area.

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Applicability

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Impact on Residents and Businesses

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

The residents and businesses in the unincorporated areas of Riverside County will benefit from a Logistics and Warehouse Good Neighbor policy because it will provide for logistics projects that are more compatible with their surrounding communities.

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A


ATTACHMENTS

ATTACHMENT A. Policy No. F-3



Jason Farin, Senior Management Analyst

8/1/2019



Gregory V. Priamos, Director County Counsel

7/30/2019

NAIOP

COMMERCIAL REAL ESTATE
DEVELOPMENT ASSOCIATION
INLAND EMPIRE CHAPTER

August 26, 2019

VIA E-MAIL

Kecia Harper-Ihem, Clerk of the Board
Riverside County Board of Supervisors
4080 Lemon Street, 1st Floor, Suite 127
Riverside, CA 92501

k.harper@rivco.org

Re: Good Neighbor Policy

The NAIOP Inland Empire Chapter is a consortium of local real estate professionals, including a multitude of office and industrial developers. It has recently come to our attention that the County is considering adopting a "Good Neighbor Policy for Logistics and Warehouse Uses" ("Policy"), which may directly impact the current and future projects of our members.

The purpose of this letter is to request a brief continuance of this item so that a workshop can be scheduled with the County's Planning Department to ensure that all stakeholders have the opportunity to evaluate and discuss potential improvements to the Policy. The logistics industry is a well-established and growing sector of the Riverside County economy, and the locations for new uses within this sector are already selected and designed to meet the intent of the being a "good neighbor." Moreover, the logistics industry is subject to several stringent land use and development restrictions that are not applicable other sectors of the County.

While we recognize and support the intent of the proposed Policy, there are several adjustments that the Board could and should consider that would achieve the Policy's "good neighbor" objective without overly burdening

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Kevin Apel, Prologis

Thomas Bak, Trammell Crow Company

Jon Bagnall, Alston Construction

Ian Britton, CBRE, Inc.

John Condas, Allen Matkins Leck Gamble Mallory & Natis LLP

Eloy Covarrubias, CBRE, Inc.

Josh Cox, Hillwood, A Perot Company

Giancarlo Da Prato, IDI Logistics

Tommy Dirks, Trammell Crow Company

Matt Englund, Proficiency Capital LLC

Carter Ewing, CT Realty

Joseph Finnigan, Gateway Industrial Properties

Paige Fullmer-West, Fullmer Construction

Josh Hayes, CBRE, Inc.

Scott Hildebrandt, Albert A. Webb Associates

Jason Korengold, Conor Commercial Real Estate

Mike Lee, City of Moreno Valley

Ward Mace, Goodman

Hunter McDonald, CBRE, Inc.

Tom Myers, Ware Malcomb

Brian Parno, Stirling Development LLC

Tony Perez, Oltmans Construction Co.

Matt Pillitter, First American Title Insurance

Jonathan Shardlow, Gresham Savage Nolan & Tilden PC

Andrew Starnes, Cushman & Wakefield of California Inc.

Brian Thienes, Thienes Engineering, Inc.

Terry Thompson, County of San Bernardino

Jeffrey N. Trenton, Proficiency Capital LLC

Ron Washle, Newmark Knight Frank

Sharon Wortmann, JLL

Steve Young, Black Creek Group

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John Magness, Hillwood, A Perot Company

Graham Tingler, Space Center, Inc.

NAIOP INLAND EMPIRE STAFF

Robert Evans, Executive Director

Devon Sulli, Executive Assistant

the County and development industry with requirements that may result in undesirable secondary effects, such as lower job creation and reduced economic opportunity. There also several adjustments that we believe could provide more clarity and flexibility for the County to adjust to project and fact-specific circumstances.

For example, the Policy refers to projects that are subject to Planning Commission and/or Board of Supervisors approval, but is silent on projects that can be approved at a Planning Director's hearing in accordance with the County's Code. This calls into question whether projects that are otherwise subject to the Policy could still be approved at a Director's hearing. Currently, the County's regulations allow for Plot Plans with no associated subdivision maps or legislative approval actions (e.g., General Plan Amendments and changes of zone) to be approved by the Planning Director.

In order to provide the most helpful input in the most effective manner for the County, we would like to engage planning and technical professionals to analyze the Policy and provide a proposed redline for the County's review and consideration at a future public hearing. We would, of course, commit to expedite this analysis to avoid any unnecessary delays should the County grant the requested continuance of this item.

As an example of good intended language, but which could result in a bad outcome that no one at the County or in the development community ultimately wants to see, is the terminology "certified" related to CARB Tier 3 technology. The logistics and warehousing industry is fully committed to utilizing CARB Tier 3 technology.

However, to require all equipment to be Tier 3 Certified is neither reasonable nor possible due to the limited availability of Tier 3 Certified equipment. Many construction companies' equipment fleets only have a small percentage of Tier 3 Certified equipment. Moreover, contractors often cannot even supplement their fleets with Tier 3 Certified equipment rentals, because the equipment is in such limited supply. In the future, Tier 3 Certified equipment will become more abundant due to CARB's mandatory phase-in requirements for cleaner off-road equipment. Contractors are required by law under CARB's "General Requirements for In-Use Off-Road Diesel-Fueled Fleets" (CCR Title 13 Section 2449) to phase-in construction equipment meeting CARB's emission standards through 2023 for large fleets and 2028 for small fleets. Until CARB's requirements are phased in per State law, it is highly unlikely that any construction contractor will have enough Tier 3 Certified equipment to build a large warehouse project or to finish a project that has already commenced construction due to the unavailability of "certified" engines. In order to avoid this unintended consequence, while still meeting the objectives of the Policy, we recommend simply substituting the word "certified" with "compliant." (i.e. all excavators,

graders, rubber-tired dozers, and similar “off-road” construction equipment shall be CARB Tier 3 Certified Compliant engines or better.)

In addition, though well-intentioned, the Policy’s suggested limit on the maximum daily disturbance area of 10 acres per day is also infeasible from a practical perspective. Many large warehouse buildings have building footprints that are larger than 10 acres (e.g., a typical 500,000 s.f. building can have a footprint of approximately 11.5 acres). For these sites, construction is impossible for a small period of time unless the entire building footprint is simultaneously disturbed.

Also unclear is the question of which buildings would be applicable to the Policy. We understand the County selected 250,000 s.f. as the threshold size for when the Policy is triggered to ensure that the Policy would apply to uses with intensive trucking operations. However, there are many warehouse/manufacturing buildings in the County at this size and larger that house non e-commerce operators or other uses with low volumes of truck traffic that would be subsumed within the Policy. Similarly, although the stated purpose of the Policy is to apply to warehouses in “close proximity to residences or other sensitive land uses,” the “applicability” section of the Policy, as presently written, is so broad that it could arguably be read to apply to any warehouse project regardless of its proximity to potential sensitive receptors. It is clearly not the County’s intent for the Policy to paint with such a broad brush.

To that end, in Section 3.5, we believe the County’s intention was to limit driveways utilized by trucks on streets which have sensitive receptors; however, the word “trucks” is not included in the language. As written, Section 3.5 could potentially be read to pertain to auto driveways as well.

Lastly, a policy requiring every single truck entering each new site to be logged in for compliance with a 2010 compliant engine requirement is unnecessarily burdensome. The State of California already has requirements to ensure the mandates of 2010 trucks are satisfied. Pursuant to CARB’s phase-in requirements under the Truck & Bus Regulation, all medium- and heavy-duty trucks operating in California must have 2010 compliant engines by January 1, 2023. To help ensure that the regulation is complied with, starting January 1, 2020, vehicles that are not in compliance with the Truck & Bus regulation will be unable to register with the California Department of Motor Vehicles. As such, this recommendation is duplicative of State regulatory requirements and places unnecessary and duplicative enforcement responsibility on facility operators.

The issues discussed above are just a small selection of items demonstrating our concerns with the current draft of the Policy, and illustrating why the Policy should be subject to a workshop where it can be evaluated and improved with the input of NAIOP and other affected stakeholders.

Kecia Harper-Ihem Clerk of the Board
Riverside County Board of Supervisors
August 23, 2019
Page 4

We apologize for the late delivery of this letter and our request for a continuance; however, the County's consideration of the Policy was just brought to our attention and we wanted to demonstrate to the County as best we could in the limited available timeframe the reasons why the Policy should be subject to a workshop and further review and refinement.

No prejudice can result to the County from a short continuance of this item as the County can still work to implement the objectives of smart land use planning embodied in the Policy on a project-by-project basis. Moreover, the County and the warehousing and logistics industry will ultimately benefit from further collaboration as the parties share the same goal of ensuring an effective and smart Policy.

We appreciate the Board's consideration of this letter and request and hope the County will agree to work with NAIOP and other stakeholders to craft a workable Policy so that these economically vital new uses can continue to be "good neighbors."

Very truly yours,

A handwritten signature in black ink, appearing to read 'Robert Evans', with a stylized flourish extending from the end.

