

SENATE THIRD READING  
SB 415 (Reyes)  
As Amended September 8, 2025  
Majority vote

## SUMMARY

Makes various changes to AB 98 (Carrillo, Reyes), Chapter 931, Statutes of 2024, (AB 98), which regulates warehouse development.

### Major Provisions

- 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 that the following types of land shall not be considered a sensitive receptor:*
  - a) *Land that will be used to ensure the public's right of access to the sea or other public access pursuant to the California Coastal Act or the McAtteer-Petris Act.*
  - b) *Land that is developed at or adjacent to an airport or a seaport for the express purpose of creating a buffer area between a sensitive area and an airport or seaport facility.*
- 4) *Specifies that a truck loading bay must be located on the side of logistics use development that is away from the nearest sensitive receptor, instead of the side opposite from a sensitive receptor.*
- 5) *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.*
- 6) *Provide that, for purposes of the bill, a "rezone" does not include land that meets both of the following requirements:*
  - a) *The land is annexed by a jurisdiction through a boundary change.*
  - b) *The zoning in the new jurisdiction is consistent with the zoning assigned by the original jurisdiction.*
- 7) *Clarifies that 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.*
- 8) *Prohibits a city, county, or city and county (jurisdiction) from adopting or enforcing any ordinance, standard, rule, or regulation that would have the effect of physically precluding a logistics use development from complying with AB 98.*

- 9) *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 designated for commercial, agricultural, or industrial use.*
- 10) *Allows jurisdictions to waive the requirement that a logistics use development be sited on specified roadways for sites with an existing industrial or agricultural zone for an agricultural-related logistics use project, as specified.*
- 11) *Requires jurisdictions outside of the warehouse concentration region to adopt an ordinance, instead of updating their circulation element, to establish truck routes by January 1 2028 or January 1, 2030 for cities with a population equal to, or less than, 50,000 persons or a county with a population equal to, or less than, 100,000 persons, as specified.*
- 12) *Requires, on and after January 1, 2028, or January 1, 2030, for cities with a population equal to, or less than, 50,000 persons or a county with a population equal to, or less than, 100,000 persons, all proposed development of a logistics use development to be accessible via arterial roads, major thoroughfares, or local roads that predominantly serve commercial, agricultural, or industrial uses, as specified.*
- 13) *Allows a jurisdiction to regulate traffic from a primary agricultural use facility, defined a primary agricultural use facility as logistics use facility that is less than 20,000 square feet, located in an unincorporated area, in which one or more agricultural commodities or forest products is produced, processed, or packaged, and that may include storage of those commodities or products incidental to production, processing, or packaging.*
- 14) *Requires cities and counties that adopt a truck routing ordinance to:*
  - a) *Post specified signage to identify truck routes, truck parking and truck idling locations.*
  - b) *Make truck routes publicly available in geographic information system (GIS) format and share GIS maps of the truck routes with warehouse operators, fleet operators, and truck drivers.*
  - c) *Engage in specified community and public outreach activities.*
- 15) *Provides that the requirement to adopt a truck routing ordinance shall not apply to a jurisdiction that did not have a logistics use development as of January 1, 2025. However, if any new proposed logistics use developments are approved, the jurisdiction shall adopt a truck routing ordinance within two years after the date of final approval of the logistics use development.*
- 16) *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 allows the AG to bring an action against a jurisdiction that does not comply as specified. Provides, if a jurisdiction has been found by a court to be in violation of 11) through 15) above, the jurisdiction shall be subject to any of the following:*
  - a) *A civil penalty of up to \$50,000 every six months, 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.*
- 17) *Requires the court to consider whether there were any mitigating circumstances delaying the jurisdiction from coming into compliance with the provisions of 11) through 15). The bill also allows the court to consider whether a jurisdiction is making a good faith effort to come into substantial compliance or is facing substantial undue hardship.*
- 18) *Requires that any civil penalties collected shall be paid to the AG and, upon appropriation by the Legislature, shall be distributed by the AG and returned to the local air quality management district in which the civil penalty was imposed for the district's efforts to improve air quality.*
- 19) *Strikes the requirement that a truck routing plan include enforcement measures and requires that the logistics use development operator be responsible for communication of the truck routing plan internally and to external parties who may dispatch trucks to the facility.*
- 20) *Provides that the bill shall not be construed to expand or restrict any authority that the planning director may have pursuant to any local ordinance or regulation to regulate hours of operation.*
- 21) *Requires, on or before January 1, 2027, the Department of California Highway Patrol (CHP) to make all of the following available to city and county law enforcement agencies:*
- a) *At no charge, training on enforcement of laws related to commercial vehicles, including truck route enforcement.*
  - b) *Couse completion certificates for any city and county law enforcement personnel who have completed the training in a) above.*
- 22) *Requires all cities and counties that are required to update a circulation element or to adopt a truck routing ordinance to have at least one enforcement officer that has received a completion certificate by the date on which that ordinance is adopted.*
- 23) *Provides that the bill shall not be construed to require CHP to provide training for which it has not received funding or to require a jurisdiction to have an enforcement officer that has received a course completion certificate if CHP has not made the training described in 21) above available to law enforcement personnel at no charge.*
- 24) *Makes additional technical, clarifying, and conforming changes.*

