



# CITY OF GRAND TERRACE

City Council

AGENDA • February 24, 2026

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**Council Chambers**

**Regular Meeting**

**6:00 PM**

Grand Terrace Civic Center • 22795 Barton Road

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## COMMENTS FROM THE PUBLIC

The public is encouraged to address the City Council on any matter posted on the agenda or on any other matter within its jurisdiction. If you wish to address the City Council, please complete a Request to Speak card located at the front entrance and provide it to the City Clerk. Speakers will be called upon by the Mayor at the appropriate time and each person is allowed three (3) minutes speaking time.

The City wants you to know that you can also submit your comments by email to [ccpubliccomment@grandterrace-ca.gov](mailto:ccpubliccomment@grandterrace-ca.gov). To give the City Clerk adequate time to print out your comments for consideration at the meeting, please submit your written comments prior to 5:00 p.m.; or if you are unable to email, please call the City Clerk's Office at (909) 954-5207 by 5:00 p.m.

If you wish to have your comments read to the City Council during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. Comments that you want read to the City Council will be subject to the three (3) minute time limitation (approximately 350 words).

Pursuant to the provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.

**PLEASE NOTE:** Copies of staff reports and supporting documentation pertaining to each item on this agenda are available for public viewing and inspection at City Hall, 1st Floor Lobby Area and 2nd Floor Reception Area during regular business hours and on the City's website [www.grandterrace-ca.gov](http://www.grandterrace-ca.gov). For further information regarding agenda items, please contact the office of the City Clerk at (909) 954-5207, or via e-mail at [dalcocer@grandterrace-ca.gov](mailto:dalcocer@grandterrace-ca.gov).

Any documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's office at City Hall located at 22795 Barton Road during normal business hours. In addition, such documents will be posted on the City's website at [www.grandterrace-ca.gov](http://www.grandterrace-ca.gov).

## AMERICANS WITH DISABILITIES ACT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, (909) 954-5207 at least 48 hours prior to the advertised starting time of the meeting. This will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Later requests will be accommodated to the extent feasible [28 CFR 34.102.104 ADA Title II].

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**AB 2449 DISCLOSURES**

Remote participation by a member of the legislative body for just cause or emergency circumstances.

**ROLL CALL**

**A. REORDERING OF, ADDITIONS TO, OR REMOVAL OF ITEMS FROM THE AGENDA**

**B. PUBLIC COMMENT**

This is the opportunity for members of the public to comment on any items not appearing on the regular agenda. Because of restrictions contained in California Law, the City Council may not discuss or act on any item not on the agenda, but may briefly respond to statements made or ask a question for clarification. The Mayor may also request a brief response from staff to questions raised during public comment or may request a matter be agendized for a future meeting.

**C. SPECIAL PRESENTATIONS - NONE**

**D. CONSENT CALENDAR**

The following Consent Calendar items are expected to be routine and noncontroversial. They will be acted upon by the City Council at one time without discussion. Any Council Member, Staff Member, or Citizen may request removal of an item from the Consent calendar for discussion.

- 1) Waive Full Reading of, and Direct the City Attorney to Read by Title only for, Ordinances on the Agenda
- 2) Ordinance Amending Chapter 12.32 – Conduct on Public Property

**RECOMMENDATION: SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY OF GRAND TERRACE AMENDING CHAPTER 12.32 OF THE GRAND TERRACE MUNICIPAL CODE RELATING TO CONDUCT ON PUBLIC PROPERTY AND THE USE OF SOLID WASTE CONTAINERS**

DEPARTMENT: Public Works

- 3) Zoning Code Amendment (ZCA) 25-03 – Small Lot Subdivisions and Starter Home Revitalization Act Implementation

**RECOMMENDATION: SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY OF GRAND TERRACE, CALIFORNIA, APPROVING ZONING CODE AMENDMENT 25-03, AMENDING TITLE 17 (SUBDIVISIONS) AND TITLE 18 (ZONING) OF THE GRAND TERRACE MUNICIPAL CODE TO IMPLEMENT STATE SMALL-LOT**

**SUBDIVISION REQUIREMENTS UNDER SENATE BILL 684 (2023) AS AMENDED BY SENATE BILL 1123 (2024), TO UPDATE MINISTERIAL LAND USE PERMIT PROCEDURES TO INCLUDE CODE-COMPLIANT SINGLE-FAMILY RESIDENCES CONSISTENT WITH HOUSING ELEMENT PROGRAM NO. 16, AND DETERMINING THAT ZONING CODE AMENDMENT 25-03 IS NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

DEPARTMENT: Planning & Development Services

- 4) Zoning Code Amendment (ZCA) 25-04 – Logistics Use Standards (AB 98 / SB 415)

**RECOMMENDATION: SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAND TERRACE, CALIFORNIA, APPROVING ZONING CODE AMENDMENT (ZCA) 25-04, AMENDING TITLE 18 (ZONING) TO IMPLEMENT ASSEMBLY BILL 98 (2024), AS CLARIFIED BY SENATE BILL 415 (2024), INCLUDING ADDING DEFINITIONS, ESTABLISHING A “LOGISTICS USE” CATEGORY, AND ADDING A NEW CHAPTER 18.75 (LOGISTICAL USE STANDARDS); AND FINDING THAT THE ORDINANCE IS NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO GOVERNMENT CODE SECTIONS 65852.28(e), 65913.4.5(b), AND 66499.41(i).**

DEPARTMENT: Planning & Development Services

**E. PUBLIC HEARINGS - NONE**

**F. UNFINISHED BUSINESS**

- 5) 2025-26 Mid-Year and Year-End Budget Review

**RECOMMENDATION: APPROVE ADDITIONAL EXPENDITURES OF \$887,777 FOR FY2025-26.**

DEPARTMENT: Finance

**G. NEW BUSINESS - NONE**

**H. FUTURE AGENDA ITEMS**

At this time, the City Council may propose items for discussion and/or action at a future duly agendized City Council meeting. A consensus of a majority of the quorum is required to place an item on a future agenda.

**I. CITY COUNCIL COMMUNICATIONS**

Council Member Matt Brown  
Council Member Jeff Allen  
Council Member Doug Wilson  
Mayor Pro Tem Michelle Sabino  
Mayor Bill Hussey

**J. CITY MANAGER COMMUNICATIONS**

City Manager Konrad Bolowich

**K. CLOSED SESSION - NONE**

**L. ADJOURN**

The next Regular City Council Meeting will be held on March 10, 2026, at 6:00 PM. Any request to have an item placed on a future agenda must be made in writing and submitted to the City Clerk's office.



# AGENDA REPORT

MEETING DATE: February 24, 2026

TITLE: Ordinance Amending Chapter 12.32 – Conduct on Public Property

PRESENTED BY: Shanita Tillman, Sr. Management Analyst

RECOMMENDATION: **SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY OF GRAND TERRACE AMENDING CHAPTER 12.32 OF THE GRAND TERRACE MUNICIPAL CODE RELATING TO CONDUCT ON PUBLIC PROPERTY AND THE USE OF SOLID WASTE CONTAINERS**

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## **2030 VISION STATEMENT:**

Goal #5, engage in proactive communication.

## **BACKGROUND:**

On February 10, 2026, the City Council conducted the first reading and introduction of an ordinance amending Chapter 12.32 of the Grand Terrace Municipal Code. The proposed amendments clarify the scope of the chapter and address improper use of solid waste containers on public property.

## **DISCUSSION:**

The ordinance makes targeted clarifications to improve enforceability without changing penalties or procedures. Specifically, it:

- Updates the chapter title to reflect its application to all public property
- Clarifies the definition of public property to include City-owned and controlled facilities and service areas
- Revises the unlawful acts provision for consistency
- Adds a section regulating the proper use of authorized solid waste containers
- Confirms enforcement through the City's existing administrative citation process under Chapter 1.05

These revisions align the Municipal Code with current enforcement practices and provide clearer notice to the public.

## **ENVIRONMENTAL IMPACT:**

The proposed ordinance is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) and 15308 (Actions by Regulatory Agencies for the

Protection of the Environment), as it clarifies and refines existing regulations and does not result in physical changes to the environment.

**FISCAL IMPACT:**

There is no fiscal impact. Enforcement will continue through existing administrative processes.

## ORDINANCE NO. 372

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAND TERRACE, CALIFORNIA, AMENDING CHAPTER 12.32 (“CONDUCT ON PUBLIC PROPERTY—PARKS”) OF TITLE 12 (“STREETS, SIDEWALKS AND PUBLIC PLACES”) OF THE GRAND TERRACE MUNICIPAL CODE TO CLARIFY THE DEFINITION OF PUBLIC PROPERTY, UPDATE THE UNLAWFUL ACTS PROVISION, AND ESTABLISH ENFORCEABLE REGULATIONS GOVERNING THE USE OF SOLID WASTE CONTAINERS ON PUBLIC PROPERTY**

**WHEREAS**, in 1982, the City Council of the City of Grand Terrace (“City”) adopted Ordinance No. 62, an urgency ordinance regulating conduct on public property and establishing Chapter 12.32 of the Grand Terrace Municipal Code to protect public health, safety, and welfare by prohibiting certain activities on publicly owned property; and

**WHEREAS**, Chapter 12.32 has historically regulated conduct occurring on public property, including parks, sidewalks, landscaped areas, and other publicly accessible spaces, and has served as the City’s primary framework for addressing nuisance, safety, and sanitation concerns in public areas; and

**WHEREAS**, in 2014, the City Council adopted Ordinance No. 275 amending provisions of Chapter 12.32 relating to smoking prohibitions, reaffirming the City’s authority to regulate conduct on public property in response to evolving public health standards; and

**WHEREAS**, in 2017, the City Council adopted Ordinance No. 306 amending provisions of Chapter 12.32 relating to trees and plants, further demonstrating the City’s ongoing legislative practice of refining Chapter 12.32 to address specific operational and public safety issues as they arise; and

**WHEREAS**, the City provides and authorizes the placement of solid waste containers, including dumpsters, trash cans, and bins, on public property to support orderly waste collection, protect public health and safety, and prevent nuisance conditions; and

**WHEREAS**, existing provisions of Chapter 12.32 prohibit dumping and littering on public property but do not expressly address improper use of authorized solid waste containers, including placement of waste outside containers or disposal beyond container capacity; and

**WHEREAS**, the City Council finds that clarifying the definition of “public property,” updating the scope of unlawful acts, and expressly regulating the use of solid waste containers on public property are necessary to ensure consistent, fair, and enforceable administration of Chapter 12.32, while preserving the original intent and structure of the Chapter; and

**WHEREAS**, these amendments are intended to be narrow and targeted, addressing only those provisions necessary to support enforceable solid waste container regulations and to align the text of Chapter 12.32 with longstanding enforcement practices.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRAND TERRACE DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council finds that the above recitals are true and correct and incorporated herein by reference.

**SECTION 2.** Chapter 12.32 (“Conduct on Public Property—Parks”) of Title 12 (“Streets, Sidewalks and Public Places”) of the Grand Terrace Municipal Code is hereby amended as follows (deletions shown as ~~strikethroughs~~, additions shown as ***bold italics***):

- A. “Chapter 12.32 – CONDUCT ON PUBLIC PROPERTY–PARKS”
- B. “Section 12.32.010 Public property defined.

For the purpose of this Chapter, “public property” means any publicly owned property within the City, except the traveled portion of any public streets, and shall include any park, sidewalk, curb or any part of any public right-of-way devoted to plantings., ***as well as City-owned or City-controlled facilities, parking lots, service areas, landscaped grounds, and other municipal properties open to the public.***”

- C. “Section 12.32.020 Unlawful acts.

It is unlawful for any person to perform or participate in any of the acts set out through Section ~~12.32.080~~ ***12.32.180.***”

- D. “***Section 12.32.085 Use of solid waste containers on public property.***

- A. ***Solid waste containers, including dumpsters, trash cans, bins, and similar receptacles, placed on public property pursuant to City authorization are intended to support orderly waste collection, protect public health and safety, and prevent nuisance conditions.***
- B. ***It is unlawful for any person to place, deposit, or leave any waste, debris, or materials outside a designated solid waste container on public property.***
- C. ***It is unlawful for any person to place waste into a solid waste container on public property when the container has reached or exceeded its posted or clearly indicated capacity, including when materials extend above the top rim of the container or interfere with safe servicing.***
- D. ***Violations of this section may be enforced by administrative citation pursuant to Chapter 1.05 of this Code.***”

**SECTION 3.** Except as otherwise amended herein, the remainder of Chapter 12.32 (Conduct on Public Property) of Title 12 (Streets, Sidewalks and Public Places) of the Grand Terrace Municipal Code shall remain unchanged and in full effect.

**SECTION 4.** The City Council finds that this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and Section 15308 (Actions by Regulatory Agencies for the Protection of the Environment), as the amendments clarify and refine existing regulations governing conduct on public property and do not result in any expansion of use or physical changes to the environment.

**SECTION 5. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional due to the writs of mandate issued by the Court.

**SECTION 6. Posting and Publication.** The City Clerk shall certify to the adoption of this Ordinance and cause it to be published or posted in accordance with Government Code Section 36933.