Robert Evans, Executive Director
NAIOP Inland Empire Chapter

cc: Board of Supervisors (*via email only*)

Kevin Jeffries – 1st District district1@rivco.org

Karen Spiegel – 2nd District district2@rivco.org

Chuck Washington – 3rd District district3@rivco.org

V. Manuel Perez – 4th District district4@rivco.org

Jeff Hewitt – 5th District district5@rivco.org

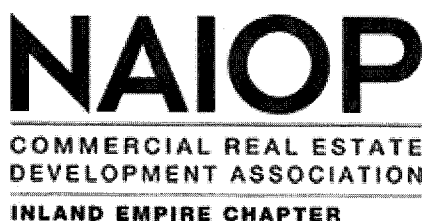
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From: Rob Evans <rob@naiopie.org>
Sent: Monday, August 26, 2019 2:25 PM
To: COB <COB@RIVCO.ORG>
Subject: Good Nighbor Polciy - NAIOP Letter

Kecia,

The email I sent this to was rejected – the Board was cc'd as well on the previously email.

Robert Evans rob@naiopie.org
Executive Director | NAIOP Inland Empire
25241 Paseo de Alicia, Suite 120 | Laguna Hills, CA 92653
Tel: (951) 710-8768



Commercial Real Estate Development Association

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Maxwell, Sue

From: Maxwell, Sue
Sent: Monday, August 26, 2019 4:02 PM
To: George Johnson (GAJohnson@RIVCO.ORG); Young, Alisa; Perez, Juan; Farin, Jason; COB-Agenda (COB-Agenda@rivco.org); District 4 Supervisor V. Manuel Perez (District4@RIVCO.ORG); District2; District3; District5; Supervisor Jeffries - 1st District (district1@rivco.org)
Subject: August 27, 2019 Item No 3.55 Good Neighbor Policy F-3 - Public Comment (NAIOP)
Attachments: 082619NAIOPIEltrRCBOSReGood NeighborPolicy.pdf

Greetings,

Forwarding Public Comment requesting further review of Good Neighbor Policy F-3 before approval, scheduled Before the Board on August 27, 2019, Item No 3.55 (MinuteTraq No 10691).

The email and letter have been printed and added to Agenda back-up.

Thank you kindly,

Sue Maxwell
Board Assistant
Riverside County Clerk of the Board of Supervisors
(951) 955-1069 Fax (951) 955-1071
smaxwell@rivco.org



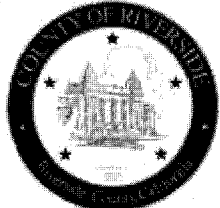
From: COB
Sent: Monday, August 26, 2019 3:42 PM
To: 'Rob Evans' <rob@naiopie.org>
Subject: Good Nighbor Polciy - NAIOP Letter

Mr. Evans,

The Clerk of the Board of Supervisors is in receipt of your email below and attached letter from NAIOP regarding the Good Neighbor Policy, and has included it in the record for August 27, 2019.

Sincerely,

Sue Maxwell
Board Assistant
Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501
(951) 955-1069 Fax (951) 955-1071
Mail Stop #1010
cob@rivco.org
<http://rivcocob.org/>
<https://www.facebook.com/RivCoCOB/>



NAIOP

COMMERCIAL REAL ESTATE
DEVELOPMENT ASSOCIATION
INLAND EMPIRE CHAPTER

November 19, 2019

Honorable Board of Supervisors
Clerk of the Board
County Administrative Center Board Chambers
4080 Lemon Street, 1st Floor, Riverside 92501
City of Industry, CA 91746

SUBJECT: **"GOOD NEIGHBOR" POLICY FOR LOGISTICS AND
WAREHOUSE/DISTRIBUTION USES AGENDA ITEM 3.23 – BOARD
POLICY F-3**

Dear Honorable Board of Supervisors:

This letter has been prepared with input and direction from the NAIOP Inland Empire Chapter Board. The purpose of this letter is to provide our comments in opposition to the one-size-fits-all approach manifest in the proposed good neighbor policies (Agenda Item 3.23) as currently drafted ("Proposed Good Neighbor Policies"). We request this letter be placed in the official Record of Proceedings related to the Proposed Good Neighbor Policies.

In sum, NAIOP desires the Board to have full and complete information when considering the Proposed Good Neighbor Policies. NAIOP members strive on a daily basis to be good neighbors. And in fact, as demonstrated below, with the State and SCAQMD's leadership, air quality has vastly improved over the past decades – all occurring during transformative economic growth. With emerging technologies being unveiled on a yearly basis and continuing innovation occurring in the goods movement sector, NAIOP does not believe that the "one size fits all" approach embodied in the Proposed Good Neighbor Policies is necessary and in the best interests of the County and its residents. As demonstrated below, air quality has drastically improved and will continue to improve in the years to come. Rigorous individualized review under the California Environmental Quality Act ("CEQA") on a project-by-project basis is the correct policy to enforce to ensure public health – not blanket rules that may hinder economic growth and not yield proportionate – much less any vast – improvement to the already positive air quality trends.

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Ed Konjoyan, Majestic Realty Co.

John Magness, Hillwood, A Perot Company

Graham Tingle, Brookfield Properties

NAIOP INLAND EMPIRE STAFF

Robert Evans, Executive Director

Devon Sull, Executive Assistant

11/19/19
3.23

REGIONAL AIR QUALITY IMPROVEMENT

The Project is within the jurisdiction of the SCAQMD. In 1976, California adopted the Lewis Air Quality Management Act which created SCAQMD from a voluntary association of air pollution control districts in Los Angeles, Orange, Riverside, and San Bernardino counties. The geographic area of which SCAQMD consists is known as the South Coast Air Basin (SCAB). SCAQMD is in charge of creating comprehensive plans and regulatory programs for the region with a goal to ultimately attain federal standards.

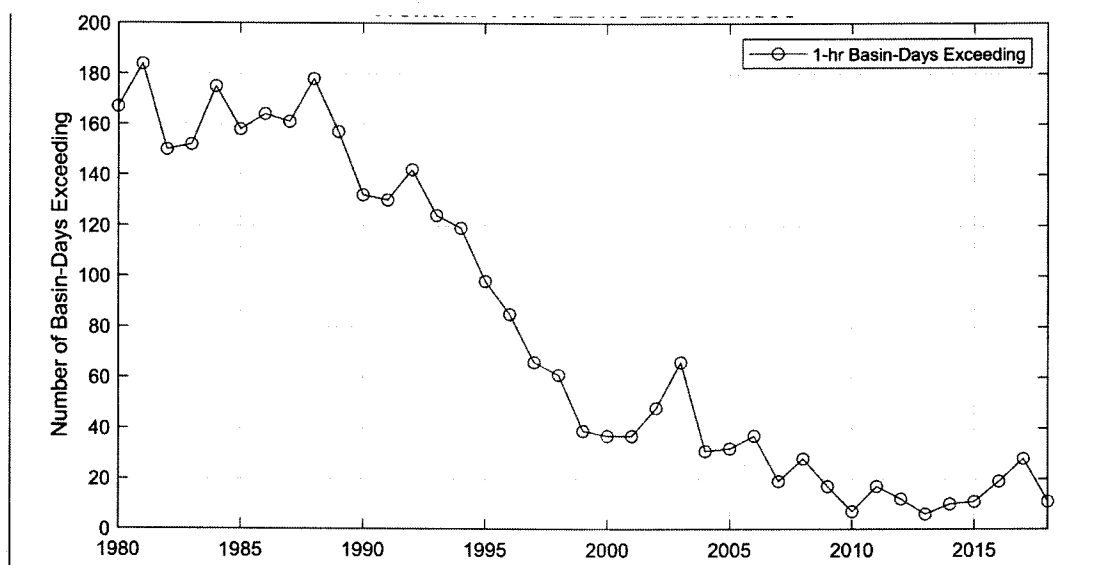
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Ozone (O₃) contour maps show that the number of days exceeding the 1-hour NAAQS has decreased between 1997 and 2018. By 2018, there is an overall decrease in exceedance days compared with the 1997 period. As shown, O₃ levels in the SCAB have decreased substantially over the last 30 years with the current maximum measured concentrations being approximately one-third of concentrations within the late 70’s (3).

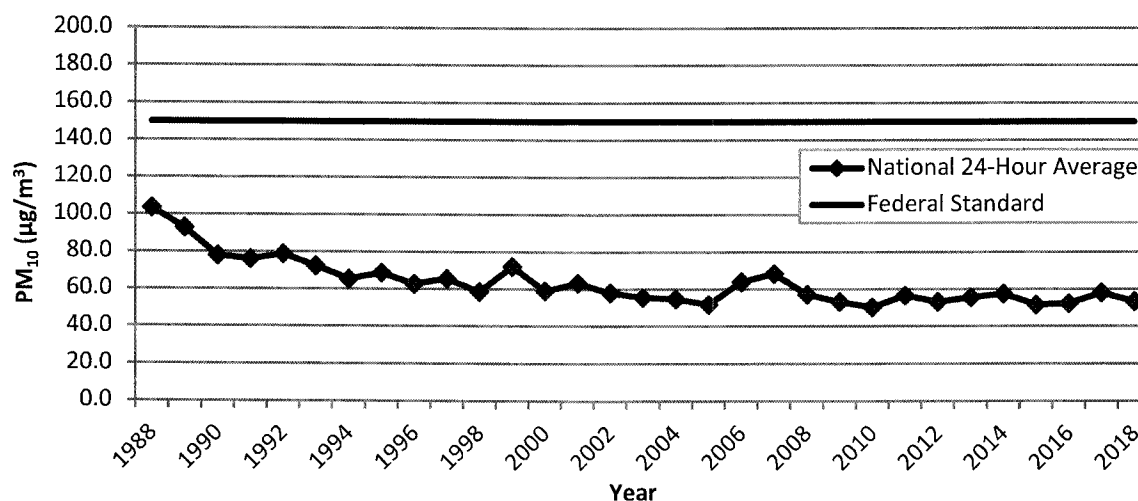
TABLE 1: TREND IN 1-HR OZONE EXCEEDANCES