## COMMENTS

*AB 98 of 2024.* In response to growing concerns about the effects of warehouses on sensitive receptors, the Legislature enacted AB 98 (Carrillo and Reyes, 2024). AB 98 establishes minimum requirements that must be met for local agencies to approve development of new or expanded logistics uses (warehouses) on or after January 1, 2026 that have loading bays within 900 feet of schools, homes, daycares, nursing homes, hospitals, and parks or playgrounds. These

standards required logistics uses to be located on larger roads, unless it is impractical to do so, and established, among other requirements:

- a) Minimum distances (setbacks) between loading bays and the property line of a sensitive receptor of 300 feet if the project is proposed on land that is zoned for industrial use, or 500 feet if not.
- b) Buffer zones around the properties that screen sensitive receptors using trees and walls.
- c) Site design requirements, such as orienting loading bays on the opposite side of the facility from sensitive receptors where feasible.
- d) Building electrification requirements; and operational requirements (including phased-in mandates for zero-emission forklifts and other equipment, where feasible).

The bill also required developers to replace any demolished housing on a two-for-one basis with affordable units, along with providing relocation payments to displaced tenants.

AB 98 applied the criteria to logistics uses in the WCR, which includes 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. Among other things, all new or expanded logistics uses in the WCR must have a 500-foot setback from nearby sensitive receptors.

Logistics uses under 250,000 square feet do not have to meet as stringent standards, including no required setbacks if they are on industrial land. The law also includes specific exemptions for certain projects already existing or in the planning process before September 30, 2024.

Furthermore, AB 98 mandated that all cities and counties update their general plan's circulation element by January 1, 2028 (or January 1, 2026, for jurisdictions in the WCR) to designate truck routes that avoid residential areas and sensitive receptors, maximizing the use of highways and major arterials. The bill included requirements for public input and making route maps publicly available.

Finally, AB 98 directed the South Coast Air Quality Management District to conduct air quality monitoring near warehouses in Riverside and San Bernardino Counties and report on pollution impacts to evaluate the effectiveness of the mandated setbacks.

### **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 one 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. The Department of Justice has identified that other parts of the state, such as the Central Valley, as prime locations for logistics expansion. Without proper guardrails and a framework for logistics development the issue in the Inland Empire could be replicated in other parts of the state.

"This is why last year Assemblymember Carrillo and I authored, and Governor Newsom later signed AB 98 which required new design 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 such as: definitional questions, enforcement, cross applications with other existing laws, general clarifications, and the assessing requests from stakeholders

regarding implementation. This year we have authored SB 415 and AB 735 to clarify this area of state law."

### **Arguments in Support**

None on file.

### **Arguments in Opposition**

The City of Ontario writes in opposition *to a prior version of this bill*, "The City of Ontario strive to be a good steward to the region and our community and to ensure the development of a well-planned, balanced, and self-sustaining community. It is our strong opinion that cities improving the quality of life, supply chain needs, and inflation are critical issues all cities are facing. Applying the proposed requirements to projects currently in the pipeline will significantly disrupt economic development and job creation."

## **FISCAL COMMENTS**

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.

## **VOTES**

### **SENATE FLOOR: 38-0-2**

**YES:** Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

**ABS, ABST OR NV:** Menjivar, Reyes

### **ASM LOCAL GOVERNMENT: 7-0-3**

**YES:** Carrillo, Pacheco, Ramos, Blanca Rubio, Stefani, Ward, Wilson

**ABS, ABST OR NV:** Ta, Hoover, Ransom

### **ASM APPROPRIATIONS: 11-1-3**

**YES:** Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache

**NO:** Tangipa

**ABS, ABST OR NV:** Dixon, Jeff Gonzalez, Ta

## **UPDATED**

VERSION: September 8, 2025

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FN: 0001803