**SECTION 7. Effective Date.** This Ordinance shall take effect and be in full force and effect from and after thirty (30) calendar days after its final passage and adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Grand Terrace at a regular meeting held on the 24<sup>th</sup> day of February 2026.

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Bill Hussey  
Mayor

**ATTEST:**

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Daysi Alcocer  
City Clerk

**APPROVED AS TO FORM:**

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Adrian R. Guerra  
City Attorney



# AGENDA REPORT

MEETING DATE: February 24, 2026

TITLE: Zoning Code Amendment (ZCA) 25-03 – Small Lot Subdivisions and Starter Home Revitalization Act Implementation

PRESENTED BY: Gabriel Arguelles, Assistant Planner

RECOMMENDATION: **SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY OF GRAND TERRACE, CALIFORNIA, APPROVING ZONING CODE AMENDMENT 25-03, AMENDING TITLE 17 (SUBDIVISIONS) AND TITLE 18 (ZONING) OF THE GRAND TERRACE MUNICIPAL CODE TO IMPLEMENT STATE SMALL-LOT SUBDIVISION REQUIREMENTS UNDER SENATE BILL 684 (2023) AS AMENDED BY SENATE BILL 1123 (2024), TO UPDATE MINISTERIAL LAND USE PERMIT PROCEDURES TO INCLUDE CODE-COMPLIANT SINGLE-FAMILY RESIDENCES CONSISTENT WITH HOUSING ELEMENT PROGRAM NO. 16, AND DETERMINING THAT ZONING CODE AMENDMENT 25-03 IS NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

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## **2030 VISION STATEMENT:**

This staff report supports City Council Goal #5, “Engage in Proactive Communication” by updating the City’s Municipal Code to provide current information regarding City policies.

## **BACKGROUND:**

City staff is recommending approval of Zoning Code Amendment (ZCA) 25-03 to bring the City’s subdivision and zoning regulations into compliance with Senate Bill 684 (2023) and Senate Bill 1123 (2024). Together, these State laws establish a ministerial approval process for qualifying small-lot subdivisions creating ten (10) or fewer parcels and ten (10) or fewer residential units on properties zoned single-family, multi-family, or vacant. The amendments became operative on July 1, 2025.

ZCA 25-03 also streamlines zoning review procedures by consolidating code-compliant single-family residential approvals into a ministerial Land Use Permit process, consistent with Housing Element Program No. 16. To implement these statutory requirements, staff has prepared comprehensive amendments to Titles 17 (Subdivisions) and 18 (Zoning) of the Municipal Code, along with targeted updates to related chapters.

These amendments establish clear, objective application, site plan, and design standards necessary for ministerial review; integrate Building and Safety submittal and construction requirements into Chapter 18.63 for greater consistency and transparency; address internal inconsistencies identified during review of the existing code; and make minor corrections and clarifications to improve overall administration of the Municipal Code.

The Ordinance approving Zoning Code Amendment (ZCA) 25-03 is included as *Attachment 1*.

Supporting reference materials are provided as exhibits to Attachment 1, including Senate Bill No. 684 (**EXHIBIT A**) and Senate Bill No. 1123 (**EXHIBIT B**).

In 2023, the State Legislature adopted Senate Bill 684 as part of its ongoing effort to expand housing opportunities and streamline the creation of smaller, ownership-oriented housing developments. SB 684 was signed into law on October 11, 2023, and added Government Code Sections 65852.28, 65913.4.5, and 66499.41. These provisions establish a ministerial approval pathway for subdivisions creating ten (10) or fewer parcels and ten (10) or fewer residential units, with the intent of encouraging modest infill development and reducing the time and cost associated with traditional subdivision processing. The law became effective on July 1, 2024.

In 2024, the Legislature adopted Senate Bill 1123, which refined and expanded the provisions of SB 684. SB 1123 clarified procedural requirements, expanded eligibility to include certain vacant parcels zoned for single-family residential use, and adjusted several standards to improve consistency in application across jurisdictions. These amendments became operative on July 1, 2025.

State law authorizes cities to adopt local ordinances to implement SB 684 and SB 1123. To ensure the City's regulations align with these requirements and provide a clear, predictable process for applicants, staff has prepared Zoning Code Amendment (ZCA) 25-03. The proposed ordinance updates the Municipal Code to reflect current State law and establish a streamlined framework for reviewing qualifying small-lot subdivision applications.

#### **DISCUSSION:**

The purpose of this Ordinance is to provide objective standards for small-lot subdivisions with ten or fewer units, implement the provisions of State law reflected in Government Code Sections 65852.28, 65913.4.5, and 66499.41, and facilitate the development of new residential housing consistent with the City's General Plan while ensuring sound standards of public health and safety.

The Ordinance establishes the objective standards, review procedures, and ministerial approval pathways necessary for the City to process small-lot subdivision applications. To achieve this, the Ordinance introduces a new Chapter 17.29 – Small Lot Subdivisions within Title 17, which sets objective criteria related to parcel eligibility, lot size, density, environmental constraints, replacement housing, affordability requirements, development standards, limitations on further subdivision, and submittal obligations such as covenants and performance security. These standards ensure that qualifying applications can be reviewed and approved administratively by the City Engineer as part of the required ministerial process.

The Ordinance also updates Table 17.04.050 to assign the City Engineer as the review and approval authority for small-lot subdivisions and expands Section 17.08.020 to include new definitions necessary for accurate and objective implementation of the standards. These amendments enhance clarity and consistency within Title 17 and support standardized application review.

To maintain internal consistency across the Municipal Code, the Ordinance revises portions of Title 18 (Zoning). The Residential Districts chapter (Chapter 18.10) is replaced to incorporate references to small-lot subdivision allowances and to identify circumstances in which alternative lot sizes and densities permitted under State law may apply. The Ordinance also amends Chapter 18.63 – Site and Architectural Review and related zoning sections to streamline the review process for code-compliant single-family homes by consolidating approvals into a ministerial Land Use Permit, consistent with Housing Element Program No. 16.

Collectively, these amendments align the City’s subdivision and zoning regulations with required ministerial processing, establish clear and objective development standards, and provide a cohesive administrative framework that enables consistent application of local and State requirements during project review.

### **Amendments to Title 17 – Subdivisions**

The Ordinance updates multiple provisions of Title 17 to support ministerial processing of small-lot subdivisions and align local procedures with Government Code § 66499.41. Key changes include:

- Table 17.04.050 is amended to designate the City Engineer as both the review and approval authority for small-lot subdivisions.
- Section 17.08.020 is expanded to include State-law definitions such as “extremely low-income household,” “lower-income household,” “moderate-income household,” “net habitable square feet,” “qualified urban use,” “substantially surrounded,” “vacant,” and “very low-income household.”
- New Chapter 17.29 – Small Lot Subdivisions is added to establish objective standards for eligibility, lot size, density, unit counts, environmental exclusions, replacement housing, affordability triggers, covenant requirements, construction timing, and limitations on further subdivision or ADUs.

These objective standards ensure that small-lot subdivision applications can be reviewed ministerially while maintaining necessary public health, safety, and infrastructure protections allowed under the Subdivision Map Act.

### **Amendments to Title 18 – Zoning**

To ensure zoning regulations align with the subdivision provisions, the Ordinance also amends several portions of Title 18:

- Chapter 18.10 – Residential Districts is replaced in full to update lot size, density allowances, and use tables so they accommodate small-lot subdivisions as authorized by State law. Each residential zone now identifies when State-authorized small-lot subdivisions or SB 9 urban lot splits may deviate from base zoning standards.
- Chapters 18.60 and 18.63, along with related sections (§§ 18.71.070, 18.48.040, 18.73.070, 18.73.211, 18.69.030, 18.65.020, 18.56.020, and Table 18.27.010), are amended to align ministerial processing with updated subdivision procedures and to implement Housing Element Program No. 16 by consolidating code-compliant single-family home review into a ministerial Land Use Permit process.

These zoning amendments ensure consistency between the development standards applied to small-lot subdivisions and the objective requirements used during ministerial review.

## **Discussion – Planning Commission Input and Revisions**

The Planning Commission reviewed Zoning Code Amendment (ZCA) 25-03 at a duly noticed public hearing and generally supported the ordinance. During the discussion, the Commission raised a couple of points aimed at improving clarity and making the ordinance easier to administer.

First, the Commission noted that the “specific adverse impact” and enforcement language in Section 18.10.100 (Small Lot Subdivision / Starter Home Revitalization Act) appeared to be duplicated. While the language is similar, staff later confirmed that the provisions apply at different points in the process; one during review of the housing development and the other at the building permit stage. To avoid confusion, staff revised the ordinance to clearly distinguish which provisions apply at each stage and removed the duplicated enforcement subsection, since enforcement authority is already addressed elsewhere in the Municipal Code. These changes clarify the intent of the ordinance without changing how the ministerial review process works.

The Commission also discussed the qualifying criteria related to utility service, specifically the requirement that parcels created through a small lot subdivision be served by public water and a municipal sewer system. The Commissioners suggested adding language to reference septic system approvals from the Regional Water Quality Control Board. After further review, staff recommends keeping the existing public water and sewer requirement as written. This keeps the criteria clear, objective, and within the City’s control, and avoids introducing additional discretionary approvals that could slow down the process or move projects out of ministerial review.

To address this concern while still acknowledging outside agency requirements, staff added language clarifying that nothing in the ordinance waives or overrides applicable requirements of the Regional Water Quality Control Board or any other state or federal agency with jurisdiction over water quality or wastewater disposal. This makes clear that applicants must still comply with all applicable outside agency regulations, without complicating the City’s review process.

## **Public Hearing Notification**

Notice of the City Council public hearing for Zoning Code Amendment (ZCA) 25-04 was provided in accordance with Sections 65090 and 65091 of the California Government Code and Section 18.03.070 (Public Hearing Notice) of Chapter 18.03 (General Provisions) of the Grand Terrace Municipal Code.

The public hearing notice was published in a newspaper of general circulation, the *San Bernardino County Sun*, on January 22, 2026. In addition, the notice was posted by the City Clerk in compliance with applicable State law and the City’s adopted noticing requirements.

## **Conclusion**

Zoning Code Amendment (ZCA) 25-03 updates the City’s subdivision and zoning regulations to implement the requirements of Senate Bill 684 (2023) and Senate Bill 1123 (2024), which together establish a ministerial approval process for qualifying small-lot subdivisions of ten or fewer parcels and ten or fewer residential units. The amendment ensures that the Municipal Code contains the objective standards, definitions, procedures, and review authority necessary to implement these State mandates while maintaining consistency with the City’s General Plan and the 2021–2029 Housing

Element. By adding a new Chapter 17.29 to Title 17 and updating related provisions within Titles 17 and 18, the ordinance provides a clear, legally compliant framework for evaluating small-lot subdivision applications through ministerial review. The amendment also streamlines zoning review procedures by consolidating code-compliant single-family home approvals into a ministerial Land Use Permit, as required by Housing Element Program No. 16. Collectively, these updates improve internal consistency, enhance administrative efficiency, and ensure that the City is prepared to process small-lot subdivision applications. The proposed Zoning Code Amendment is consistent with applicable State law, supports the City's long-term housing goals, and will facilitate orderly and compliant residential development within Grand Terrace.

#### **ENVIRONMENTAL IMPACT:**

ZCA The City of Grand Terrace has reviewed the ZCA 25-03 project with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq) ("CEQA").

Government Code Section 65852.28(e) – "A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code."

Government Code Section 65913.4.5(b) – "A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code."

Government Code 66499.41(i) – "A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code."

The City Council has determined that the text amendment in this Ordinance is not a project under CEQA pursuant to Government Code Sections 65852.28(e), 659.13.4.5(b), and 66499.41(i) and is therefore not subject to further environmental review under CEQA.

#### **FISCAL IMPACT:**

Adopting Zoning Code Amendment (ZCA) 25-03 is not expected to have any direct fiscal impact on the City's General Fund.

The Ordinance updates the Municipal Code to comply with State law and does not create new programs, require additional staffing, or result in new City expenditures. Any future small-lot subdivision applications will be processed using the City's existing fee structure, which is intended to cover staff time and review costs.

By shifting qualifying projects to a ministerial process, the Ordinance may also reduce processing time and staff effort compared to discretionary review, resulting in minor administrative efficiencies. While the Ordinance does not directly generate revenue, it may support long-term fiscal benefits by encouraging modest infill housing and contributing to incremental growth in property tax and related revenues.

Overall, the Ordinance can be implemented with existing resources and is not expected to result in a measurable fiscal impact to the City.