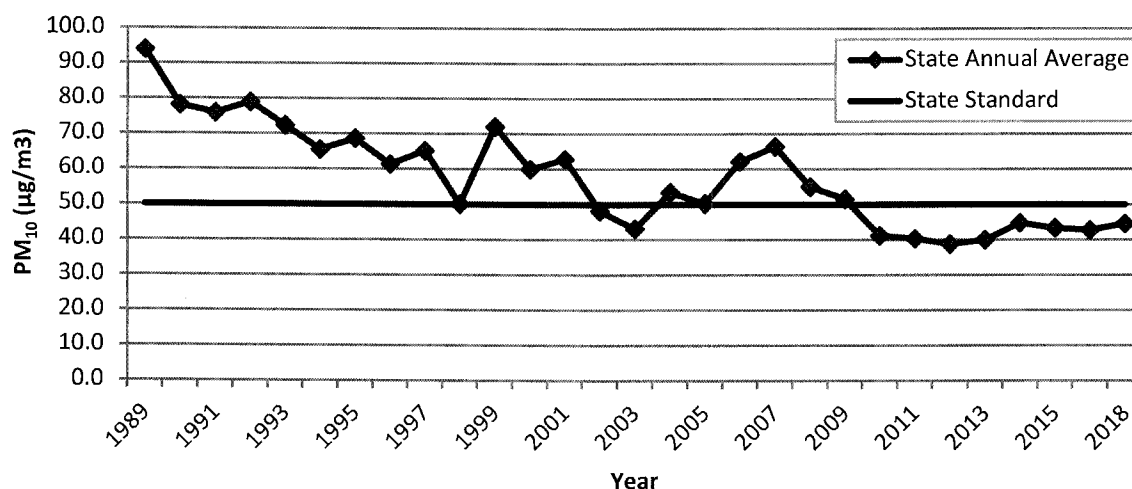
Source: SCAQMD: <http://www.aqmd.gov/home/air-quality/historical-air-quality-data/historic-ozone-air-quality-trends>

The overall trends of PM₁₀ and PM_{2.5} concentration levels in the air also show an overall improvement since 1988. As with other pollutants, the most recent PM₁₀ statistics show an overall improvement as illustrated in Tables 2 and 3. During the period for which data are available, the 24-hour national annual average concentration for PM₁₀ decreased by approximately 48 percent, from 103.7 $\mu\text{g}/\text{m}^3$ in 1988 to 53.5 $\mu\text{g}/\text{m}^3$ in 2018 (4). Although the values are below the federal standard, it should be noted that there are days within the year where the concentrations will exceed the threshold. The 24-hour state annual average for emissions for PM₁₀, have decreased by approximately 53 percent since 1988 (4).

TABLE 2: SCAB AVERAGE 24-HOUR CONCENTRATION PM₁₀ TREND (BASED ON FEDERAL STANDARD)¹

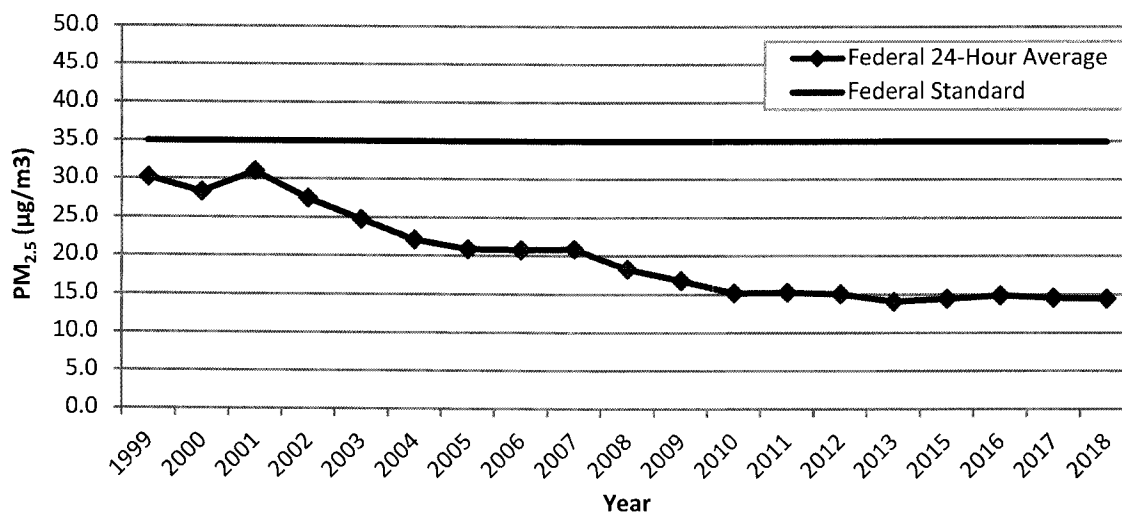


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TABLE 3: SCAB ANNUAL AVERAGE CONCENTRATION PM₁₀ TREND (BASED ON STATE STANDARD)¹

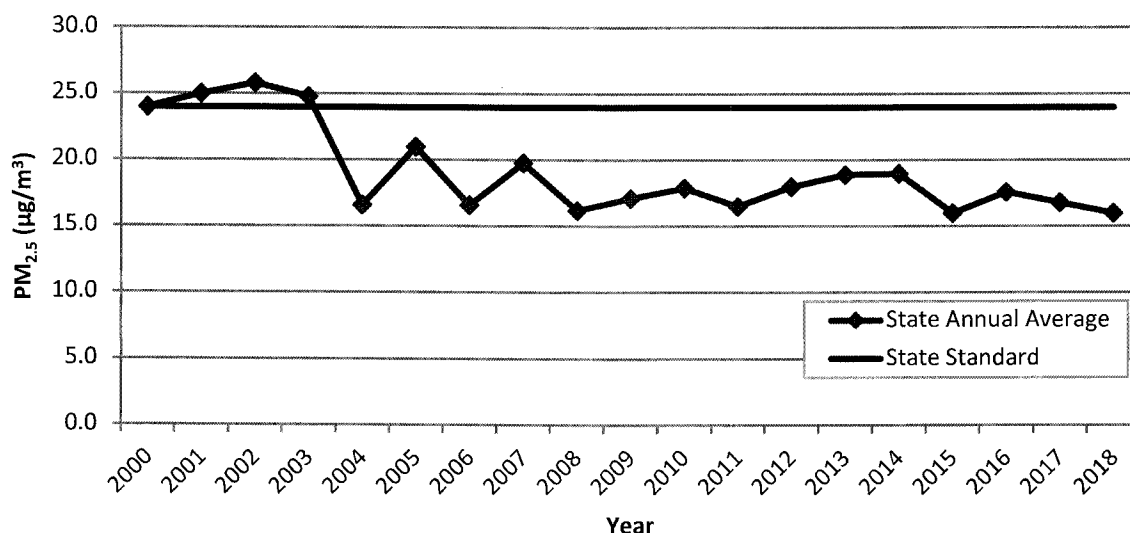
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Tables 4 and 5 shows the most recent 24-hour average PM_{2.5} concentrations in the SCAB from 1999 through 2018. Overall, the national and state annual average concentrations have decreased by almost 52 percent and 33 percent respectively (4). It should be noted that the SCAB is currently designated as nonattainment for the state and federal PM_{2.5} standards.

TABLE 4: SCAB 24-HOUR AVERAGE CONCENTRATION PM_{2.5} TREND (BASED ON FEDERAL STANDARD)¹

Source: CARB

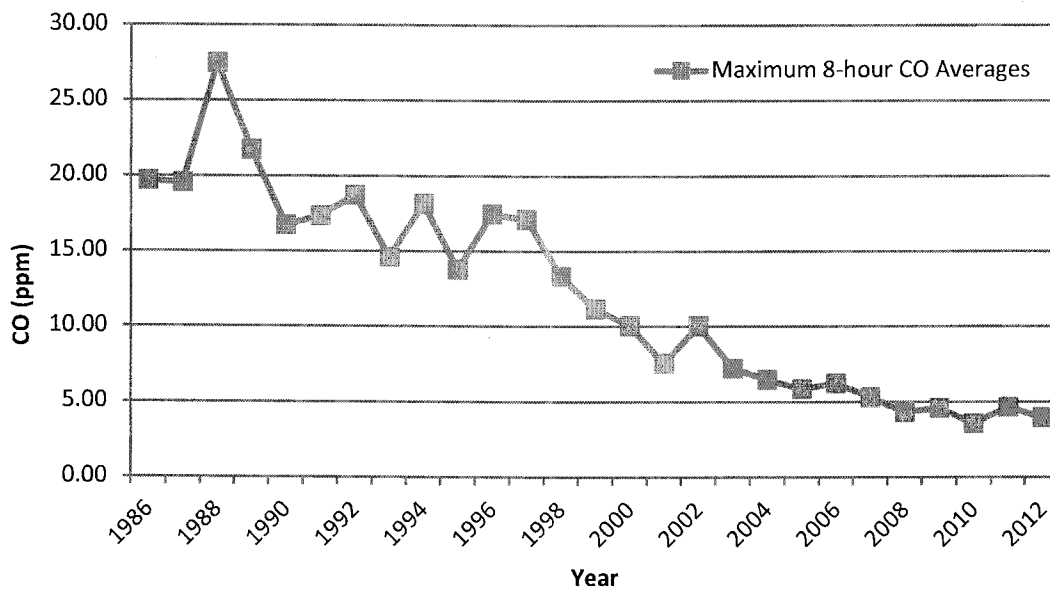
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TABLE 5: SCAB ANNUAL AVERAGE CONCENTRATION $PM_{2.5}$ TREND (BASED ON STATE STANDARD)¹

Source: CARB

In March 2017, the AQMD released the Final 2016 AQMP. The 2016 AQMP continues to evaluate current integrated strategies and control measures to meet the NAAQS, as well as, explore new and innovative methods to reach its goals. Some of these approaches include utilizing incentive programs, recognizing existing co-benefit programs from other sectors, and developing a strategy with fair-share reductions at the federal, state, and local levels (5). Similar to the 2012 AQMP, the 2016 AQMP incorporates scientific and technological information and planning assumptions, including the 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and updated emission inventory methodologies for various source categories (6).

