

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 415 (Reyes) – As Amended July 17, 2025

Policy Committee: Local Government

Vote: 7 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill makes several substantive and numerous clarifying changes to AB 98 (Carrillo, Reyes), Chapter 931, Statutes of 2024 (AB 98), which, beginning January 1, 2026, prescribes minimum standards on new or expanded logistics use developments (warehouses).

Among its provisions, this bill:

- 1) Revises the definition of “logistics use” and instead defines “logistic use development” to mean a building that is “primarily used as a warehouse for the movement or storage of cargo, goods or products,” as specified.
- 2) Specifies “logistics use development” does not include a building that serves a primary agricultural use that is actively operated for a single period of 90 days or less each year.
- 3) Specifies land that will be used to ensure the public’s right of access to the sea pursuant to the California Coastal Act is not a “sensitive receptor.”
- 4) Clarifies a separate entrance to a logistics use development or logistics park for heavy-duty trucks may include a driveway with a lane dedicated to heavy-duty trucks and lane dedicated for other vehicles.
- 5) Clarifies a buffer area may include other hardscape, access, and passenger parking improvements and may include any landscaped areas within a public right-of-way or public or private pedestrian walkways.
- 6) Prohibits a local agency from disapproving a solid decorative wall, landscaped berm and wall, or landscaped berm 10 feet or more in height, as specified.
- 7) Specifies a local road is considered to predominantly serve commercial, agricultural, or industrial uses if more than 50% of the properties fronting the road within 1,000 feet of the sites’ truck entrances and exits are designed for commercial, agricultural, or industrial use.
- 8) Extends the timeline to January 1, 2035, for small cities and counties, as defined, outside the warehouse concentration region to update their circulation elements.
- 9) Deletes the Attorney General’s (AG’s) authorization to fine a jurisdiction that does not update its circulation element within the required timelines, and instead provides, in an action

brought by the AG, a jurisdiction found by the AG to not have made a good faith effort to meet the requirements is subject to all of the following:

- a) A civil penalty of up to \$50,000 every six months, for each violation, as specified.
- b) All costs of investigating and prosecuting this action, including expert fees, reasonable attorney's fees, and costs.
- c) Other relief deemed appropriate by the court.

FISCAL EFFECT:

Local costs of an unknown amount to each city and county to implement the changes in this bill. These costs are not reimbursable by the state because local agencies have general authority to charge and adjust planning and permitting fees to offset increased costs associated with the provisions of this bill.

Because many of the changes in this bill modify requirements in AB 98 that do not take effect until January 1, 2026, this bill may reduce AB 98's implementation costs for some local jurisdictions.

COMMENTS:

- 1) **Purpose.** According to the author:

Logistics facilities have proliferated and encroached around all types of communities in the Inland Empire. This proliferation has led to a public health crisis resulting in over 4,000 individual warehouses occupying about 1 billion square feet in the region that generate approximately 600,000 truck trips a day, which is equivalent to 50 million pounds of carbon dioxide.

This is why last year Assemblymember Carrillo and I authored, and Governor Newsom later signed AB 98 which required new design and build standards for '21st Century Warehouses,' planning requirements for local governments, and setbacks from sensitive receptors dependent on the size of the warehouse. While a framework was put into place there were outstanding issues that need to be addressed. This year we have authored SB 415 and AB 735 to clarify this area of law.

- 2) **Background.** Last year, the Legislature authorized AB 98 to address growing concerns about the effects of warehouses on sensitive receptors. Beginning January 1, 2026, AB 98 establishes minimum requirements local agencies must meet to approve development of new or expanded logistics uses (warehouses) that have loading bays within 900 feet of sensitive receptors, including schools, residences, daycare facilities, nursing homes, hospitals, and parks or playgrounds.

These standards require logistics uses be located on larger roads, unless it is impractical to do so, and establish, among other requirements, minimum setbacks between loading bays and sensitive receptors, buffer zones around warehouse properties, site design requirements, and

building electrification requirements, as specified. Stricter criteria are applied to logistics uses in the warehouse concentration region, which includes the Counties of Riverside and San Bernardino and the Cities of Chino, Colton, Fontana, Jurupa Valley, Moreno Valley, Ontario, Perris, Rancho Cucamonga, Redlands, Rialto, Riverside, and San Bernardino.

AB 98 also requires a city or county to update its circulation element to include designated and signed truck routes by January 1, 2026, in the warehouse concentration region, and by January 1, 2028, for jurisdictions in the rest of the state. AB 98 also authorizes the AG to fine a local jurisdiction \$50,000 every six months for failure to meet this requirement.

This bill makes numerous changes to AB 98 in response to stakeholder concerns, as well as numerous technical and clarifying changes to aid with implementation.

This bill is nearly identical to AB 735 (Carrillo), which is pending in the Senate Appropriations Committee. Both bills are likely to be further amended. Discussions with various stakeholders and interested parties are ongoing.

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