**ORDINANCE NO. 373**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAND TERRACE, CALIFORNIA, APPROVING ZONING CODE AMENDMENT 25-03, AMENDING TITLE 17 (SUBDIVISIONS) AND TITLE 18 (ZONING) OF THE GRAND TERRACE MUNICIPAL CODE TO IMPLEMENT STATE SMALL-LOT SUBDIVISION REQUIREMENTS UNDER SENATE BILL 684 (2023) AS AMENDED BY SENATE BILL 1123 (2024), TO UPDATE MINISTERIAL LAND USE PERMIT PROCEDURES TO INCLUDE CODE-COMPLIANT SINGLE-FAMILY RESIDENCES CONSISTENT WITH HOUSING ELEMENT PROGRAM NO. 16, AND DETERMINING THAT ZONING CODE AMENDMENT 25-03 IS NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

**WHEREAS**, the City of Grand Terrace (“City”) adopted a Subdivision Code as set forth in Title 17 of the Grand Terrace Municipal Code, which has been amended from time to time; and

**WHEREAS**, the City adopted a Zoning Code as set forth in Title 18 of the Grand Terrace Municipal Code, which has been amended from time to time; and

**WHEREAS**, the City wishes to protect and preserve the quality of life throughout the City through effective engineering, land use and planning; and

**WHEREAS**, on October 11, 2023, Senate Bill 684 (Chapter 783, Statutes of 2023) was approved by the Governor of the State of California and filed with the Secretary of State, adding to the Government Code Sections 65852.28, 65913.4.5, and 66499.41, allowing ministerial approval of a subdivision of 10 or fewer parcels and 10 or fewer residential units that meet specified requirements, effective July 1, 2024; and

**WHEREAS**, the California legislature subsequently enacted Senate Bill 1123 (Chapter 294, Statutes of 2024), signed by the Governor of the State of California on September 19, 2024 and filed with the Secretary of State, which amends Government Code Sections 65852.28 and 66499.41 to, among other things, expand the ministerial approval process to certain vacant single-family zoned lots and make clarifying changes to the provisions enacted by SB 684, with such amendments becoming operative on July 1, 2025; and

**WHEREAS**, state law allows a local agency to adopt an ordinance to implement the provisions in Senate Bill 684 as subsequently amended by Senate Bill 1123; and

**WHEREAS**, Title 17 – (SUBDIVISIONS) provides the City with legal authority for the review of the design and improvement of subdivisions and the processing of any proposed subdivision, reconfiguration and/or consolidation of land within the City to the extent authorized by the California Subdivision Map Act; and

**WHEREAS**, this Ordinance amends Table 17.04.050 (Review, approval and appeal body.), in Title 17 – (SUBDIVISIONS) to comply with the “Starter Home

Revitalization Act” of 2021 reflected in state law under Government Code Sections 65852.28, 65913.4.5, and 66499.41 by adding “Small Lot Subdivisions” to the table and establish the review, approval and appeal body; and

**WHEREAS**, this Ordinance amends Chapter 17.08.020 (Definitions), in Title 17 – (SUBDIVISIONS) to comply with the “Starter Home Revitalization Act” of 2021 reflected in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41 by adding new definitions for “extremely low-income household”, “lower-income household”, “moderate income household”, “net habitable square feet”, “qualified urban use”, “substantially surrounded”, “vacant”, and “very low-income household”; and

**WHEREAS**, this Ordinance add a new Chapter 17.29 Small Lot Subdivisions “Starter Home Revitalization Act” to provide objective standards for small lot subdivisions with 10 or fewer units, to implement the provisions of the "Starter Home Revitalization Act" of 2021 reflected in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41, and to facilitate the development of new residential housing units consistent with the City’s General Plan and ensure sound standards of public health and safety; and

**WHEREAS**, Title 18 – (ZONING) provides the City with an adopted a zoning plan that is a districting plan, as provided by State law which contains the standards for the City’s residential zones that are intended to carry out the goals and objectives of the City’s General Plan with respect to residential land uses and development and promotes the growth of the City in an orderly manner promoting and protecting the public health, safety, comfort and general welfare; and

**WHEREAS**, this Ordinance amends Chapter 18.10 (Residential Districts.), in Title 18 – (ZONING) to update the residential zoning districts to include state law changes to lot sizes and densities that occurred under the “Starter Home Revitalization Act” of 2021 reflected in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41; and

**WHEREAS**, this Ordinance amends Chapter 18.10 (Residential Districts.), in Title 18 – (ZONING) to update the residential zoning districts to include state law changes to lot sizes and densities that occurred under the Housing Opportunity and More Efficiency “HOME” Act of 2021 reflected in state law under Government Code Section 66452.6, Section 65852.21, and Section 66411.7; and

**WHEREAS**, this Ordinance amends Chapter 18.60 (Off-Street Parking), in Title 18 – (ZONING) to update the residential zoning districts parking standards to include state law changes to parking under the “Starter Home Revitalization Act” of 2021 reflected in state law under Government Code Sections 65852.28, 65913.4.5, and 66499.41; and

**WHEREAS**, this Ordinance amends Chapter 18.63 (Site and Architectural Review), Sections 18.71.070, 18.48.040, 18.73.070, 18.73.211, 18.69.030, 18.65.020, 18.56.020, and Table 18.27.010 in Title 18 – (ZONING) to streamline the ministerial zoning approval process from the Land Use Permit and Administrative Site and

Architectural Permit to just the Land Use Permit to comply with General Plan Housing Element Program No. 16 “Ministerial Processing of Single Family Homes”, and small lot subdivisions established by the “Starter Home Revitalization Act” of 2021 reflected in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41; and

**WHEREAS**, this Ordinance repeals and replaces Chapter 18.10 – (RESIDENTIAL DISTRICTS) in its entirety to comply with the “Starter Home Revitalization Act” of 2021 reflected in state law under Government Code Sections 65852.28, 65913.4.5, and 66499.41; and

**WHEREAS**, on March 25, 2025, a comprehensive update to the Housing Element of the Grand Terrace General Plan for 2021-2029 planning period was approved via General Plan Amendment (GPA) 25-01 by the City of Grand Terrace City Council; and

**WHEREAS**, the Housing Element contains twenty-one (21) programs for the 2021-2029 planning period, including the responsible agency, timeframe, funding source and objective to provide adequate sites for housing; and

**WHEREAS**, Housing Program No. 16 “Ministerial Processing of Single-Family Homes” committed the City to revising the processing procedures for single-family homes to shorten the approval process from a discretionary approval and public hearing requirement to a ministerial land use permit application approval process by staff that no longer is subject to a public hearing requirement; and

**WHEREAS**, this Ordinance amends Section 18.63.020 “Application” to include the review and approval planning process for code compliant single-family homes to be the ministerial Land Use Permit application; and

**WHEREAS**, the City has implemented land use policies based on the City’s General Plan, which provide an overall vision for the community and balances important community needs, and the City seeks to ensure that Housing Element Program No. 16, and Senate Bill 684, as amended by Senate Bill 1123, projects are consistent with those policies; and

**WHEREAS**, the proposed amendments to the City of Grand Terrace Municipal Code implement requirements of state law and add local policies that are consistent with the state housing law and implement the City’s General Plan Housing Element for the 2021 – 2029 planning period; and

**WHEREAS**, the City Council has found that the provisions of this Ordinance approving ZCA 25-03 are consistent with the goals and policies of the City’s General Plan; and

**WHEREAS**, state law requires that the City’s Subdivision Code (Title 17 of the Grand Terrace Municipal Code) conform with Chapter XI, Section 7 of the California Constitution to supplement and implement the California Subdivision Map Act, California

Government Code Section 66410 et seq. and with the General Plan's goals and policies; and

**WHEREAS**, state law requires that the City's Zoning Code (Title 18 of the Grand Terrace Municipal Code) conform with the General Plan's goals and policies; and

**WHEREAS**, pursuant to Sections 65800 and 65850 of the California Government Code, the City may adopt ordinances to establish requirements for the regulation of land uses, in compliance with the California Government Code; and

**WHEREAS**, notice of the City Council Public Hearing concerning this Ordinance was duly published in a local newspaper at least ten (10) days prior to the Public Hearing and posted by the City Clerk in compliance with the City's Zoning Code and City Council Resolution No. 2019-24, Expanded Public Noticing and Outreach Policy for Public Hearings and Public Workshops; and

**WHEREAS**, Ordinance No. 373 approving Zoning Code Amendment (ZCA) 25-03 is not a project under the California Environmental Quality Act (CEQA) and therefore is not subject to environmental review under CEQA; and

**WHEREAS**, on December 18, 2025, the Planning Commission/Site and Architectural Review Board of the City of Grand Terrace conducted a duly noticed public hearing on Zoning Code Amendment (ZCA) 25-03, reviewed the proposed amendments, and considered testimony and evidence presented by the public and City staff; and

**WHEREAS**, following its review, the Planning Commission provided comments and recommendations intended to clarify the ordinance and improve its administration, and thereafter adopted a Resolution recommending that the City Council approve Zoning Code Amendment (ZCA) 25-03, as modified to address the Commission's input; and

**WHEREAS**, on February 10, 2026, the City Council of the City of Grand Terrace held a duly noticed Public Hearing with respect thereto, and considered testimony and evidence at the Public Hearing on the Ordinance that would approve Zoning Code Amendment (ZCA) 25-03; and

**WHEREAS**, the amendments to Title 17 (Subdivisions) and Title 18 (Zoning) are intended to implement Housing Element Program No. 16, Senate Bill 684 and Senate Bill 1123, and are not considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code, as provided in Government Code Sections 65852.28(e), 65913.4.5(b), and 66499.41(i); and

**WHEREAS**, all legal prerequisites to the adoption of this Ordinance have occurred.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRAND TERRACE DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council hereby specifically finds that all the facts set forth in the

above Recitals are true and correct and incorporated herein by this reference.

**SECTION 2.** Based upon the forgoing and all oral and written testimony by members of the public and City staff (including, but not limited to, staff reports and corresponding attachments) made at the Public Hearing, the City Council hereby finds that the Project “Zoning Code Amendment (ZCA) 25-03” is not subject to environmental review pursuant Government Code Sections 65852.28(e), 65913.4.5(b), and 66499.41(i), and is therefore not subject to further environmental review under CEQA as follows:

**Finding:** A project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where 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 activity is not subject to CEQA.

**Facts in Support of Finding:** The City of Grand Terrace has reviewed the ZCA 25-03 project with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq) (“CEQA”).

Government Code Section 65852.28(e) – “A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.”

Government Code Section 65913.4.5(b) – “A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.”

Government Code 66499.41(i) – “A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.”

The City Council has determined that the text amendment in this Ordinance is not a project under CEQA pursuant to Government Code Sections 65852.28(e), 659.13.4.5(b), and 66499.41(i) and is therefore not subject to further environmental review under CEQA.

**SECTION 3.** Based upon the forgoing and all oral and written testimony by members of the public and City staff (including, but not limited to, staff reports and corresponding attachments) made at the Public Hearing, the City Council determines the findings for Zoning Code Amendment (ZCA) 25-03 pursuant to Grand Terrace Municipal Code Section §18.90.040 can be made supporting the project application as follows:

- 1) **Finding:** The proposed amendment will not be detrimental to the health, safety, morals, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City.

**Facts in Support of Finding:** The Ordinance approving Zoning Code Amendment (ZCA) 25-03 amends the City’s Municipal Code to streamline planning and zoning approval of code compliant single-family homes in compliance with Housing Element Program No. 16. Code compliant homes should not be a detriment to the community. If any home requires a variance, then that home would go through a Public Hearing process and CEQA review. The Ordinance approving ZCA 25-03 amends the City’s Municipal Code to comply with the “Starter Home Revitalization Act” of 2021 by adding “Small Lot Subdivisions” to comply with state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41. The State requires the City ministerially approve small lot subdivision as the State does not define them as being detrimental to communities. The Ordinance approving ZCA 25-03 amends the City’s Municipal Code residential zoning districts to include state law changes to lot sizes and densities that occurred under the Housing Opportunity and More Efficiency (“HOME”) Act of 2021 reflected in state law under Government Code Section 66452.6, Section 65852.21, and Section 66411.7. The State requires the City ministerially to approve urban lot splits and duplex developments as the State does not define them as being detrimental to communities.

- 2) **Finding:** The proposed amendment will not be: Injurious to property or improvements in the neighborhood or within the City.

**Facts in Support of Finding:** The Ordinance approving Zoning Code Amendment (ZCA) 25-03, amending City’s Municipal Code to comply with State Housing Law, will not be injurious to property improvements within neighborhoods in the City because while the approvals are ministerial, the projects require review by zoning and constructed with inspections for grading and building permits. Code compliant structure should not be injurious to property or improvement in their respective neighborhood or within the City.

- 3) **Finding:** The proposed amendment will be consistent with the latest adopted general plan.

**Facts in Support of Finding:** The Ordinance approving Zoning Code Amendment (ZCA) 25-03 satisfies Housing Program No. 16 in the 2021 – 2029 Housing Element.

**SECTION 4.** Section 17.04.050 “Review, approval and appeal body” of Chapter 17.04 – GENERAL PROVISIONS of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

Deletions shown as ~~strikethroughs~~, additions shown as ***bold italics***.

