

## Policy on Land Use and Sensitive Receptors



### Purpose

For the past decade, the City of Beaumont was one of the fastest growing cities in the region. The City's proximity to Los Angeles, Orange and San Diego counties, the availability of affordable land and high quality of life have all contributed to making Beaumont an attractive place to live and work. The continuing rate of growth in Beaumont and in the larger region exceeds the capacity of the City's financial resources to meet the needs for transportation infrastructure. Warehousing, logistics, e-commerce and distribution are established sectors of the Inland Empire economy and are increasing in the City of Beaumont. These uses contribute to local job growth and continue to expand based on trends in e-commerce. Due to the City's location, providing direct access to I-10, SR-60 and SR79, it is anticipated that strong demand for growth in the logistics industry will continue.

On September 29, 2024, the Governor of California signed into law Assembly Bill (AB) 98 which includes provisions for logistic and warehouse design and building standards for proposed new or expanded (20% or more of the existing square footage [excluding office square footage]) logistics uses. Pursuant to Government Code Section 65098.1.5 existing logistics uses, projects that received approval prior to the effective date of AB 98 and projects that had a commenced entitlement process prior to September 30, 2024, are not subject to the provisions of AB 98. If no development activity occurs within 5 years of entitlement approvals, the protections shall be waived. Additionally, the provisions of AB 98 do not apply to new logistic use development that may create sensitive receptors on the site of the new logistics use development or if there are no existing sensitive receptors within 900 feet of the loading bay.

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The City recognizes construction and operations of logistics, warehouses and other similar types of projects in close proximity to sensitive land uses or sensitive receptors, negatively affects quality of life. ***Sensitive receptors as defined under Government Code Section 65098(e) generally include, but are not limited to, residences, schools, parks, playgrounds, community centers, assisted living, day care centers, nursing homes, hospitals as defined in Section 128700 of the Health and Safety Code, and similar uses.*** The City of Beaumont has all of these types of sensitive receptors and additionally has several active-55+ communities.

This policy is intended to provide a guide through which logistics, warehouses and similar projects can be planned in a way that lessens their impact on the community and the environment and allows for compliance with AB 98 requirements. This policy will aid in minimizing potential impacts to sensitive receptors by acknowledging the City's existing General Plan and zoning which provides location and standards for development of these types of projects and California Environmental Quality Act (CEQA) project analysis. This policy does not exempt a project from preparation of the appropriate environmental review and application of any necessary measures that may arise as a result. This policy provides criteria which shall be implemented to supplement project-level mitigation measures and comply with AB 98, to further reduce impacts related to logistics, warehousing and any project of similar size or type of development.

The application of this policy and the provisions of AB 98 are intended to be included in the evaluation of and conditions of approval for individual development projects. This will provide standards for which applicants

and the public can look to and will provide an opportunity for City staff to monitor individual conditions of approval. The policies are organized into specific categories, to address potential quality of life issues from initial design to construction and operations.

#### **Applicability**

The policy guidelines apply to new projects submitted after September 30, 2024, in compliance with AB 98~~the policy approval date~~ and will be implemented during the development review process.

This policy applies to logistics, warehouse and similar projects that include any building larger than 100,000 square feet in size or type and any building where the loading bays are within 900 feet of a sensitive receptor. It is intended to provide a general guidance that will be appropriate for most industrial or logistics, warehouse or similar projects. Project-level review under CEQA applies to any project, regardless of square footage and may include any technical reports including, but not limited to noise, greenhouse gas, air quality, and traffic. The Planning Department shall use this policy to review projects and in instances where a project does not conform to the policy shall document findings to be considered by the Planning Commission and City Council.