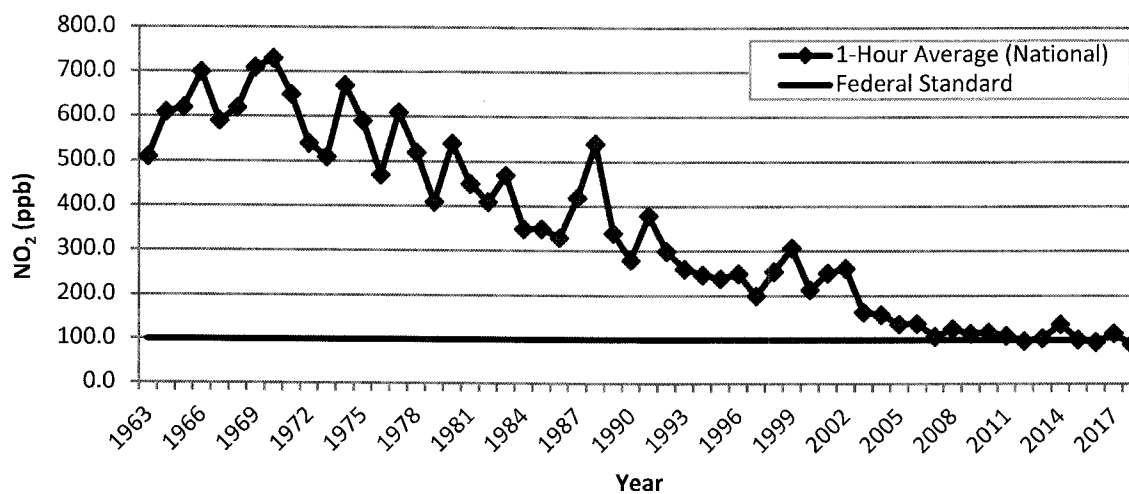
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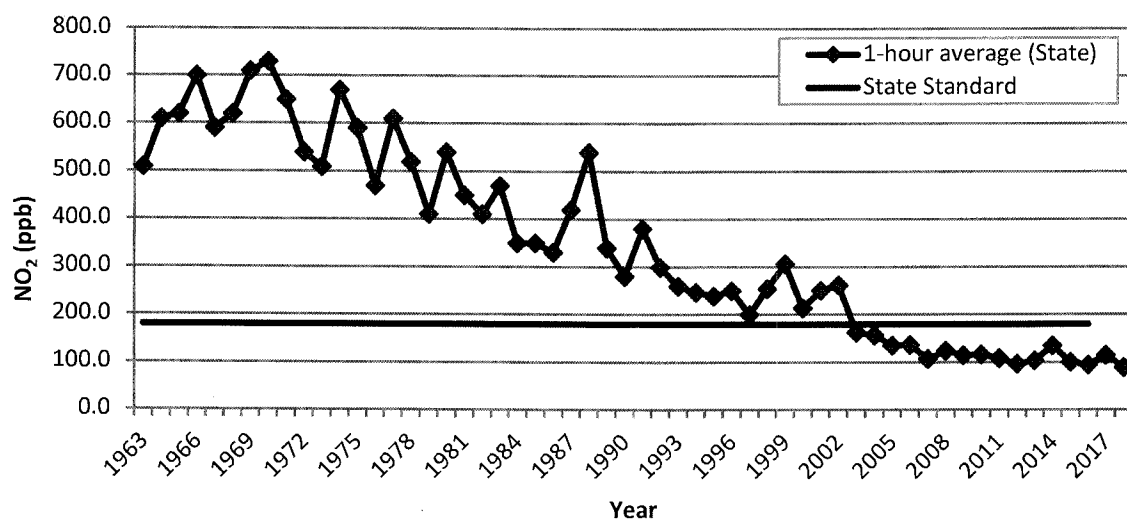
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The most recent NO₂ data for the SCAB is shown in Tables 7 and 8 (4). Over the last 50 years, NO₂ values have decreased significantly; the peak 1-hour national and state averages for 2018 is approximately 82 percent lower than what it was during 1963.

TABLE 7: SCAB 1-HOUR AVERAGE CONCENTRATION NO₂ TREND (BASED ON FEDERAL STANDARD)

Source: CARB

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The American Lung Association website includes data collected from state air quality monitors that are used to compile an annual State of the Air Report. ***The latest State of the Air Report compiled for the SCAB was in 2018 (7). As noted, air quality in the SCAB has significantly improved in terms of both pollution levels and high pollution days over the past three decades. The area's average number of high O₃ days dropped from 230 days in the initial 2000 State of the Air report (1996–1998) to 146 days in the 2018 report. The region has also seen dramatic reduction in particle pollution since the initial 2000 State of the Air report (7).***

REGIONAL CANCER RISK TRENDS

Based on information available from CARB, overall cancer risk throughout the SCAB has had a declining trend since 1990. In 1998, following an exhaustive 10-year scientific assessment process, CARB identified particulate matter from diesel-fueled engines as a toxic air contaminant. The SCAQMD initiated a comprehensive urban toxic air pollution study called the Multiple Air Toxics Exposure Study (MATES). DPM accounts for more than 70 percent of the cancer risk.

In 2008 the SCAQMD prepared an update to the MATES-II study, referred to as MATES-III. MATES-III estimates the average excess cancer risk level from exposure to TACs is an approximately 17% decrease in comparison to the MATES-II study.

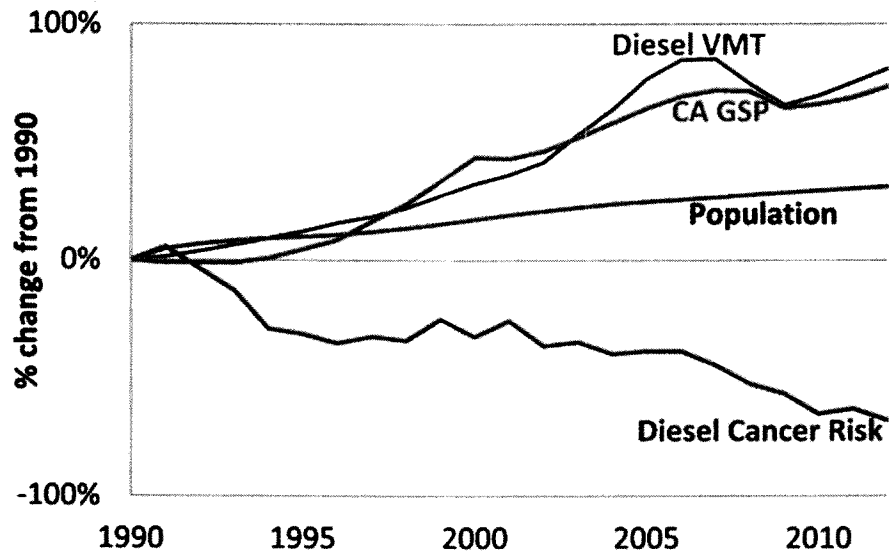
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STATEWIDE CANCER RISK TRENDS

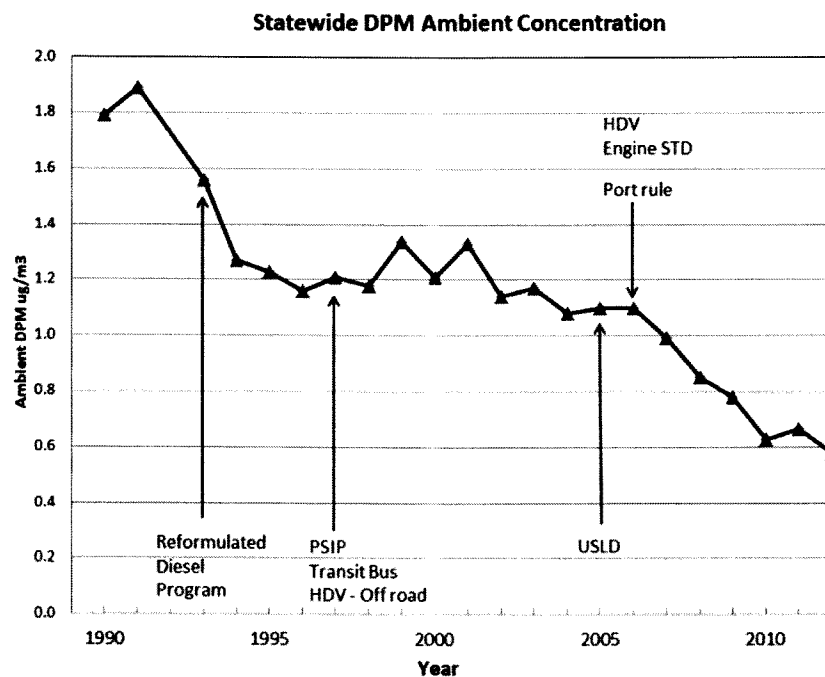
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EXHIBIT B: DIESEL PARTICULATE MATTER AND DIESEL VEHICLE MILES TREND