**“17.04.050 Review, approval and appeal body.**

A. The authority for review, recommendations and approval of subdivisions and related land actions is as follows:

**Table 17.04.050 Review, approval and appeal body**

TYPE OF ACTION	REVIEW BODY	APPROVAL BODY	APPEAL BODY
Tentative maps	Planning Commission	City Council	N/A
Vesting tentative maps	Planning Commission	City Council	N/A
Tentative parcel maps	Planning Commission	City Council	N/A
Tentative map extensions	City staff and other responsible agencies	<del>Director</del> <b>City Engineer</b>	Planning Commission <del>City Council</del> <b>City Council</b>
Parcel maps (4 or less lots)	City staff and other responsible agencies	City Council	N/A
Final maps (5 or more lots)	City staff and other responsible agencies	City Council	N/A
Waivers of parcel maps	City staff and other responsible agencies	City Engineer	Planning Commission <del>City Council</del> <b>City Council</b>
Urban lot splits	City staff and other responsible agencies	City Engineer	Planning Commission <del>City Council</del> <b>City Council</b>
Reversion to acreage	Planning Commission	City Council	N/A
Lot and parcel mergers	City staff and other responsible agencies	<del>Director</del> <b>City Engineer</b>	Planning Commission <del>City Council</del> <b>City Council</b>
Lot line adjustments	City staff and other responsible agencies	<del>Director</del> <b>City Engineer</b>	Planning Commission <del>City Council</del> <b>City Council</b>
Certificate of compliance	City staff and other responsible agencies	City Engineer	Planning Commission <del>City Council</del> <b>City Council</b>
<b>Small Lot Subdivisions (10 or fewer parcels)</b>	<b>City Engineer or their designee</b>	<b>City Engineer</b>	<b>City Council</b>

- B. In instances when tentative maps, tentative parcel maps, or vesting tentative maps are processed concurrently with other land use applications requiring City Council action, such as a zone change, development agreement, or environmental impact report, the City Council shall have final jurisdiction in approval, conditional approval, or denial of the tentative map, tentative parcel map or vesting tentative map.
- C. The City Council shall be the final appeal body on all appeals.”

**SECTION 5.** Section 17.08.020 “Definitions” of Chapter 17.08 – DEFINITIONS of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

**“17.08.020 Definitions.**

Throughout this Title the following words phrases shall have the meanings as described in this Section:

- A. "Appeal body" shall mean the advisory or legislative body with the authority to hear appeals on applications or actions pursuant to this Title.
- B. "Approval body" shall mean the advisory agency, legislative body or City staff person with the authority to approve an application or action pursuant to this Title.
- C. "CEQA" shall mean the California Environmental Quality Act of 1970, as amended.
- D. "City" shall mean the City of Grand Terrace.
- E. "City Engineer" shall mean the City Engineer of the City of Grand Terrace, or an authorized designee.
- F. "City standards" shall mean all those ordinances, standards, regulations, policies, resolutions and procedures that the City uses to review, process, approve or inspect applications for development, including, but not limited to, public improvements, grading and landscaping.
- G. "Community apartment project" shall mean a project in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon.
- H. "Composite development plan" shall mean a plan or plans, filed at the time of filing of a final map, which shows the information required by Section 17.28.240.
- I. "Condominium" shall mean an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential, industrial or commercial building on the real property, such as an apartment, office or store. In addition, a

condominium may include a separate interest in other portions of such real property.

- J.** "Condominium conversion" shall mean the conversion or division of a single-ownership parcel of existing improved residential real property, such as an apartment project, into a condominium, community apartment project, stock cooperative or townhouse form of ownership involving separate ownership or permanent right of exclusive use of individual units.
- K.** "Department" shall mean the Community and Economic Development Department.
- L.** "Design" shall mean street alignments, grades and widths; drainage, water, sewer and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; vehicular and bicycle traffic access; grading; land to be dedicated for park or recreational purposes; and such other specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the General Plan or any applicable specific plan.
- M.** "Director" shall mean the Director of Community and Economic Development or authorized designee.
- N.** ***"Extremely low-income household" has the same meaning set forth in Health & Safety Code Section 50106.***
- O.** "Final map" shall mean a map showing a subdivision of five or more parcels for which a tentative and final map are required by, and prepared in accordance with, the Subdivision Map Act and this Title, and designed to be filed for recordation in the office of the San Bernardino County Recorder.
- P.** "Improvement" shall mean any streets, sidewalks, storm drainage facilities, water and sewer facilities, utilities, landscaping to be installed or agreed to be installed, by the subdivider on the land to be used for public or private streets, highways, ways and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and acceptance of the final map thereof. Improvement also means other specific improvements or types of improvements, the installation of which, either by or by a combination of, the subdivider, public agencies, private utilities, or any other entity approved by the City, is necessary to ensure consistency with, or implementation of, the General Plan, or any applicable specific plan. Improvements shall be constructed in accordance with standard engineering specifications, where applicable.

- Q.** "General Plan" shall mean the General Plan of the City of Grand Terrace, including all adopted elements and maps, as it may be amended from time to time.
- R.** "Government Code" shall mean the Government Code of the State. If at any time any of the sections of the Government Code referred to in this Chapter are redesignated by a new number, such new number shall thereupon be deemed substituted for such old number wherever the same appears in this Chapter.
- S.** "Lot line adjustment" shall mean a boundary realignment between four or fewer existing adjacent legal and/or recognized parcels, under the same or different ownership where land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels other than originally existed is not thereby created.
- T.** ***"Lower-income household" has the same meaning set forth in Health & Safety Code Section 50079.5.***
- U.** "Merger" shall mean the joining of two or more contiguous parcels of land under one ownership into one parcel.
- V.** ***"Moderate income household" has the same meaning set forth in Health & Safety Code Section 50093.***
- W.** "Multiple" or "phased final maps" shall mean any aggregation of final maps which are filed on property included in a single tentative map.
- X.** ***"Net habitable square feet" has the same meaning set forth in Government Code Section 66499.41(a)(6).***
- Y.** "Parcel map" shall mean a map which is designated to be placed on record with the office of the San Bernardino County Recorder for any subdivision creating four or fewer lots or five or more lots if the subdivision complies with the provisions of California Government Code Section 66426(a), (b), (c), (d) or (e).
- Z.** "Planning Commission" shall mean the Planning Commission of the City of Grand Terrace.
- AA.** ***"Qualified urban use" has the same meaning set forth in Public Resources Code Section 21072.***
- BB.** "Remainder" shall mean that portion of an existing parcel which is not designated on the required map as part of the subdivision. The remainder shall not be considered as part of the subdivision but shall be shown on the required map as part of the area surrounding the subdivision. A remainder of five acres or more need not be shown on the map and its location need not be indicated as a matter of survey, but only by deed reference to the existing boundaries of the remainder.

**CC.** "Standard engineering specifications" shall mean the San Bernardino County Standards and Specifications and Standard Specifications for Public Works Construction.

**DD.** "Stock cooperative project" shall mean a project wherein a corporation is formed or utilized primarily for the purpose of holding title to an apartment project, if all, or substantially all, of the shareholders of such corporation receive a right of exclusive occupancy in a dwelling unit in the apartment project, title to which is held by the corporation. The right of occupancy is transferable only concurrently with the transfer of shares of stock in the corporation held by the person having such right of occupancy. For the purpose of this Title, "stock cooperative projects" are subject to the same restrictions and conditions as condominium conversion projects.

**EE.** "Subdivider" shall mean a person, firm, corporation, partnership or association who proposes to divide, divides or causes to be divided real property into a subdivision for oneself or for others. Employees and consultants of such persons or entities, acting in such capacity, are not "subdividers."

**FF.** "Subdivision" shall mean the division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. "Subdivision" includes a condominium project, as defined in California Civil Code Section 1351(f), a community apartment project, as defined California Civil Code Section 1351(d), or the conversion of five or more existing dwelling units to a stock cooperative, as defined in California Civil Code Section 1351(m).

**GG.** "Subdivision Map Act" shall mean the provisions of California Government Code, Title 7, Division 2, Section 66410 et seq. and such amendments thereto as may be made from time to time.

**HH.** "Substandard lot" shall mean any lot which does not meet the minimum dimension or area requirement for the zone in which it is located and for which no variance has been obtained. In determining the minimum lot area or dimensions, the area of any easement which restricts the normal usage of the lot may be excluded.

**II.** ***"Substantially surrounded" has the same meaning set forth in Public Resources Code Section 21159.25.***

**JJ.** "Tentative map" shall mean a map prepared for the purpose of showing the design and improvements of a proposed subdivision and the existing conditions in and around it.

**KK.** "Tentative parcel map" shall mean a tentative map for a proposed subdivision creating four or fewer lots or five or more proposed lots which comply with the provisions of California Government Code Section 66426(a), (b), (c), (d) or (e).

**LL.** "Tract map" shall mean a term that may be used as a synonym for the term "final map."

**MM.** "Urban lot split" shall mean the division of a single parcel into two separate parcels in compliance with the provisions of Chapter 17.30 (Urban lot splits).

**NN.** *“Vacant” has the same meaning set forth in Government Code Section 66499.41(a)(2)(A)(ii).*

**OO.** *“Very low-income household” has the same meaning set forth in Health & Safety Code Section 50105.*

**PP.** "Vesting tentative map" shall mean a tentative map prepared in accordance with the provisions of this Title that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed.

**QQ.** "Zoning code" shall mean Title 18 of the Grand Terrace Municipal Code, including all text and maps, as it may be amended from time to time."

**SECTION 6.** Chapter 17.29 – SMALL LOT SUBDIVISIONS “STARTER HOME REVITALIZATION ACT” of the Grand Terrace Municipal Code is hereby added to read in its entirety as follows:

***“Chapter 17.29 – SMALL LOT SUBDIVISIONS “STARTER HOME REVITALIZATION ACT”***

***17.29.010 - Purpose.***

***The purpose of this chapter is to provide objective standards for small lot subdivisions with ten (10) or fewer units, to implement the provisions of the “Starter Home Revitalization Act” of 2021 reflected in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41, and to facilitate the development of new residential housing units consistent with the City’s General Plan and ensure sound standards of public health and safety.***

***17.29.020 – SMALL LOT SUBDIVISION.***

***The City Engineer or their designee shall ministerially review, without a public hearing, an application for a parcel map or a tentative and final map for a housing development project and shall approve the application if the criteria in Government Code Section 66499.41 and this section are satisfied.***

**17.29.030 – QUALIFYING CRITERIA.**

**Within 60 days from the receipt of a complete application, the City Engineer or their designee shall determine if the parcel map or tentative and final map for the subdivision meets all the following requirements:**

- a. The parcel is one of the following:**
  - i. Located within a multi-family residential zone or overlay as depicted on the most current Zoning Map approved by the City Council; or**
  - ii. Vacant and located within a single-family residential zone on the most current Zoning Map approved by the City Council.**
- b. The proposed subdivision will result in ten (10) or fewer parcels and the housing development project on the lot proposed to be subdivided will contain ten (10) or fewer residential units not including any permitted accessory dwelling units or junior accessory dwelling units.**
- c. The lot is substantially surrounded by qualified urban uses and meets the following maximum lot area requirements:**
  - i. No larger than five (5) acres, if the lot is zoned for multi-family residential; or**
  - ii. No larger than one and one-half (1.5) acres, if zoned for single-family residential.**
- d. The lot is a legal parcel.**
- e. The lot was not established pursuant to this Chapter 17.29 Small Lot Subdivisions; or, an urban lot split pursuant to Government Code Section 66411.7 and Chapter 17.30 Urban Lot Splits.**
- f. The newly created parcels meet the following minimum lot area requirements:**
  - i. No smaller than 600 square feet if zoned for multi-family residential; or**
  - ii. No smaller than 1,200 square feet if zoned for single-family residential.**
- g. The housing units on the lot proposed to be subdivided are one of the following:**

- i. Constructed on fee simple ownership lots;*
- ii. Part of a common interest development;*
- iii. Part of a housing cooperative, as defined in Civil Code Section 817;*
- iv. Constructed on land owned by a community land trust meeting the requirements of Government Code Section 66499.41; or*
- v. Part of a tenancy in common, as described in Civil Code Section 685.*

***h. The proposed development must meet one of the following:***

- i. If the parcel is identified in the Housing Element for the current planning period, the development must result in at least as many units as projected for the parcel in the Housing Element. If the parcel is identified to accommodate low- or very-low-income households, the development must result in at least as many low- or very-low-income units as projected in the Housing Element. These units shall be subject to a recorded affordability restriction of at least 45 years.*
- ii. If the parcel is not identified in the Housing Element for the current planning period, the development must result in 66 percent of the maximum allowable residential density specified in the zoning district in which the parcel is located or 66 percent of the applicable residential density specified in Government Code Section 65583.2(c)(3)(B), whichever is greater. If the zoning district in which the parcel is located does not specify a maximum allowable density, then the development must result in 66 percent of the applicable residential density specified in Government Code Section 65583.2(c)(3)(B).*
- i. The average total area of floorspace for the proposed housing units on the lot proposed to be subdivided does not exceed 1,750 net habitable square feet.*
- j. The housing development project on the lot proposed to be subdivided would not require demolition or alteration of any of the following types of housing:*