#### **Analysis**

1. An "Air Quality" study shall be prepared in accordance with CEQA and the South Coast Air Quality Management District (SCAQMD) guidelines which includes both project specific and cumulative impact analysis.
2. A "Health Risk Assessment" shall be prepared in accordance with CEQA and the South Coast Air Quality Management District (SCAQMD) guidelines when a proposed project meeting the criteria of this policy is located within 1,000 feet of a sensitive receptor.
3. A "Noise Impact Analysis" shall be prepared in accordance with CEQA guidelines to assess potential impacts to the neighboring properties and surrounding community.
4. A "Construction Traffic Control Plan" shall be prepared, reviewed and approved prior to issuance of a grading permit, which details the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations.
5. A "Traffic Study" or "Traffic Impact Analysis" shall be prepared in accordance with CEQA, analyzing both Vehicle Miles Traveled (VMT) and Level of Service (LOS) C as allowed by the City's General Plan. The study shall identify improvements and fair share costs for the project.
6. A stacking or queuing study shall be provided as part of the project review. The study shall identify the necessary on-site queuing area so vehicle and truck traffic waiting to access the site shall not extend into the public right-of-way.
7. A "Water Supply Assessment" shall be prepared as part of the environmental review process.
8. A "Sewer Study" shall be prepared as part of the project review process.

9. An “Economic Impact Study” shall be prepared as part of the project review process. At a minimum, the study shall provide a cost for service analysis, estimate of revenue generated, anticipated property tax revenue and any other information necessary to provide a comprehensive evaluation of the fiscal impacts to the City.

10. An “Energy Efficiency Plan” shall be prepared as part of the project review process which shows how the project will encourage efficiency above and beyond Title 24 requirements.

#### **Construction Phase**

1. During construction of the project, all copy of current California registration for each piece of construction equipment accessing the site shall be provided to the City. If equipment is not registered in California proof of CARB-Compliant engines or newer as identified by the most current CARB engine standards shall be provided.

2. Construction contractors shall locate or park all stationary construction equipment away from sensitive receptors nearest the project site.

3. The surrounding streets shall be swept on a daily basis to remove any construction related debris and dirt.

4. Dust control measures meeting SCAQMD standards shall be implemented for all land disturbance and construction activity. A sign must be posted during construction with a name and phone number to report air quality events.

5. All Water Quality requirements and best practices shall be adhered to throughout the construction phase.

6. 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.

7. During construction, a City representative shall conduct an on-site inspection with a project representative to verify compliance with these policies, and to identify other opportunities to reduce construction impacts.

8. A sign must be posted during construction with a name and phone number to report noise, water quality or other project concerns.

#### **Siting and Design**

1. Truck bays and loading docks shall be a minimum of 1,000 feet, 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 includes berms or other similar features to appropriately shield and buffer the sensitive receptors from the active truck operations areas. Dock doors shall not be visible from surrounding residential properties or

the public right-of-way. Other setbacks appropriate to the site's zoning classification shall be incorporated in the design. Any reduction to the 1000 foot distance must be approved by -Planning Commission.

2. Projects shall be designed to provide adequate on-site parking for commercial trucks and passenger vehicles and on-site queuing for trucks not visible from sensitive receptors. Commercial trucks shall not be parked in the public right-of-way or nearby residential areas. Queuing shall not extend into the public right-of-way.
3. Truck driveways shall be placed on streets that do not front sensitive receptors.
4. Sites shall clearly mark entry and exit points for trucks and service vehicles.
5. Facility operators shall establish specific truck routes between the facility and regular destinations, identifying the most direct routes to the nearest highway/freeway and prohibit traveling near sensitive receptors or through residential neighborhoods. The truck route should be submitted as part of the entitlement package.
6. Separate entry and exit points for trucks and passenger vehicles shall be provided to minimize vehicle/truck conflict.
7. 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. Trees utilized in landscape screening shall be a minimum of 36-inch box with a minimum calliper (trunk measurement) of 2.5 to 3.5". A permanent maintenance mechanism shall be approved as part of the entitlement process to assure that the landscaping remains in place and functional in accordance with the approved landscaping plan.
8. A "wing-wall" shall be installed perpendicular to the loading dock areas to further reduce truck or operational noise and to serve as an aesthetic screening feature for the loading area when adjacent to sensitive receptors.
9. All project lighting shall comply with the City's "Dark Sky Ordinance", Beaumont Municipal Code Chapter 8.50 Outdoor Lighting. Lighting shall be shielded and directed down to the interior of the site and not spill over onto adjacent properties.
10. Project facilities shall install electrical panels and conduit to facilitate future electrical connections, to eliminate idling of main and auxiliary engines during the loading and unloading process. At all cold storage facilities electrical connections shall be provided to each dock.
11. Facility construction and operational noise shall comply with Beaumont Municipal Code Chapter 9.02 Noise Control.
12. Sites shall be designed to significantly minimize aesthetic impact and structures shall have a neutral or earth tone palette, blending in with the surrounding environment. Pad heights shall be varied to blend with existing topography and provide visual dimension and reduce visible height of a structure.

