



**Contra  
Costa  
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: December 14, 2021

Subject: Adopt Urgency Ordinance No. 2021-43 Prohibiting Certain Land Use Development in the North Richmond Area (District I)

**RECOMMENDATION(S):**

1. DETERMINE that adoption of Ordinance No. 2021-43 is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3).
2. ADOPT Ordinance No. 2021-43, an interim urgency ordinance imposing a temporary moratorium on the establishment or expansion of fulfillment centers, parcel hubs, and parcel sorting facilities in the North Richmond area.
3. DIRECT staff to file a CEQA Notice of Exemption with the County Clerk-Recorder.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

This urgency interim ordinance is necessary to address impacts from the recent increase in heavy distribution land uses in the North Richmond area. The North Richmond Area is the area located within the boundaries of the

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **12/14/2021** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: December 14, 2021

Contact: Francisco Avila,  
(925) 655-2866

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

## BACKGROUND: (CONT'D)

North Richmond P-1 (Planned Unit) District adopted by the Board of Supervisors on December 12, 1994. The North Richmond P-1 District encompasses the entire North Richmond community.

With the rapid expansion of e-commerce in recent years and need for local fulfillment centers and operations, the North Richmond Area has seen a proliferation of fulfillment centers, parcel hubs, and parcel sorting facilities (collectively and individually, "Heavy Distribution"). As a result, the North Richmond Area faces increased truck traffic and the following related adverse impacts: increased safety risk to smaller vehicles, pedestrians, and bicyclists; increased damage to streets; traffic congestion and reduced levels of service on streets and at intersections; and increased emissions and air quality impacts.

Staff has identified additional concerns that the cumulative impacts caused by the increase in Heavy Distribution in the North Richmond Area have not been sufficiently considered and analyzed given that Heavy Distribution often operates on a 24-hour basis and may cause deteriorating air quality, health, noise, vibration, and other disruptions to peace and quiet that may impact surrounding sensitive uses, such as schools and residences. The North Richmond community has been designated by the California Air Resources Board and the Bay Area Air Quality Management District as one of only 15 communities in California to be part of State Assembly Bill (AB) 617's Community Air Protection Program. Under current County regulations, Heavy Distribution is consistent with the existing General Plan industrial land use designations in the North Richmond Area, and is permitted within the North Richmond P-1 district. DCD staff is considering a zoning text amendment to the North Richmond P-1 district to address the individual and cumulative impacts of Heavy Distribution through appropriate locational criteria and traffic and air quality impact mitigation requirements.

This ordinance is necessary to proceed with an orderly planning process that takes into account consideration of the zoning text amendment for the North Richmond P-1 District. A threat to the public health, safety, and welfare would result if Heavy Distribution type land-use entitlements or building permits are accepted and approved under the existing North Richmond P-1 District. The failure to enact this moratorium may result in significant irreversible impacts to businesses, residents, and other sensitive uses in the North Richmond Area that may not be adequately analyzed or mitigated.

## CEQA COMPLIANCE

Adoption of the proposed urgency interim ordinance is exempt from CEQA because it can be seen with certainty that adoption of the ordinance will not have a significant effect on the environment. The proposed ordinance would impose a temporary moratorium on the establishment or expansion of a land use activity that might otherwise affect the environment. See CEQA Guidelines, Section 15061(b)(3).

## CONSEQUENCE OF NEGATIVE ACTION:

The failure to adopt this urgency interim ordinance may result in significant irreversible impacts to businesses, residents, and other sensitive uses in the North Richmond Area from new or expanded Heavy Distribution land uses.

#### CLERK'S ADDENDUM

**Speaker: Name not given; name not given; Floy, resident of Richmond; Doug Block, Teamsters Joint Council 7; Doria Robinson, Executive Director of Urban Tilth; Jacob Hines, Sierra Club San Francisco Bay Chapter; Donald Gilmore, Chair Richmond Municipal Advisory Committee; Andre Soto, Richmond.**

#### ATTACHMENTS

Ordinance No. 2021-43 No. Richmond

North Richmond Area Map Ord. No. 2021-43