- i. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to people and families of low, very low, or extremely low-income.***
  - ii. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.***
  - iii. Housing occupied by tenants within the five years preceding the date of the application, including housing that has been demolished or that tenants have vacated prior to the submission of the application for a development permit.***
  - iv. A parcel on which an owner of real residential property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.***
- k. The lot being subdivided is not located on a site that is any of the following:***
- i. Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.***
  - ii. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).***
  - iii. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the Government Code, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code.***
  - iv. A hazardous waste site that is listed pursuant to Section 65962.5 of the Government Code or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to former Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic***

**Substances Control has cleared the site for residential use or residential mixed uses.**

- v. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by the building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2 of the Government Code.**
  
- vi. Within a special flood hazard area subject to inundation by the 1-percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph, the City of Grand Terrace shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by the City that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met: (1) the site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the City; or (2) the site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.**
  
- vii. Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the City of Grand Terrace shall not deny the application on the basis that the development proponent did not comply with any**

**additional permit requirement, standard, or action adopted by the City that is applicable to that site.**

- viii. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.**
  - ix. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).**
  - x. Lands under conservation easement.**
- l. The proposed subdivision shall conform to all applicable objective requirements of the Subdivision Map Act (commencing with Government Code Section 66410), except as otherwise expressly provided in this chapter and Government Code Section 66499.41.**
  - m. The proposed subdivision complies with all applicable standards established in Chapter 18.10 "Residential Districts" and Government Code Section 65852.28.**
  - n. The parcels created pursuant to this Section must be served by a public water system and a municipal sewer system.**
  - o. The proposed subdivision will not result in any existing dwelling unit being alienable separate from the title to any other existing dwelling unit on the lot.**
  - p. The development proposed on the parcels complies with all objective zoning standards, objective subdivision standards, and objective design review standards applicable to the parcel as provided in the zoning district in which the parcel is located, except that a proposed housing development is not required to comply with either a minimum requirement on size, width, depth, frontage, or dimensions of an individual parcel beyond the minimum parcel size specified in Section 17.29.060 (f) or the formation of a homeowners' association, except as**

**required by the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code).**

- q. If any existing dwelling unit is proposed to be demolished, the applicant will comply with the replacement housing provisions of Government Code Section 66300(d).**
- r. The applicant must submit proof, to the satisfaction of the City Engineer, of a recorded covenant and agreement enforceable by the City of Grand Terrace that the applicant agrees the building permit is issued on condition that a certificate of occupancy or equivalent final approval for the building will not be issued unless the final map has been recorded.**
- s. The applicant shall provide security to ensure faithful performance of the requirements identified in the approved tentative or parcel map or its conditions of approval in the form of bonds, an instrument of credit from one or more financial institutions subject to regulation by the state or federal government and pledging that the sufficient funds necessary to carry out the act or agreement are on deposit and guaranteed for payment, or a letter of credit from such a financial institution. The amount of the security shall be an amount not more than 300% of the total estimated cost of improvements or acts to be performed.**
- t. Other Agency Approvals. Nothing in this chapter is intended to supersede, limit, or waive compliance with applicable requirements of the Regional Water Quality Control Board, the State Water Resources Control Board, the San Bernardino County Department of Public Health, or any other state or federal agency with jurisdiction over water quality, wastewater disposal, septic systems, or environmental health. Compliance with this chapter does not relieve an applicant of the obligation to obtain all approvals required by other agencies with jurisdiction.**

#### **7.29.040 – DEVELOPMENT ON EACH LOT.**

**At least one residential structure in compliance with applicable provisions of the California Building Standards Code Title 18 – Zoning of the Grand Terrace Municipal Code must be developed on each resulting parcel that does not already contain an existing legally permitted residential structure or is reserved for internal circulation, open space, or common area.**

#### **17.29.050 – PROHIBITION OF ACCESSORY DWELLING AND JUNIOR ACCESSORY DWELLING UNITS.**

***An accessory dwelling unit or junior accessory dwelling unit shall not be permitted on a parcel created through this chapter.***

**17.29.060 – PROHIBITION OF URBAN LOT SPLITS.**

***A parcel created under this chapter may not be further subdivided pursuant to an urban lot split under Chapter 17.30 – URBAN LOT SPLITS of the Grand Terrace Municipal Code or Government Code Section 66411.7.***

**17.29.070 – DECLARATION OF PRIOR TENANCIES.**

***If any existing housing is proposed to be demolished, the owner of the property proposed for the subdivision shall sign an affidavit, in the form approved by the city attorney, stating that none of the conditions listed in Section 17.29.030 (j) above exist and shall provide a comprehensive history of the occupancy of the units to be altered or demolished for the past five (5) years on a form approved by the city attorney.***

**17.29.080 – SPECIFIC ADVERSE IMPACTS.**

***In addition to the criteria listed in this section, a subdivision proposed under this chapter may be denied if the City Engineer or their designee makes a written finding, based on a preponderance of the evidence, that the proposed subdivision or proposed housing development project would have a specific, adverse impact upon public health and safety, for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. A “specific adverse impact” is a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation and eligibility to claim a welfare exemption are not specific health or safety impacts.***

**17.29.090 – ENFORCEMENT.**

***The city attorney shall be authorized to abate violations of this chapter and to enforce the provisions of this chapter and all implementing agreements and affidavits by civil action, injunctive relief, and any other proceeding or method permitted by law. Remedies provided for in this chapter shall not preclude the City from any other remedy or relief to which it otherwise would be entitled under law or equity.”***

**SECTION 7.** Chapter 18.10 – RESIDENTIAL DISTRICTS of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

**“Chapter 18.10 RESIDENTIAL DISTRICTS**

**18.10.010 Purpose.**

The residential zones contained in this Chapter are intended to carry out the goals and objectives of the community's general plan **Housing Element, and state housing law** with respect to residential **land uses and residential development**. These goals and objectives are to be achieved through the following purposes established for the residential zones:

- A. To provide for development in accordance with the general plan;
- B. To promote the most appropriate and efficient use of the land while providing a variety of housing opportunities to the community;
- C. To promote a compatible relationship between residential, commercial and other types of land uses located in the community;
- D. To promote public health, safety and welfare through encouraging the appropriate type and size of development for the community;
- E. To manage development with respect to its type, size and location in order to prevent harmful encroachment of disruptive development into the community's residential neighborhoods.

**18.10.020 Residential districts.**

The following districts are designed to implement the goals and objectives of the general plan. Each district contains specific land use regulations and density ranges for development.

- A. RH, Hillside Residential District. This district is intended for very low density single family residential development with a maximum retention of open space. It is located in the portions of the City identified in the general plan's master environmental analysis as having severe development limitations related to topography and soil conditions. The maximum density allowed in this district is one dwelling unit per gross acre.
- B. R1-20, Very Low Single Family Residential District. This district is intended for very low density single family residential use. The minimum lot size is 20,000 square feet with a maximum density of two dwelling units per gross acre. **Deviations from the above minimum lot size and maximum density can occur in compliance with the following:**
  - 1. **Small Lot Subdivisions established by the "Starter Home Revitalization" Act of 2021, which is codified in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41, and the City Municipal Code Title 17 and Title 18.**

2. **Urban Lot Splits established by the Housing Opportunity and More Efficiency “HOME” Act of 2021, which is codified in state law under Government Code Section 66452.6, Section 65852.21, and Section 66411.7, and the City Municipal Code Title 17 and Title 18.**
- C. R1-10, Low Density Single Family Residential District. This district is intended for low density single family residential use. The minimum lot size is 10,000 square feet with a maximum density of four dwelling units per gross acre. **Deviations from the above minimum lot size and maximum density can occur in compliance with the following:**
1. **Small Lot Subdivisions established by the “Starter Home Revitalization” Act of 2021, which is codified in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41, and the City Municipal Code Title 17 and Title 18.**
  2. **Urban Lot Splits established by the Housing Opportunity and More Efficiency “HOME” Act of 2021, which is codified in state law under Government Code Section 66452.6, Section 65852.21, and Section 66411.7, and the City Municipal Code Title 17 and Title 18.**
- D. R1-7.2, Single Family Residential District. This district is intended for single family residential use. The minimum lot size is 7,200 square feet with a maximum density of five dwelling units per gross acre. **Deviations from the above minimum lot size and maximum density can occur in compliance with the following:**
1. **Small Lot Subdivisions established by the “Starter Home Revitalization” Act of 2021, which is codified in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41, and the City Municipal Code Title 17 and Title 18.**
  2. **Urban Lot Splits established by the Housing Opportunity and More Efficiency “HOME” Act of 2021, which is codified in state law under Government Code Section 66452.6, Section 65852.21, and Section 66411.7, and the City Municipal Code Title 17 and Title 18.**
- E. R2, Low Medium Density Residential District. This district is intended for single family residential use and low density multiple family development. The minimum lot size is 10,000 square feet with a maximum density of nine dwelling units per gross acre. **Deviations from the above minimum lot size and maximum density can occur in compliance with the following:**
1. **Small Lot Subdivisions established by the “Starter Home Revitalization” Act of 2021, which is codified in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41, and the City Municipal Code Title 17 and Title 18.**

2. **Urban Lot Splits established by the Housing Opportunity and More Efficiency “HOME” Act of 2021, which is codified in state law under Government Code Section 66452.6, Section 65852.21, and Section 66411.7, and the City Municipal Code Title 17 and Title 18.**

F. R3, Medium Density Residential District. This district is intended for medium density multiple family development. The minimum lot size is 12,000 square feet with a maximum density of 12 dwelling units per gross acre. **Deviations from the above minimum lot size and maximum density can occur in compliance with the following:**

1. **Small Lot Subdivisions established by the “Starter Home Revitalization” Act of 2021, which is codified in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41, and the City Municipal Code Title 17 and Title 18.**
2. **Urban Lot Splits established by the Housing Opportunity and More Efficiency “HOME” Act of 2021, which is codified in state law under Government Code Section 66452.6, Section 65852.21, and Section 66411.7, and the City Municipal Code Title 17 and Title 18.**

G. R3-S, Medium Family, Senior Citizen. This district is intended for the development of senior citizen housing. The maximum density shall not exceed 20 units per acre. The development standards shall be established through specific plan process. **Deviations from the above minimum lot size and maximum density can occur in compliance with the following:**

1. **Small Lot Subdivisions established by the “Starter Home Revitalization” Act of 2021, which is codified in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41, and the City Municipal Code Title 17 and Title 18.**
2. **Urban Lot Splits established by the Housing Opportunity and More Efficiency “HOME” Act of 2021, which is codified in state law under Government Code Section 66452.6, Section 65852.21, and Section 66411.7, and the City Municipal Code Title 17 and Title 18.**

H. R3-20, Medium High Density Residential District. This district is intended for higher density multiple family development, which may include affordable housing. The minimum lot size is 12,000 square feet with a maximum density of 20 units per acre. **Deviations from the above minimum lot size and maximum density can occur in compliance with the following:**

1. **Small Lot Subdivisions established by the “Starter Home Revitalization” Act of 2021, which is codified in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41, and the City Municipal Code Title 17 and Title 18.**

2. **Urban Lot Splits established by the Housing Opportunity and More Efficiency “HOME” Act of 2021, which is codified in state law under Government Code Section 66452.6, Section 65852.21, and Section 66411.7, and the City Municipal Code Title 17 and Title 18.**
- I. R3-24, High Density Residential District. This district is intended for high density multiple family development, which may include affordable housing. The minimum lot size is 12,000 square feet with a minimum density of 20 units per acre and a maximum density of 24 units per acre. **Deviations from the above minimum lot size and maximum density can occur in compliance with the following:**
1. **Small Lot Subdivisions established by the “Starter Home Revitalization” Act of 2021, which is codified in state law under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41, and the City Municipal Code Title 17 and Title 18.**
  2. **Urban Lot Splits established by the Housing Opportunity and More Efficiency “HOME” Act of 2021, which is codified in state law under Government Code Section 66452.6, Section 65852.21, and Section 66411.7, and the City Municipal Code Title 17 and Title 18.**

**18.10.030 Use regulations.**

Uses listed in Table 18.10.030 shall be allowed in one or more of the residential districts as indicated in the columns below each district heading. Permitted uses are indicated by the letter "P" while the letter "C" indicates uses which require a conditional use permit.