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LOCAL REGULATIONS

The CARB and the Ports of Los Angeles and Long Beach (POLA and POLB) have adopted several iterations of regulations for diesel trucks that are aimed at reducing DPM. More specifically, the CARB Drayage Truck Regulation (9), the CARB statewide On-road Truck and Bus Regulation (10), and the Ports of Los Angeles and Long Beach "Clean Truck Program" (CTP) require accelerated implementation of "clean trucks" into the statewide truck fleet (11). In other words, older more polluting trucks will be replaced with newer, cleaner trucks as a function of these regulatory requirements.

Moreover, the average statewide DPM emissions for Heavy Duty Trucks (HDT), in terms of grams of DPM generated per mile traveled, will dramatically be reduced due to the aforementioned regulatory requirements.

Part of the control process of the SCAQMD's duty to greatly improve the air quality in the SCAB is the uniform CEQA review procedures required by SCAQMD's CEQA Handbook (12). The single threshold of significance used to assess Project direct and cumulative impacts has in fact "worked" as evidenced by the track record of the air quality in the SCAB dramatically improving over the course of the past decades as outlined above.

RECOMMENDED BUFFER DISTANCE

The 1,000 foot buffer distance recommendation is borne out of the California Air Resources Board's 2005 publication titled: *Air Quality Land Use Handbook: A Community Health Perspective*. It is important to note that this document is more than 14 years old and as previously noted tailpipe emissions, specifically related to diesel exhaust have improved and are expected to continue to improve.

Moreover, CARB's 2005 Handbook explicitly states (see Page 5):

- To determine the actual risk near a particular facility, a site-specific analysis would be required. Risk from diesel PM will decrease over time as cleaner technology phases in.
- These recommendations are designed to fill a gap where information about existing facilities may not be readily available and are not designed to substitute for more specific information if it exists.."

As such, the County's current policy of rigorous CEQA enforcement already responsive to the intent of the setback recommendation in that site-specific analysis is required via preparation of a health risk assessment (HRA) report to determine the actual impacts resulting from an individual project. Lastly, current regulations in place require that by 2023, all trucks will have to be compliant with the 2010 emissions standards which generally reduce the emissions compared to non-2010 fleets by approximately 50 percent for emissions of NOx and 31 percent for emissions of PM10 (source: EMFAC2017).

For these reasons NAIOP respectfully opposes the one-size-fits-all approach manifest in the Proposed Good Neighbor Guidelines.

REFERENCES

1. **South Coast Air Quality Management District.** *Air Quality Management Plan*. 2012.
2. **California Air Resources Board.** *The California Almanac of Emissions and Air Quality*. 2013.
3. **South Coast AQMD.** South Coast Air Basin Ozone Trend. [Online] <https://www.aqmd.gov/home/air-quality/historical-air-quality-data/historic-ozone-air-quality-trends>.
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10. —. Truck and Bus Regulation. *On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation*. [Online] <http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.
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12. **South coast Air Quality Management District.** *CEQA Air Quality Handbook (1993)*. 1993.

NAIOP

COMMERCIAL REAL ESTATE
DEVELOPMENT ASSOCIATION
INLAND EMPIRE CHAPTER

November 19, 2019

Honorable Board of Supervisors
Clerk of the Board
County Administrative Center Board Chambers
4080 Lemon Street, 1st Floor, Riverside 92501
City of Industry, CA 91746

SUBJECT: "GOOD NEIGHBOR" POLICY FOR LOGISTICS AND
WAREHOUSE/DISTRIBUTION USES AGENDA ITEM 3.23 – BOARD
POLICY F-3

Dear Honorable Board of Supervisors:

This letter has been prepared with input and direction from the NAIOP Inland Empire Chapter Board. The purpose of this letter is to provide our comments in opposition to the one-size-fits-all approach manifest in the proposed good neighbor policies (Agenda Item 3.23) as currently drafted ("Proposed Good Neighbor Policies"). We request this letter be placed in the official Record of Proceedings related to the Proposed Good Neighbor Policies.

In sum, NAIOP desires the Board to have full and complete information when considering the Proposed Good Neighbor Policies. NAIOP members strive on a daily basis to be good neighbors. And in fact, as demonstrated below, with the State and SCAQMD's leadership, air quality has vastly improved over the past decades – all occurring during transformative economic growth. With emerging technologies being unveiled on a yearly basis and continuing innovation occurring in the goods movement sector, NAIOP does not believe that the "one size fits all" approach embodied in the Proposed Good Neighbor Policies is necessary and in the best interests of the County and its residents. As demonstrated below, air quality has drastically improved and will continue to improve in the years to come. Rigorous individualized review under the California Environmental Quality Act ("CEQA") on a project-by-project basis is the correct policy to enforce to ensure public health – not blanket rules that may hinder economic growth and not yield proportionate – much less any vast – improvement to the already positive air quality trends.