13. Any mechanical or structural equipment or components located on the exterior of the building shall be completely screened from view and enclosed to protect the equipment and deter vandalism.

#### **Operation**

1. Facility operators shall prohibit truck drivers from idling for 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.

2. Facility operators shall coordinate with CARB and SCAQMD to obtain the latest information about regional air quality concentrations, health risks, and trucking regulations.

3. On-site equipment shall be compliant with CARB and SCAQMD regulations.

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

5. 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.

6. As required by the Cal Green Code, ~~employee~~ parking spaces shall be designated and infrastructure installed and operational for electric or other alternative fueled vehicles.

7. Externally announcing public address (PA) system are prohibited with the exception of emergency notifications.

8. Facility operational noise shall comply with Beaumont Municipal Code Chapter 9.02 Noise Control. Any ongoing operational noise shall be evaluated through the CEQA process.

#### **Wayfinding**

1. Wayfinding signs shall 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.

2. Wayfinding signage shall be posted in the appropriate locations that clearly show the designated entry and exit points for trucks, service vehicles and passenger vehicles.

3. Signs stating parking and maintenance of all trucks is to be conducted within designated areas and not within the surrounding community or on public streets shall be posted in the appropriate locations.

4. Signs should be posted in the appropriate locations and 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. The facility operator shall also email this information to drivers expected to visit the site, 24 hours in advance of their arrival.

5. Each facility shall designate a point of contact 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 City and updated annually, and signs should be posted in visible locations providing the contact information for the point of contact to the surrounding community. These signs shall also identify the website and contact information for the South Coast Air Quality Management District.

6. Signage shall comply with the City's Sign Ordinance, Beaumont Municipal Code Chapter 17.07 Signage, which may be amended from time to time.

#### **Community Benefit**

1. Applicants for proposed projects meeting the criteria for this policy shall engage in meaningful and transparent community outreach to engage the existing community in determining issues of concern. The applicant shall make a quantifiable effort to address concerns through site design and other means during the project entitlement process. Suggested outreach efforts include but are not limited to, hosting community meetings, making presentations at Homeowner's Association meetings, and Planning Commission workshops.

2. Warehouse/distribution, logistics, e-commerce and other similar types of industrial development typically produce some community impacts related to the construction and operation of these facilities. The applicant for any new project will be requested to participate in the community benefit program, which will be utilized to further off-set impacts to the community and provide a community benefit above and beyond any CEQA related mitigation measures. Program participation will be negotiated on a per-project basis. Funds collected will be subject to designation for use by the City Council and will generally be used for projects that directly benefit the community.

#### **AB 98**

For any facility subject to the provisions of AB 98, as may be amended from time to time, such facility shall also comply with any such requirements and/or additional obligations mandated by AB 98 or other applicable state law. To the extent the requirements of this PLUS policy are more restrictive and/or contain additional obligations than the requirements of AB 98, this PLUS policy shall govern as to those more restrictive provisions and/or additional obligations. To the extent applicable, the City shall condition any approval of any logistics use on compliance with AB 98.

Assembly Bill 98: [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202320240AB98](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB98)

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