**TABLE 18.10.030  
RESIDENTIAL LAND USE REGULATIONS**

Permitted Uses	RHR1- 20	R1- 10	R1-7.2R2	R3	R3- S	R3- 20/ R3- 24
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**A. Residential Uses**

Single-Family (Detached), Full Sized	P	P	P	P	P <sup>a</sup>	P <sup>b</sup>	-	-
Second Units (Subject to Chapter 17.30 and 18.65)	P <sup>g</sup>	P <sup>g</sup>	P <sup>g</sup>	P <sup>g</sup>	-	-	-	-
Two-Unit Developments (Subject to Chapter 17.30 and 18.65)	P <sup>g</sup>	P <sup>g</sup>	P <sup>g</sup>	P <sup>g</sup>	-	-	-	-
Single-Family (Attached) (Duplexes, Triplexes, and Fourplexes)	-	-	-	-	P	P	-	P

Multiple Family Units	-	-	-	-	P	P	-	P
Manufactured Housing (As Permitted Per Chapter 18.66)	P	P	P	P	P	P	-	-
Mobile Home Park	-	-	-	-	C	C	-	-
Senior Citizen Housing							P <sup>d</sup>	P
<b>Small Lot Subdivision "Starter Home Revitalization Act" (Subject to Chapters 17.29 and 18.10)</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
<b>Urban Lot Splits "Housing Opportunity and More Efficiency" (HOME) Act of 2021 (Subject to Chapters 17.29 and 18.65)</b>	-	<b>P</b>	<b>P</b>	<b>P</b>	-	-	-	-
<b>Planned Residential Development (As Permitted Per Section 18.10.090)</b>	-	-	-	-	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>

### B. Residential Accessory Structures

Accessory Structure	P	P	P	P	P	P	P <sup>d</sup>	P
Accessory Dwelling Unit (Subject to Chapter 17.30 and 18.69)	P	P	P	P	P	P	P	P
Junior Accessory Dwelling Unit (Subject to Chapter 17.30 and 18.69)	P	P	P	P	P	P	-	-
Guest House	C	C	C	C	C	C	-	-
Private Garage	P	P	P	P	P	P	-	P
Private Swimming Pool	P	P	P	P	P	P	P <sup>d</sup>	P
Home occupation (As Permitted Per Chapter 5.06)	P	P	P	P	P	P	P <sup>d</sup>	P
Keeping of Cats and Dogs (Maximum of Two Each)	P	P	P	P	P	P	P <sup>d</sup>	P
Other Accessory Uses (As Approved by the Planning Director)	P	P	P	P	P	P	P <sup>d</sup>	P

### C. Other Uses

Churches (Minimum Three-Acre Parcel) <sup>e</sup>	C	C	C	C	C	C	-	-
Electric Vehicle Charging Stations (accessory use) <sup>i</sup>	P	P	P	P	P	P	P	P
Schools (Private and Parochial) <sup>e</sup>	C	C	C	C	C	C	-	-
Public Park and Playground <sup>e</sup>	P	P	P	P	P	P	-	-
Public Facilities (And Quasi- Public) <sup>e</sup>	C	C	C	C	C	C	-	-
Family Day Care <b>Small</b> (Eight or Less Children) <sup>ej</sup>	P	P	P	P	P	-	P	-
Family Day Care <b>Large</b> Center (Nine or More Children) <sup>ej</sup>	<b>PG</b>	<b>PG</b>	<b>PG</b>	<b>PG</b>	<b>PG</b>	-	C	-
Residential Care Facility (Six or Less Persons)	P	P	P	P	P	P	P	P
Residential Care Facility (Seven or More Persons) <sup>f</sup>						C	C	-

State Licensed Congregate Living Health Facility (CLHF) <sup>h</sup>	-	-	-	-	C	C	C	C
Single Room Occupancy Utility or Service Facility <sup>e</sup>	C	C	C	C	C	C	-	-
Outdoor Recreation Facility <sup>e</sup>	C	C	C	C	C	C	-	-

**D. Temporary uses**

Temporary Uses (As approved by Planning Director)	P	P	P	P	P	P	P <sup>d</sup>	P
Temporary Trailers (As Approved by Planning Director)	P	P	P	P	P	P	P <sup>d</sup>	P

Footnotes:

- a. A second single-family detached unit (full-sized single-family detached dwelling) shall be permitted in the R2 zone provided that the lot or parcel in question meets the minimum area requirement for the R2 zone and that said lot or parcel is developed with no more than one single-family detached dwelling. A ~~site and architectural~~ **Land Use Permit** review application for the second- family detached unit in accordance with Chapter 18.63 of the Zoning Code shall be required to be **ministerially** approved prior to the issuance of building permits. ~~In addition,~~ **All** development standards of the underlying **R2** zone must be adhered to; and any division in ownership among the structures on the lot or parcel in question shall conform to the subdivision laws of the state and city.
- b. A second-family detached unit (full sized single-family detached dwelling) shall be permitted in the R3 zone provided that the lot or parcel in question meets the minimum area requirements for the R3 zone and that said lot or parcel is developed with no more than one single-family detached dwelling. A ~~site and architectural~~ **Land Use Permit** review application for the second- family detached unit in accordance with Chapter 18.63 of the Zoning Code shall be required to be approved prior to the issuance of building permits. ~~In addition,~~ **All** development standards of the underlying **R3** zone must be adhered to; and any division in ownership among the structures on the lot or parcel in question shall conform to the subdivision laws of the state and city.
- c. "P" stands for "Permitted Use" where the use is permitted by right; and "C" stands for "Conditional Use" where the use requires a conditional use permit.
- d. Senior citizen housing is allowed in the R3-S up to a maximum density of twenty (**20**) unit/acre. A specific plan will be required for all senior citizen housing projects in this zone. ~~Some accessory and temporary uses as indicated will be allowed in the R3-S zone with the approval of the Community Development Director.~~
- e. Notwithstanding anything indicating otherwise in this Table, this use is prohibited on a parcel that was created by an urban lot split, pursuant to Subsection 17.30.050(A).

- f. Subject to administrative conditional use permit.
- g. Notwithstanding anything indicating otherwise in this Table, this use shall be prohibited if the finding of a specific, adverse impact is made in accordance with Subsection 18.65.020(C).
- h. CLHF's are required to comply with the City's Objective Design Standards (ODS) and a State license is required to operate as a Congregate Living Health Facility (CLHF) in California. A CLHF means a residential home with a capacity of no more than 18 beds (except a facility operated by a city and county for purposes of delivering services may have a capacity of 59 beds; or, a facility not operated by a city and county servicing persons who are terminally ill, persons who have been diagnosed with a life-threatening illness, or both, that is located in a county with a population of 500,000 or more persons, or located in a county of the 16th class pursuant to Section 28020 of the Government Code, may have not more than 25 beds for the purpose of serving persons who are terminally ill) that provides inpatient care, including the following basic services: medical supervision, 24-hour skilled nursing and supportive care, pharmacy, dietary, social, recreational, and at least one type of the following service:
  - (A) Services for ~~persons~~ **people** who are mentally alert, ~~persons~~ **people** with physical disabilities, who may be ventilator dependent.
  - (B) Services for ~~persons~~ **people** who have a diagnosis of terminal illness, a diagnosis of a life- threatening illness, or both. Terminal illness means the individual has a life expectancy of six months or less as stated in writing by his or her attending physician and surgeon. A "life- threatening illness" means the individual has an illness that can lead to a possibility of a termination of life within five years or less as stated in writing by his or her attending physician and surgeon.
  - (C) Services for persons who are catastrophically and severely disabled. A person who is catastrophically and severely disabled means a person whose origin of disability was acquired through trauma or nondegenerative neurologic illness, for whom it has been determined that active rehabilitation would be beneficial and to whom these services are being provided. Services offered by a congregate living health facility to a person who is catastrophically disabled shall include, but not be limited to, speech, physical and occupational therapy.
- i. Residential Electric Vehicle Charging Stations shall be processed by the City in compliance with AB 970 (McCarty, 2021) subject to the specific binding timelines for the expedited, streamlined, ministerial review and approval of Electric Vehicle Charging Station (EVCS) permit applications per Assembly Bill 1236 (Chiu, 2015). The review periods for Electric Vehicle Charging Stations are determined based on the size of the proposed project.

#### Application Completeness

- 1-25 Electric Vehicle Charging Stations at a single site: 5 business days
- 26 or more stations at a single site: 10 business days

Application Approval

- 1 -25 Electric Vehicle Charging Stations at a single site: 20 business days
- 26 or more stations at a single site: 40 business days

Conditions of Approval for Expedited Review

- A completed Submittal Requirements Checklist.
- All proposed Electric Vehicle Charging Stations and equipment shall conform with \_\_\_\_\_ the City of Grand Terrace Objective Design Standards (ODS)
- Electric Vehicle Charging Station equipment including transformers, generating stations, energy storage units, and any other electric vehicle charging station related equipment must be adequately screened from visible view to the satisfaction of the City by one or combination of the following:
  - Permanent masonry enclosure with decorative block wall and metal roof covering. Access gates/doors to be lockable and secure.
  - Shrink wrap material acceptable to the City's objective design standards

***j. State Law SB234 known as the “California Child Day Care Facilities Act” of 2021 designates small and large family daycare homes as a residential use of property. SB234 prohibits a local jurisdiction from imposing a business license, fee, or tax for the privilege of operating a small family daycare home and large family daycare home.***

**18.10.040 Site development standards.**

The site development standards established for each residential district are as shown in Table 18.10.040.

TABLE 18.10.040  
**RESIDENTIAL BUILDING SITE DEVELOPMENT STANDARDS**

Development Issue <del>Zone</del>	RH	R1-20	R1-10	R1-7.2	R2	R3	R3-SR3-20	R3-24
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<b>Lot Area<sup>1</sup></b> (Minimum square feet)	<u>  </u> <sup>a</sup>	20,000	10,000	7,200	10,000	12,000 <sup>g</sup>	12,000	12,000
<b>Lot Area<sup>1</sup> (Small Lot Subdivision)</b>	<u>  </u> <sup>a</sup>	<b>1,200</b>	<b>1,200</b>	<b>1,200</b>	<b>600</b>	<b>600</b>	<sup>g</sup>	<b>600</b> <b>600</b>
<b>Lot Width<sup>2</sup></b> (Minimum linear feet)								
* Interior Lot	<u>  </u> <sup>a</sup>	100	60	60	60	60	<sup>g</sup>	60   60
* Corner Lot	<u>  </u> <sup>a</sup>	100	70	70	70	70		70   70
Lot Depth <sup>2</sup> (Minimum linear feet)	<u>  </u> <sup>a</sup>	150	100	100	100	100	<sup>g</sup>	100   100
Street Frontage (Minimum linear feet)	<u>  </u> <sup>a</sup>	50	40	40	40	40	<sup>g</sup>	40   40
<b>Setbacks (Minimum linear feet)</b>								
→ Front Yard <b>Setback<sup>2</sup></b>	<u>  </u> <sup>a</sup>	25 <sup>b</sup>	25 <sup>b</sup>	25 <sup>b</sup>	25 <sup>b</sup>	25 <sup>b</sup>		25 <sup>b</sup> 25 <sup>b</sup>
→ Rear Yard <b>Setback<sup>2</sup></b>	<u>  </u> <sup>a</sup>	35 <sup>b</sup>	35 <sup>b</sup>	20 <sup>b</sup>	20 <sup>b</sup>	20 <sup>b</sup>		20 <sup>b</sup> 20 <sup>b</sup>
→ Side Yard <b>Setback<sup>2</sup></b>								
— Interior Lot							<sup>g</sup>	
— With Garage	<u>  </u> <sup>a</sup>	10 <sup>b</sup>	10 <sup>b</sup>	10 <sup>b</sup>	10 <sup>b</sup>	10 <sup>b</sup>		10 <sup>b</sup> 10 <sup>b</sup>
— Without Garage	<u>  </u> <sup>a</sup>	5 <sup>b</sup>	5 <sup>b</sup>	5 <sup>b</sup>	5 <sup>b</sup>	10 <sup>b</sup>		10 <sup>b</sup> 10 <sup>b</sup>
— Corner Lot								
Street side	<u>  </u> <sup>a</sup>	15 <sup>b</sup>	15 <sup>b</sup>	15 <sup>b</sup>	15 <sup>b</sup>	15 <sup>b</sup>		15 <sup>b</sup> 15 <sup>b</sup>
No Street side	<u>  </u> <sup>a</sup>	5	5	5	5	10		10   10
Density <sup>3</sup> (Allowable dwelling units per acre)	<u>  </u> <sup>a</sup>	1-2	1-4	1-5	1-9	1-12 <sup>c</sup>	Max. 20	13-20 <sup>c</sup> 20-24 <sup>c</sup>
<b>Density<sup>3</sup> (Small Lot Subdivision)</b>	<u>  </u> <sup>a</sup>							
<b>Living Area (Minimum square feet)</b>								
* Single Family	<u>  </u> <sup>a</sup>	1,350 <sup>d</sup>	1,350 <sup>d</sup>	1,350 <sup>d</sup>	1,350 <sup>d</sup>	1,350 <sup>d</sup>		
* Duplex, Triplex, Four-plex and Multiple Family							<sup>g</sup>	<u>  </u> <sup>g</sup> <u>  </u> <sup>g</sup>
- One (1) Bedroom	-	-	-	-	800 <sup>d</sup>	800 <sup>d</sup>		
- Two (2) Bedroom	-	-	-	-	1,000 <sup>d</sup>	1,000 <sup>d</sup>		
Height <sup>4</sup> (Maximum linear feet)	<u>  </u> <sup>a</sup>	35 <sup>e</sup>	35 <sup>e</sup>	35 <sup>e</sup>	35 <sup>e</sup>	35 <sup>e</sup>	<sup>g</sup>	35 <sup>e</sup> 35 <sup>e</sup>
Lot Coverage (Maximum percent)	<u>  </u> <sup>a</sup>	40	50	50	60 <sup>f</sup>	60	<sup>g</sup>	60   60
Distance Between Buildings <sup>2</sup> (Minimum linear feet)	<u>  </u> <sup>a</sup>	5	5	5	20	20	<sup>g</sup>	20   20

Footnotes:

- 1     **Minimum Square Feet**
- 2     **Minimum Linear Feet**
- 3     **Residential Dwelling Units Per Acre**
- 4     **Maximum Linear Feet**

- a. A specific plan shall be required for all proposed projects (including tentative parcel or tract maps) which include any property located within this district, except that a specific plan shall not be required for existing parcels that are one acre or less in size, are readily served by existing infrastructure, have public access, and fire services can be readily provided. Such specific plan shall establish site development standards on a project-by-project basis in consideration of the existing topography and other physical constraints.