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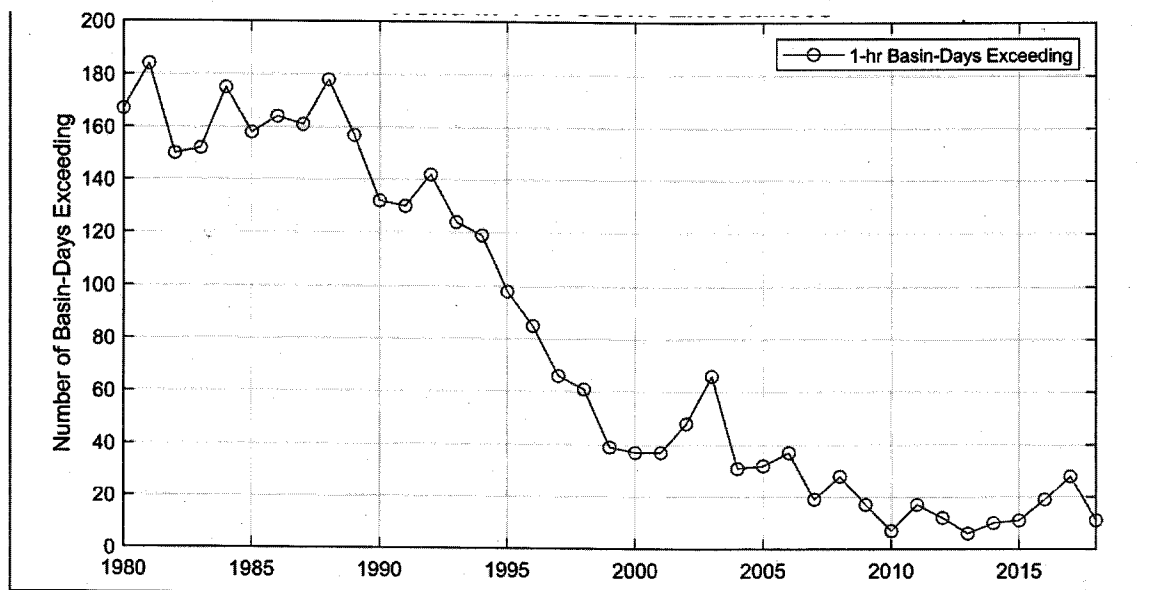
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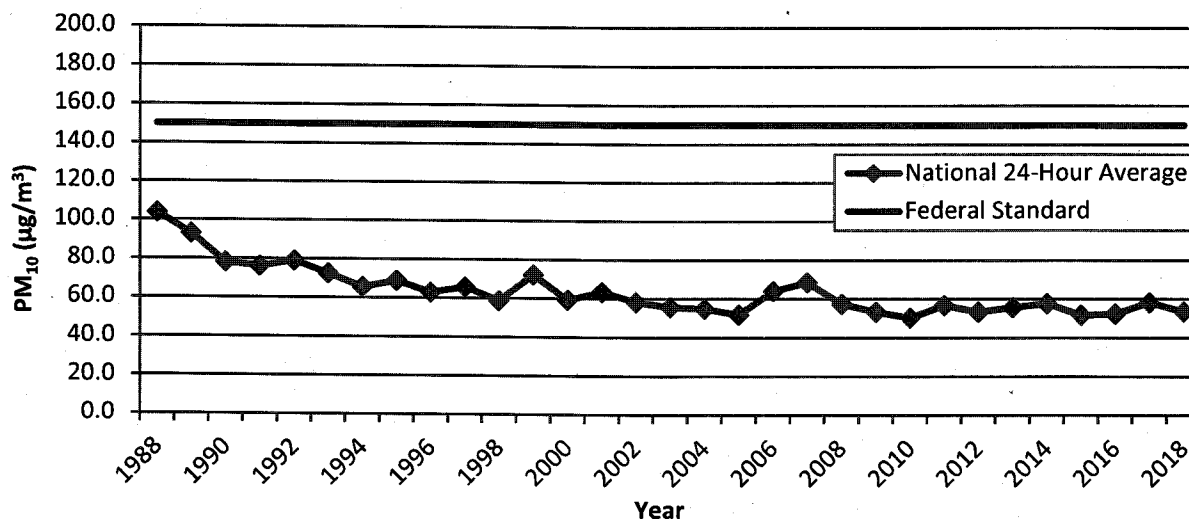
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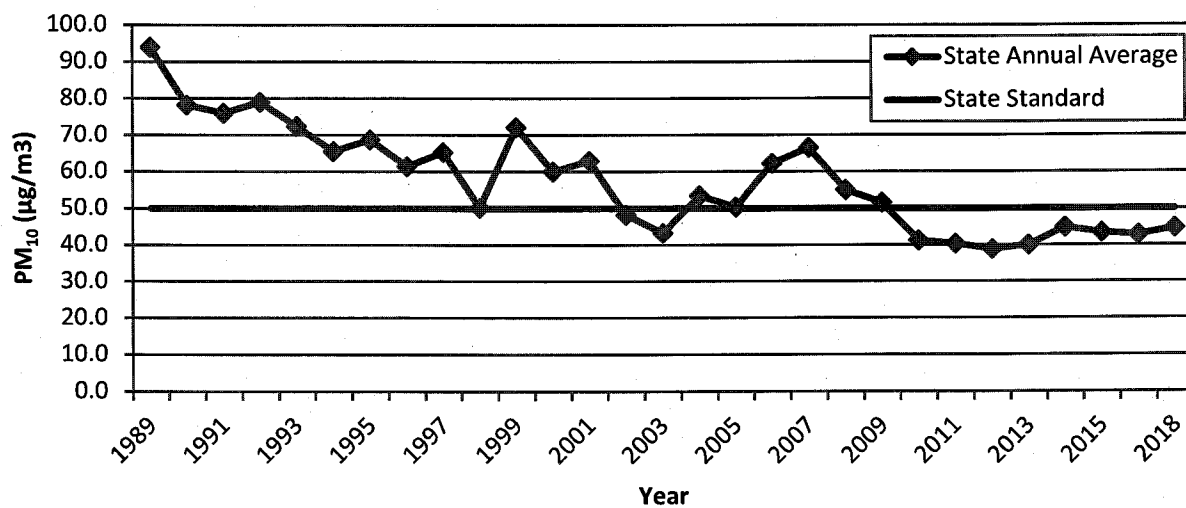
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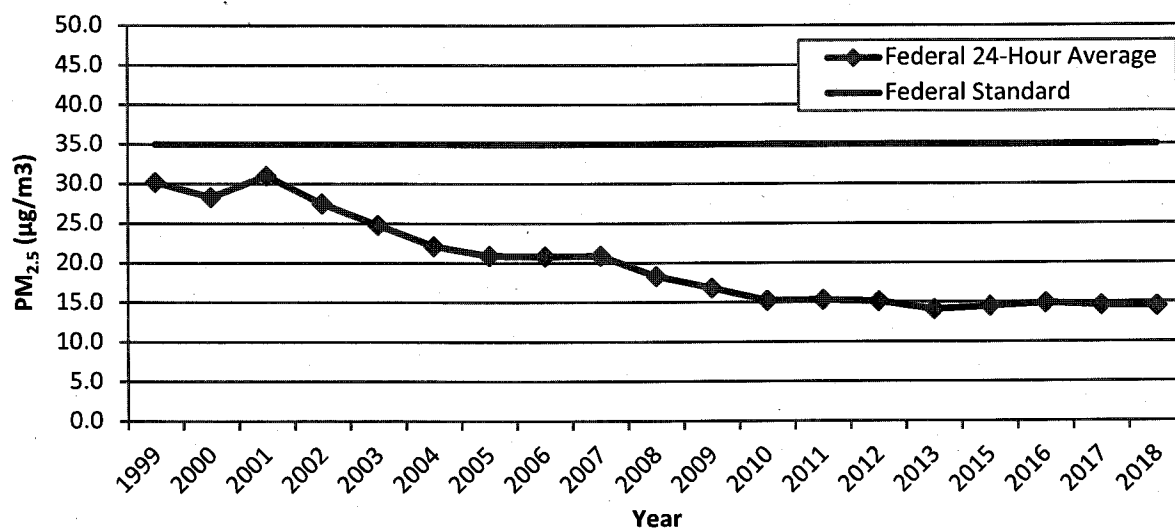