The specific plan shall not create a density greater than one (1) dwelling unit per gross acre and shall be consistent with the city's general plan. The specific plan may consider a clustered development concept in order to preserve large areas of open space and minimize the project's impact on the physical environment.

- b. The following exceptions apply to front, rear and side yard requirements as noted:
  1. The minimum side and rear yard setback for a patio cover shall be five **(5)** feet.
  2. The minimum rear yard setback for an accessory structure shall be ten **(10)** feet.
  3. Slopes exceeding five **(5%)** percent shall be permitted no closer to a residential structure than a distance equal to the required side and rear yard setbacks. In the R1-10 district and the R1-20 district, the thirty-five **(35)** foot rear yard setback may include ten **(10)** feet of slope that is greater than five **(5%)** percent.
  4. In the case of a parcel or tract map, the twenty-five **(25)** foot front yard setback requirement may range from twenty-two **(22)** feet to twenty-eight **(28)** feet, with an average of twenty-five **(25)** feet for all proposed lots.
  5. In the case where an existing legal nonconforming structure is located within a required setback area, the legal nonconforming structure may be enlarged within the required setback area subject to the following conditions:
    - a. The proposed addition does not further reduce the depth of the existing setback area; and
    - b. The proposed addition is located no closer than five **(5)** feet from any property line.
- c. A density bonus shall be permitted in accordance with the California Government Code and this Title.
- d. For the purposes of this chapter, the following terms shall be defined as follows:

"Living area" means the enclosed area of a residential dwelling unit, excluding porches, patios, carports, garages, storage areas or auxiliary rooms.

"Multiple-family" means one- or two-bedroom units only.

- e. Accessory structures shall not exceed twenty feet in height, with exceptions as listed in Section 18.73.090 of this title.
- f. Not more than the permitted percent of the total parcel may be devoted to main and accessory structures, parking areas, driveways and covered patios. The remaining percent of the total parcel shall be devoted to open areas such as landscaping, lawn, outdoor recreational facilities, incidental to residential development, including swimming pools, tennis courts, putting greens, uncovered patios and walkways. Said open areas shall consist of not less than two hundred **(200)** square feet of open space per dwelling unit.
- g. Senior citizen housing's development standards will be established through the specific plan process. All senior citizens housing projects in the R3-S zone will require specific plan process; however, in no circumstance shall the density exceed twenty **(20)** unit/acre.

**18.10.050 Off-street parking.**

The provisions of Chapter 18.60 shall apply in determining the number of parking spaces that must be provided for each use located in a residential district.  
18.10.060 Residential street parking.

The portions of Chapter 10.16 shall apply in all residential districts. 8.10.070 Signs.

The provisions of Chapter 18.80 shall apply in all residential districts.

**18.10.080 Site and architectural review.**

The provisions of Chapter 18.63 shall apply in all residential districts.

**18.10.090 Planned residential development.**

- A. Purpose. The purpose of this Section is to provide a process for approving a planned residential development that is intended to:
  - 1. Allow for flexibility and creativity in the development of infill lots otherwise constrained due to lot size, configuration and/or surroundings;
  - 2. Provide a method whereby land may be designed and developed as a unified site by taking advantage of efficient site planning techniques thereby resulting in a more efficient use of land, a better living environment, excellence of design, and related enhanced amenities than is otherwise possible through strict application of the development standards of the underlying zoning classification;

3. Ensure development that meets high standards of environmental quality, public health and safety, the efficient use of the City's resources, and the purpose, intent, goals, policies, actions, and land use designations of the General Plan, and any applicable specific plan.

B. Applicability.

1. **Planned Residential Development** Permitted Zones. A planned residential development shall be permitted on those parcels identified, within the R2—Low Medium and R3—Medium Density Residential Zone districts. ~~As determined by the Planning Commission on a case by case basis, a planned residential development may be proposed on any site other than those listed in subparagraph "a.",~~ provided that it meets the applicability requirements of this section.

a.—A planned residential development may be proposed on the following properties: Assessor's Parcel Numbers: 0275-191-15, 0275-211-09, 0275-211-58, 0275-251-04, 0276-202-74, and 1167-341-078.

2. **Planned Residential Development** Minimum Site Area. A planned residential development may only be requested for a site(s) with a minimum size of 22,000 net square feet.

a. Net area shall mean the total horizontal area within the lot lines of a lot, excluding public or private easement, any street, drive aisle, or right of way area.

3. **Planned Residential Development** Permitted Uses. A planned residential development project shall not authorize a use that is not allowed in the base zoning district.

C. **Planned Residential** Development Standards.

1. **Planned Residential Development** Density. Density within a planned residential development shall comply with the permitted density of the underlying zone district.

a. The fractional/decimal results of calculations of the number of multiple housing units allowed within a land use zoning district shall be rounded down to the next lowest whole number. If a fraction is 0.55 or more, the **Planning and Development Services** Director may recommend the higher whole number to the **Planning Commission Site and Architectural Review Board** based on other development standards and regulations being met.

2. **Planned Residential Development** Density Bonus. A density bonus, as shown below, may be considered by the Planning Commission **Site and Architectural Review Board**, based on the merits of the project, including that all applicable development standards are met. Only one density bonus may be granted.

- a. Notwithstanding Subsection 2. above, a density bonus shall be granted for affordable housing developments in accordance with the density bonus provisions of Government Code Section 65915; or
  - b. A **twenty** 20 percent (**20%**) density bonus with evidence that the project can be certified in LEED for Homes; or
  - c. A ten percent (**10%**) density bonus for construction of the project to meet or exceed more than a **twenty** 20 percent (**20%**) increase in energy efficiency above Title 24 requirements or;
3. **Planned Residential Development** Lot Coverage. Lot coverage shall not exceed **sixty** 60 percent (**60%**) of the lot area. Lot coverage includes primary and accessory structures, covered patios and garages.
  4. **Planned Residential Development** Open Space. A minimum of **twenty** 20 percent (**20%**) of the lot area shall be open and unobstructed. Paved areas, drive aisles, parking areas, private patios, or areas between structures less than ten (**10**) feet in any dimension, shall not be counted towards open space. Twenty-five percent (**25%**) of open amenity areas may be counted toward the open space requirement.
  5. **Planned Residential Development** Private Open Space. A minimum of 250 square feet of private open space per dwelling unit shall be provided, with no dimension less than ten (**10**) feet. Architectural elements with no habitable space may encroach into private open spaces.
  6. **Planned Residential Development** Amenities. Amenities may include a swimming pool, clubhouse, tot lot with play equipment, picnic shelter with barbeque area, basketball, tennis, or other recreational amenities. The type of amenities shall be approved by the Planning Commission. Amenities shall be provided as follows:

Number of Units	Number of Amenities
0—11	0
12—24	1
25—50	2
51—75	3
75+ as determined by the Planning Commission	

Note: Where a mix of attached and detached units is proposed, amenities shall be provided pursuant to this subsection.

7. **Planned Residential Development** Height. **Thirty-five** (35) feet. Three (**3**) story structures shall not be permitted adjacent to any Single-Family Residential zone or single-family use.

8. **Planned Residential Development** Circulation.
  - a. Private streets shall be permitted only when a Homeowner's Association is established to maintain them.
  - b. Private streets shall be built to public works construction standards.
  - c. Street/Drive Aisle Width. A minimum of **twenty-six (26)** feet, curb to curb with no on-street parking shall be provided. Where one-way access is proposed, the minimum width shall conform to **San Bernardino** County Fire standards.
  - d. Two points of vehicular ingress and egress to a public street shall be provided. Except that for smaller projects or where the applicant can show that this is a physical impossibility, the appropriate fire authority **San Bernardino County Fire** may modify this requirement if the fire authority **San Bernardino County Fire** determines that emergency access is adequate for the project.
  
9. **Planned Residential Development** Number of Attached Dwelling Units. Attached dwelling units shall not exceed eight **(8)** units. Any building with six **(6)** or more units shall provide a minimum two **(2)** foot variation along the building wall plane.
  
10. ~~Project~~ **Planned Residential Development** Setbacks.
  - a. Perimeter Setbacks.
    - i. Front Yard: **Twenty (20)** feet.
    - ii. Rear Yard: **Fifteen (15)** feet.
    - iii. Side Yard: Ten **(10)** feet.
    - iv. ~~Street Side Yard: Ten feet.~~
  - b. **Planned Residential Development** attached units shall also adhere to the following setbacks:
    - i. A minimum setback of ten **(10)** feet from the curb face, except that a minimum driveway depth of **seventeen (17)** feet shall be provided.
    - ii. A minimum of **fifteen (15)** feet between attached buildings.
  - c. Small lot **Planned Residential Development** subdivisions shall adhere to the following standards:
    - i. Minimum Lot Size: 3,500 net square feet.

- ii. Lot Coverage: ~~Sixty~~ 60-percent (**60%**).
- iii. Front Yard Setback: An average of **eighteen (18)** feet, but no less than **sixteen (16)** feet.
- iv. Rear Yard Setback: 15 feet.
- v. Side Yard Setbacks: Five feet on one side yard and eight feet on the other side yard.
- vi. Zero Lot Line Setback: Shall apply to detached garages only.
- vii. Distance Between Detached Garage and Main Residence: Five feet.

11. **Planned Residential Development** Parking. Parking shall be in accordance with Chapter 18.60 (Off-Street Parking), with the following exceptions:

- a. On-street parking may be credited towards guest parking, provided that a curb-to-curb street width or driveway width of a minimum of **thirty-three (33)** feet is provided, with parking only on one side of the street.

12. **Planned Residential Development** Storage and Trash Areas. All storage and trash areas shall be located within enclosed areas completely screened from public view. The enclosure shall follow current California Building Code accessibility requirements, as amended from time to time. A drain shall be installed and connected directly into the City's wastewater system, with approval from the City's Engineer. The storage and trash enclosure shall contain lockable front facing decorative metal doors and a side door, and a decorative metal roof or cover with screening to prevent illegal dumping. All decorative material shall be compliant with the City's objective design standards. Common storage and trash areas shall be within 200 feet of the dwelling served.

**D. Planned Residential Development Processing Procedures.**

- 1. Planned Residential Developments shall be processed in accordance with Chapter 18.63 (Site and Architectural Review). The application shall include all of the information and materials specified by the Site and Architectural Review application, together with the required fee in compliance with the City's adopted fee schedule. It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection F. of this Section (Findings and Decision).
- 2. The application shall be accompanied by a tentative map that shall be filed and processed in accordance with Title 17 (Subdivisions) of the Municipal Code.

**E. Planned Residential Development** Review Authority. The **Planning** Commission **Site and Architectural Review Board** may approve, conditionally approve, or deny a ~~P~~lanned ~~R~~esidential ~~D~~evelopment, provided that the findings contained in

Subsection “F” of this Section (Findings and Decision), and in Chapter 18.63 (Site and Architectural Review), can be made.

- F. **Planned Residential Development Approval** Findings and Decision. The **Planning Commission Site and Architectural Review Board** may approve or conditionally approve a ~~P~~lanned ~~R~~esidential ~~D~~evelopment only after first making all of the findings contained in Section 18.63.060 (Approval Process) and the following:
1. The **Planned Residential D**evelopment includes only uses allowed within the base zoning district.
  2. The **Planned Residential D**evelopment is compatible with other developments within the zoning district and general neighborhood of the proposed project.
  3. The ~~project~~ **Planned Residential Development** would produce a ~~development~~ **construction** of higher quality and greater excellence of design than that might otherwise result from using the standard development regulations.
  4. The subject site is adequate in terms of size, shape, topography, and circumstances to accommodate the ~~proposed~~ **Planned Residential D**evelopment.
  5. The ~~project~~ **Planned Residential Development** includes improved quality of life provisions and enhanced amenities, including an additional and appropriate variety of structure placement and orientation opportunities, appropriate mix of structure sizes, high quality architectural design, common open space, landscaping, parking areas, private open space, and sustainable improvement standards (e.g., energy efficient building design, construction, and operation).
- G. Minor Changes **to an approved Planned Residential Development** by Director.
1. Minor changes in a ~~P~~lanned ~~R~~esidential ~~D~~evelopment that do not involve an increase in density, or a change of use may be approved by the **Planning and Development Services** Director, pursuant to Subsection 18.63.020.G (~~Administrative Site and Architectural Review~~).
  2. ~~Proposed~~ **C**hanges that are not deemed minor shall be subject to review and approval by the original review authority.
- H. Common Ownership — (Land or Improvements) **for Planned Residential Development**.
1. Covenants, Conditions and Restrictions (CC&R's). Where a Planned Residential Development contains any land or improvement proposed to be held in common ownership, the applicant shall submit a declaration of covenants, conditions and restrictions (CC&R's) with the final map establishing a Homeowner's Association subject to Community and Economic Development Director and the City Attorney

approval. Such declaration shall set forth provisions for maintenance of all common areas, payment of taxes and all other privileges and responsibilities of the common ownership. The CC&R's shall include provisions prohibiting the homeowners' association (HOA) from quitclaiming, selling or otherwise transferring the land held in common ownership to private property owners.