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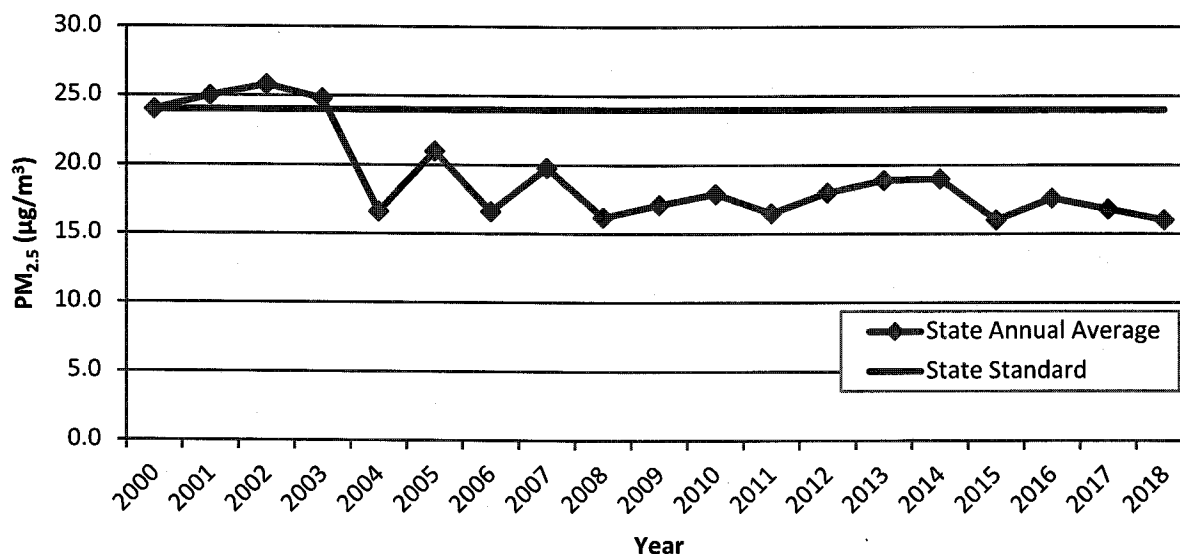
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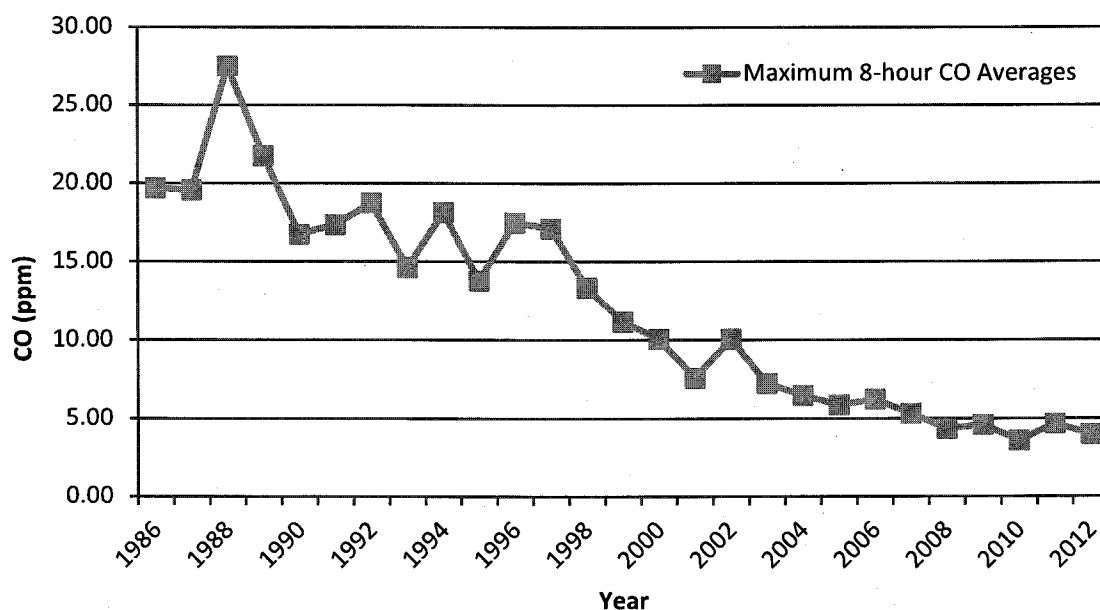
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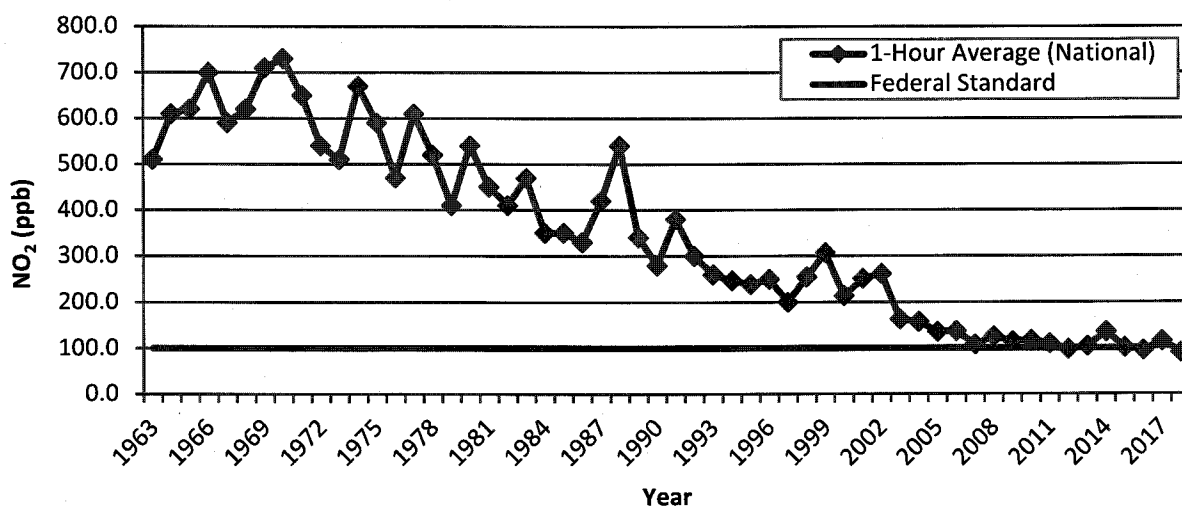
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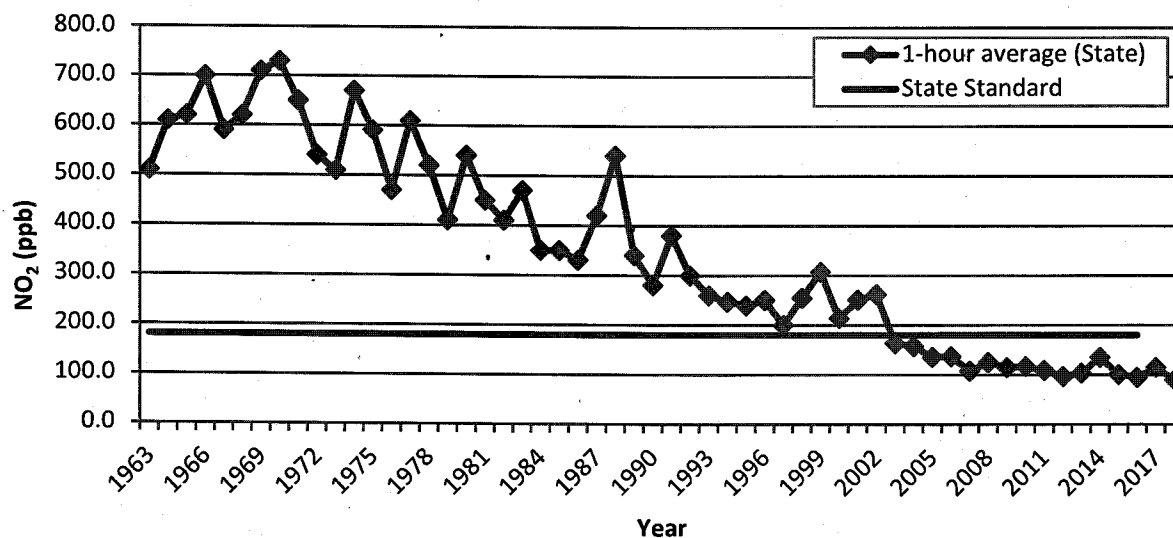
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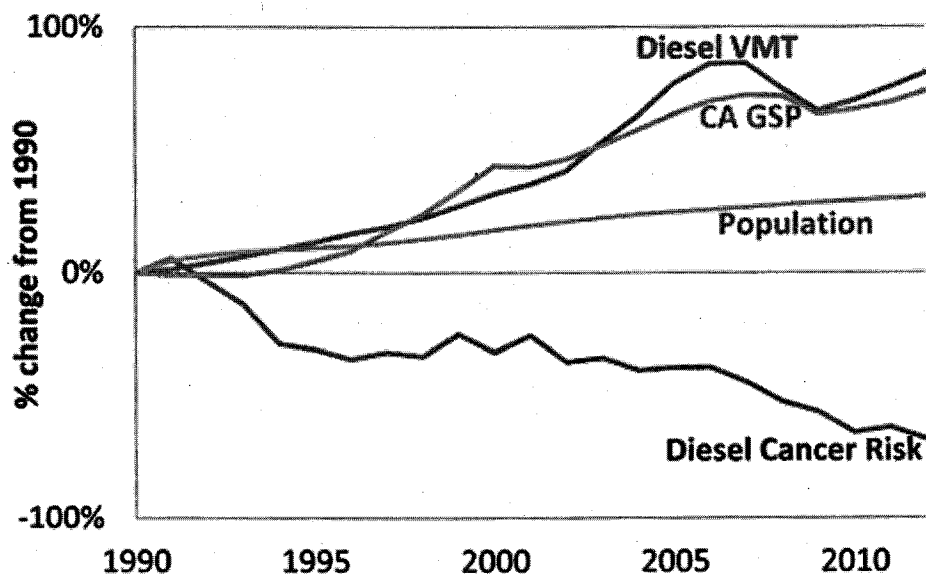
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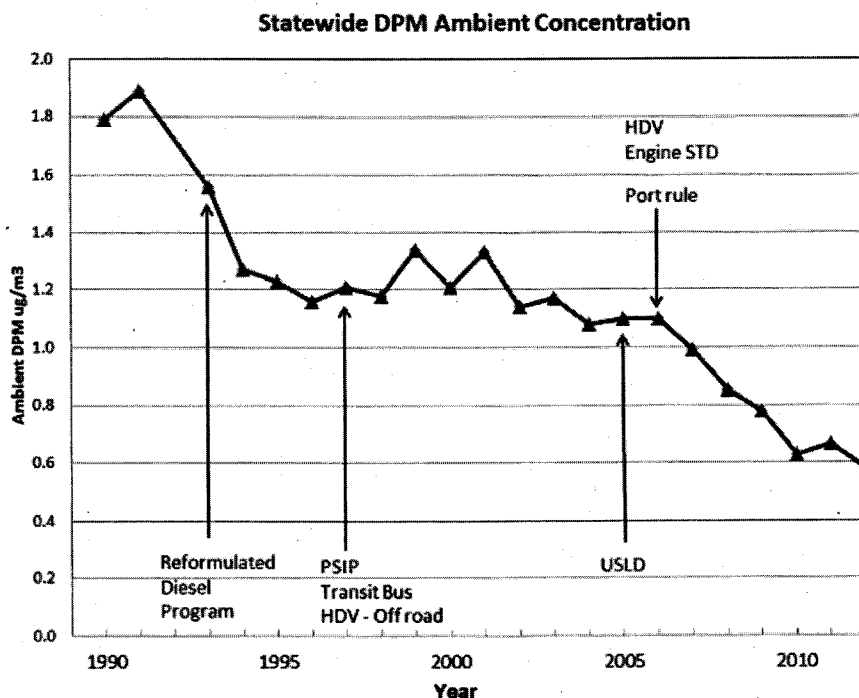
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Source: CARB: <https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health>

LOCAL REGULATIONS

The CARB and the Ports of Los Angeles and Long Beach (POLA and POLB) have adopted several iterations of regulations for diesel trucks that are aimed at reducing DPM. More specifically, the CARB Drayage Truck Regulation (9), the CARB statewide On-road Truck and Bus Regulation (10), and the Ports of Los Angeles and Long Beach "Clean Truck Program" (CTP) require accelerated implementation of "clean trucks" into the statewide truck fleet (11). In other words, older more polluting trucks will be replaced with newer, cleaner trucks as a function of these regulatory requirements.

Moreover, the average statewide DPM emissions for Heavy Duty Trucks (HDT), in terms of grams of DPM generated per mile traveled, will dramatically be reduced due to the aforementioned regulatory requirements.

Part of the control process of the SCAQMD's duty to greatly improve the air quality in the SCAB is the uniform CEQA review procedures required by SCAQMD's CEQA Handbook (12). The single threshold of significance used to assess Project direct and cumulative impacts has in fact "worked" as evidenced by the track record of the air quality in the SCAB dramatically improving over the course of the past decades as outlined above.

RECOMMENDED BUFFER DISTANCE

The 1,000 foot buffer distance recommendation is borne out of the California Air Resources Board's 2005 publication titled: *Air Quality Land Use Handbook: A Community Health Perspective*. It is important to note that this document is more than 14 years old and as previously noted tailpipe emissions, specifically related to diesel exhaust have improved and are expected to continue to improve.

Moreover, CARB's 2005 Handbook explicitly states (see Page 5):

- To determine the actual risk near a particular facility, a site-specific analysis would be required. Risk from diesel PM will decrease over time as cleaner technology phases in.
- These recommendations are designed to fill a gap where information about existing facilities may not be readily available and are not designed to substitute for more specific information if it exists.."

As such, the County's current policy of rigorous CEQA enforcement already responsive to the intent of the setback recommendation in that site-specific analysis is required via preparation of a health risk assessment (HRA) report to determine the actual impacts resulting from an individual project. Lastly, current regulations in place require that by 2023, all trucks will have to be compliant with the 2010 emissions standards which generally reduce the emissions compared to non-2010 fleets by approximately 50 percent for emissions of NO_x and 31 percent for emissions of PM₁₀ (source: EMFAC2017).

For these reasons NAIOP respectfully opposes the one-size-fits-all approach manifest in the Proposed Good Neighbor Guidelines.

REFERENCES

1. **South Coast Air Quality Management District.** *Air Quality Management Plan*. 2012.
2. **California Air Resources Board.** *The California Almanac of Emissions and Air Quality*. 2013.
3. **South Coast AQMD.** South Coast Air Basin Ozone Trend. [Online] <https://www.aqmd.gov/home/air-quality/historical-air-quality-data/historic-ozone-air-quality-trends>.
4. **California Air Resources Board.** iADAM: Air Quality Data Statistics. *California Air Resources Board*. [Online] <https://arb.ca.gov/adam/trends/trends2.php>.
5. **South Coast Air Quality Management District.** Final 2016 Air Quality Management Plan. *South Coast Air Quality Management District*. [Online] March 2017. <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/final2016aqmp.pdf>.
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8. **South Coast Air Quality Management District.** *The Multiple Air Toxics Exposure Study IV*. 2015.
9. **Air Resources Board.** ARB's Drayage Truck Regulatory Activities. [Online] <http://www.arb.ca.gov/msprog/onroad/porttruck/porttruck.htm>.
10. —. Truck and Bus Regulation. *On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation*. [Online] <http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.
11. **The Port of Los Angeles.** Clean Truck Program. [Online] http://www.portoflosangeles.org/ctp/idx_ctp.asp.
12. **South coast Air Quality Management District.** *CEQA Air Quality Handbook (1993)*. 1993.

From: COB

Sent: Tuesday, November 19, 2019 9:25 AM

To: 'Rob Evans' <rob@naiopie.org>; Supervisor Jeffries - 1st District <district1@RIVCO.ORG>; District2 <District2@Rivco.org>; District3 Information <D3Email@RIVCO.ORG>; District 4 Supervisor V. Manuel Perez <District4@RIVCO.ORG>; District5 <District5@Rivco.org>

Cc: Perez, Juan <JCPEREZ@RIVCO.ORG>

Subject: RE: NAIOP IE Letter Good Neighbor Policy (Received)

Good morning,

The Clerk of the Board of Supervisors is in receipt of your email regarding the Thermal Beach Club project, and has included it in the record for November 19, 2019.

Sincerely,

Sue Maxwell

Board Assistant

Clerk of the Board of Supervisors

4080 Lemon Street, 1st Floor, Room 127

Riverside, CA 92501

(951) 955-1069 Fax (951) 955-1071

cob@rivco.org

<http://rivcocob.org/>

<https://www.facebook.com/RivCoCOB/>



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From: Rob Evans <rob@naiopie.org>

Sent: Tuesday, November 19, 2019 9:19 AM

To: Supervisor Jeffries - 1st District <district1@RIVCO.ORG>; istrict2@rivco.org; District3 Information <D3Email@RIVCO.ORG>; District 4 Supervisor V. Manuel Perez <District4@RIVCO.ORG>; District5 <District5@Rivco.org>; COB <COB@RIVCO.ORG>

Cc: Perez, Juan <JCPEREZ@RIVCO.ORG>

Subject: NAIOP IE Letter Good Neighbor Policy

Please find the NAIOP IE Letter attached regarding the Good Neighbor Policy discussion.

Robert Evans rob@naiopie.org

Executive Director | NAIOP Inland Empire

25241 Paseo de Alicia, Suite 120 | Laguna Hills, CA 92653

Tel: (951) 710-8768

NAIOP

COMMERCIAL REAL ESTATE
DEVELOPMENT ASSOCIATION

INLAND EMPIRE CHAPTER

Commercial Real Estate Development Association

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✓

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Dr. Karen Jakpor

Address: 16941 Mockingbird Canyon Rd.

City: Riverside Zip: 92504

Phone #: _____

Date: 10/22/19 Agenda # 3.27

PLEASE STATE YOUR POSITION BELOW:

*11127 Transp + Land
Good Neighbor
Policy for
Warehouses*

Position on "Regular" (non-appealed) Agenda Item:

_____ Support ☒ Oppose _____ Neutral

*I would support it if larger banner
of 1000 ft.*

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

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✓

Riverside County Board of Supervisors Request to Speak

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SPEAKER'S NAME: Betty Anderson

Address: 11378 Pena Way

City: Jurupa Valley Zip: 91752

Phone #: (951) 360-8723

Date: 10-22-19 Agenda # 3.27

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

 Support X Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

 Support Oppose Neutral

I give my 3 minutes to: _____

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✓

Riverside County Board of Supervisors Request to Speak

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SPEAKER'S NAME: Jon Shardlow / NAIGP

Address: _____

City: _____ Zip: _____

Phone #: 949-838-4645

Date: 10/22 Agenda # 3.27

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ Support _____ Oppose X Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

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6 minutes ✓

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Sonya Alendar

Address: _____

City: _____ **Zip:** _____

Phone #: _____

Date: 10/22 **Agenda #** 3.27

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** X **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

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Riverside County Board of Supervisors Request to Speak

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SPEAKER'S NAME: Nancy Embry

Address: _____

City: Woodcrest Zip: _____

Phone #: _____

Date: 10/22 Agenda # 3.27

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ Support ☒ Oppose _____ Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: Sonyia Almond

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✓

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SPEAKER'S NAME: Betty Anderson

Address: 11378 Pena Way

City: Jurupa Valley Zip: 91752

Phone #: 360-8723

Date: 8/27/19 Agenda # 3^{Item} 55

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

 Support X Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

 Support Oppose Neutral

I give my 3 minutes to: _____

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6 mins ✓

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SPEAKER'S NAME: MARY Daniel

Address: P.O. Box 2041

City: Beaumont Zip: 92223

Phone #: _____

Date: 8/27/2019 Agenda # 3.55

PLEASE STATE YOUR POSITION BELOW: Good Neighbor
Police

Position on "Regular" (non-appealed) Agenda Item:

_____ Support _____ Oppose X Neutral

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_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

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Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Sharon Hamilton

Address: 39880 Grand Ave

City: Cherry Valley Zip: 92223

Phone #: 951-236-4835

Date: 8/27/2019 Agenda # 3.55

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

 Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

 Support Oppose Neutral

I give my 3 minutes to: Sharon Hamilton

Mary Daniel

BOARD RULES

Requests to Address Board on "Agenda" Items:

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Riverside County Board of Supervisors Request to Speak

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SPEAKER'S NAME: Sonya Alondar

Address: _____

City: Woodcrest Zip: _____

Phone #: _____

Date: _____ Agenda # 3.55

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ Support ☒ ~~Support~~ Oppose _____ Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

BOARD RULES

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Riverside County Board of Supervisors Request to Speak

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SPEAKER'S NAME: Debbie WALSH

Address: MEAD VALLEY

City: _____ Zip: _____

Phone #: _____

Date: 8-27- Agenda # 3.55

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

☒ Support _____ Oppose _____ Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

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✓

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Jon Shardlow / NAIOP Inland
Empire

Address: _____

City: _____ Zip: _____

Phone #: _____

Date: 8/27/19 Agenda # 3-55

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ Support _____ Oppose X _____ Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

BOARD RULES

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Riverside County Board of Supervisors Request to Speak

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SPEAKER'S NAME: Dr. Karen Jakpor

Address: 16941 Mockingbird Cyn. Rd.

City: Riverside Zip: 92504

Phone #: 951-522-4174

Date: 11/19/19 Agenda # 3.23

11303 Good Neighbor Policy

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

 Support Oppose Neutral

If 1000 ft buffer, I support -
If 300 ft buffer, I oppose. *AK*

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

 Support Oppose Neutral

I give my 3 minutes to: _____

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Riverside County Board of Supervisors Request to Speak

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SPEAKER'S NAME: Debbie WALSH

Address: MEAD VALLEY

City: _____ Zip: _____

Phone #: _____

Date: 11/19/19 Agenda # 3.23

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ Support _____ Oppose ✓ Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

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Riverside County Board of Supervisors Request to Speak

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SPEAKER'S NAME: Betty Anderson
Address: 11778 Penaville Way
City: Jurupa Valley Zip: 91752
Phone #: (951) 360-8723 Policy
Date: 11-19-19 Agenda # 3.23

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

☒ Support ☒ Oppose ☐ Neutral
~~Oppose~~ need changes

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

☐ Support ☐ Oppose ☐ Neutral

I give my 3 minutes to: _____

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Riverside County Board of Supervisors Request to Speak

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SPEAKER'S NAME: Stephen Anderson

Address: 11378 Pence Way

City: Mira Loma Zip: 91752

Phone #: _____

Date: 11-19-19 Agenda # Policy 3.23

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ Support ☒ Change Oppose _____ Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

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Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman, may result in removal from the Board Chambers by Sheriff Deputies.

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Andrea Vidaurc

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: _____ **Agenda #** 3.23

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.