2. The City shall be made a party of the CC&R's. The City's participation shall be specifically limited to enforcement of the HOA's maintenance obligation.
3. Amendments to CC&R's. The provisions of approved CC&R's shall not be amended without the prior approval of the ~~Community~~ **Planning and Development Services** Director and City Attorney who at his or her ~~his or her~~ **their** discretion may refer the matter to the Planning Commission **Site and Architectural Review Board**. Requests for amendments to existing CC&R's shall be submitted to the **Planning Department** ~~Community Development Division~~.
4. Maintenance. All private streets, walkways, parking areas, landscaped areas, storage areas, screening, sewers, drainage facilities, utilities, open space, recreation facilities and other improvements not dedicated to public use shall be maintained by the property owners. Provisions acceptable to the affected City Departments shall be made for the preservation and maintenance of all such improvements prior to the issuance of building permits.
5. Failure to Maintain Constitutes a Public Nuisance. All commonly-owned lots, improvements and facilities shall be preserved and maintained in a safe condition and in a state of good repair. Any failure to so maintain is unlawful and a public nuisance endangering the health, safety and general welfare of the public and a detriment to the surrounding community.

#### **18.10.100 Small Lot Subdivision "Starter Home Revitalization Act"**

- A. **Housing Development of Small Lot Subdivisions. The City Planner shall ministerially review, without a public hearing, an application for a housing development project on a lot that is subdivided pursuant to Section Municipal Code Chapter 17.29 for small lot subdivision and Government Code Section 66499.41, and shall approve the application if the criteria in Government Code Section 65852.28 and this section are satisfied.**
- B. **Qualifying Criteria. Within sixty (60) days from the receipt of a complete application, the City Planner shall determine if the housing development project meets all the following requirements:**
  1. **The proposed housing development is on a lot created in accordance with Municipal Code Chapter 17.29 and Government Code Section 66499.41.**

2. ***The proposed housing development complies with all objective zoning standards, objective subdivision standards, and objective design review standards applicable to the parcel as provided in the zoning district in which the parcel is located that do not conflict with Section Municipal Code Chapter 17.29 and Government Code Sections 65852.28 and 66499.41; provided, however:***
  - i. ***The Planning and Development Services Director, or their Planner designee, shall modify or waive any standard if the standard would have the effect of physically precluding the construction of the development project at twenty (20) dwelling units per acre. Any modifications of development standards shall be the minimum modification necessary.***
  - ii. ***No setback between the units is required, except as provided in the California Building Code (Title 24 of the California Code of Regulations).***
  - iii. ***Required rear and side yard setbacks from the original lot line shall equal four feet, except that no setback shall be required for an existing legally created structure or a structure constructed in the same location and to the same dimensions as an existing legally created structure.***
  - iv. ***For development on a vacant lot zoned for single-family residences, no height limit may be applied that is less than what is allowed per the existing zoning designation applicable to the lot.***

**C. *Floor Area Ratio Standards. The following floor area ratios shall apply:***

1. ***For a housing development project consisting of three (3) to seven (7) units, inclusive, the floor area ratio is 1.0.***
2. ***For a housing development project consisting of eight (8) to ten (10) units, inclusive, the floor area ratio is 1.25.***

**D. *Project Specific Adverse Impacts. In addition to the criteria listed in this section, a proposed housing development may be denied if the City Building Official makes a written finding, based on a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact upon public health and safety or the physical environment, for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. A “specific adverse impact” is a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was***

**deemed complete. Inconsistency with the zoning ordinance or general plan land use designation and eligibility to claim a welfare exemption are not specific health or safety impacts.**

**E. Building Permits for Housing Development of Small Lot Subdivisions. The City Building Official shall issue a building permit for one or more residential units that are part of a housing development project on a lot that is subdivided pursuant to Grand Terrace Municipal Code Chapter 17.29 and Government Code Section 66499.41, and shall approve the application if the criteria in Government Code Section 65852.28 and this section are satisfied and has met the following criteria:**

- 1. The applicant has received a tentative map or parcel map approval for the subdivision.**
- 2. The applicant has submitted a complete building permit application.**

**Any dedication, improvement, and sewer requirements identified in the approved tentative map or parcel map or its conditions of approval shall be guaranteed to the City's satisfaction.**

**F. Building Permit Specific Adverse Impacts. In addition to the criteria listed in this chapter, issuance of a building permit may be denied if the Building Official makes a written finding, based on a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact upon public health and safety or the physical environment, for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. A "specific adverse impact" is a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation and eligibility to claim a welfare exemption are not specific health or safety impacts.**

**G. Enforcement. The City Attorney shall be authorized to abate violations of this chapter and to enforce the provisions of this chapter and all implementing agreements and affidavits by civil action, injunctive relief, and any other proceeding or method permitted by law. Remedies provided for in this chapter shall not preclude the City of Grand Terrace from any other remedy or relief to which it otherwise would be entitled under law or equity."**

**SECTION 8.** Section 18.27.010 "Nonresidential **Land** Use Regulations" of Chapter 18.27 – NONRESIDENTIAL DISTRICTS of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

**“18.27.010 Nonresidential Land Use Rregulations.**

**Land** Uses listed in Table 18.27.010 shall be allowed in one or more of the nonresidential districts as indicated in the columns below each district heading. Permitted uses are indicated by the letter "P" while the letter "C" indicates uses which require a conditional use permit. A "-" indicates uses which are prohibited.

Permitted Uses <sup>a</sup>	AP	C2	CM	MR	M2	PUB
Agricultural and nursery supplies and services	-	-	-	P	P	-
Amateur "HAM" radio antenna structures (Subject to Chapter 18.72)	P	P	P	P	P	P
Antique shops	C	P	P	P	-	-
Apparel stores	C	P	P	P	-	-
Appliance stores and repair	-	P	P	P	-	-
Art, music and photographic studios and supply stores	-	P	P	P	-	-
Athletic and health clubs and weight-reducing clinics	-	P	P	P	-	-
Bakeries (retail only)	C	P	P	P	-	-
Bakeries (wholesale)	-	-	-	-	P	-
Banks, financial services and institutions	P	-	-	-	-	-
Barber and beauty shops	-	P	P	P	-	-
Bicycle shops	-	P	P	P	-	-
Book, gift and stationary stores (other than adult related material)	C	-	-	-	-	-
Building maintenance services	-	-	C	P	P	-
Building supplies and sales	-	-	C	C	-	-
Building supplies sales, enclosed	-	-	-	P	-	-
Building supplies sales (wholesale and retail), indoor	-	-	-	-	P	-
Building supplies sales (wholesale and retail), outdoor	-	-	-	-	C	-
Building supplies and sales, outdoor	-	-	-	C	-	-
Business and office services	P	-	-	-	-	-
Business and office facilities	-	-	P	P	-	-
Business support services	-	-	P	P	-	-
Camera shop and film processing services	-	P	P	P	-	-
Candy and confectionery stores (retail only)	C	P	P	P	-	-
Carpet and floor covering stores	-	P	P	P	-	-
China and glassware stores	C	P	P	P	-	-
Cleaning and pressing establishments	-	P	P	P	-	-
Computer and software stores	C	P	P	P	-	-
Communication services	-	-	P	P	P	-
Contractor's office and storage yards, indoor	-	-	-	-	P	-
Contractor's office and storage yards, outdoor	-	-	-	C	C	-

Convenience stores	C	P	P	P	-	-
Curtain and drapery shops	-	P	P	P	-	-
Day care centers	C	C	C	C	-	-
Delicatessens and specialty food stores	-	P	P	P	-	-
Drug stores and pharmacies	C	P	P	P	-	-
Emergency shelters subject to Chapter 18.78	-	-	-	-	P	-
Equipment sales and services, indoor	-	-	-	P	-	-
Establishments with on-site alcohol beverage sales and consumption that are not bona fide eating establishments (bars, taverns, cocktail lounges, breweries, distilleries and/or wine making facilities with sales for on-site and off- site consumption) <sup>b</sup>	C	C	C	C	-	-
Florist shops	C	P	P	P	-	-
Funeral homes (without crematory services)	-	-	-	C	-	-
Funeral homes (with crematory services)	-	-	-	-	C	-
Furniture stores	C	P	P	P	-	-
General assembly facilities (other than church facilities)	P	-	-	-	-	-
Government offices and service facilities	-	-	-	-	-	P
Grocery stores and supermarkets	C	P	P	P	-	-
Hardware stores	C	P	P	P	-	-
Heavy equipment rentals, sales and services, indoor	-	-	P	P	P	-
Heavy equipment rentals, sales and services, outdoor	-	-	C	C	C	-
Hobby and craft shops	C	P	P	P	-	-
Ice cream and yogurt shops	-	P	P	P	-	-
Jewelry stores	C	P	P	P	-	-
Laundry (self-service)	-	P	P	P	-	-
Laundry and cleaning services	-	-	-	P	-	-
Laundry and dry-cleaning facilities	-	-	-	-	P	-
Leather goods and luggage stores	C	P	P	P	-	-
Liquor stores	C	P	P	P	-	-
Mail order services	-	-	-	P	P	-
Manufacturing, light facilities	-	-	C	P	P	-
Manufacturing, medium facilities	-	-	-	-	P	-
Medical and dental offices and related health clinics	P	-	-	-	-	-
Modular units for office purpose only	-	-	-	C	-	-
Modular units for business office or headquarter purposes only	-	-	-	-	C	-
Motels and hotels	-	C	C	C	-	-
Nurseries and garden supply stores	C	P	P	P	-	-
Nursing and retirement home facilities	C	-	-	-	-	-

Office supplies store	-	P	P	P	-	-
Outdoor displays/uses shall take place in front of business on site, which have been approved with a conditional use permit. Under special circumstances outdoor uses/displays are allowed without conditional use permits during two city-wide events (the Grand Terrace Days in June and Tour De Terrace Bike Event in October), and in connection with business grand openings. Temporary special event permits will be required for display of associated balloons, banners and special event signs.	-	C	C	C	-	-
Paint, glass and wallpaper stores	C	P	P	P	-	-
Pet shops	-	P	P	P	-	-
Photography and film processing facilities	-	-	-	-	P	-
Plant nurseries, wholesale, outdoor	-	-	-	-	C	-
Printing, blueprinting and reproduction services	-	P	P	P	P	-
Private School Facilities	C	-	-	-	-	-
Public and quasi-public facilities	C	-	-	-	-	-
Public library facilities	-	-	-	-	-	P
Public parks and recreational facilities	-	-	-	-	-	P
Public schools facilities	-	-	-	-	-	P
Public storage facilities, indoor	-	-	P	P	P	-
Public storage facilities, outdoor	-	-	C	C	C	-
Public utility facilities and services	-	-	C	C	C	P
Record, tape and video stores (sales and rental)	-	P	P	P	-	-
Recreational facilities	-	-	C	C	C	-
Recreation vehicle storage, indoor	-	-	-	-	P	-
Recreational vehicle storage, outdoor	-	-	-	-	C	-
Research and development facilities	-	-	P	P	-	-
Research services	-	-	-	P	-	-
Restaurants: With incidental serving of beer and wine (without a cocktail lounge, bar, entertainment or dancing)	-	P	P	P	-	-
Restaurants: With a cocktail lounge, bar, entertainment- or dancing)	-	C	C	C	-	-
Restaurants: Fast food (without a drive-thru)	-	P	P	P	-	-
Restaurants: With entertainment and/or serving of alcoholic beverages (other than beer and wine)	-	C	C	C	-	-
Restaurants: Fast food (with a drive-thru)	-	C	C	C	-	-
Secondhand sales	-	C	C	C	-	-
Shoe stores (sales and repair)	-	P	P	P	-	-

Sporting goods stores	C	P	P	P	-	-
Tailor shops	-	P	P	P	-	-
Temporary uses which are determined by the community <b>Planning and Development Services Director or their designee that do not to have significant long-term impact on the environment.</b> (Uses such as parking lot sales, Christmas tree sales, seasonal sales, rummage sales, and others with review through the land use <b>permit</b> approval or administrative site and architectural approval <b>temporary use permit approval</b> process in accordance with Chapter 18.63, <del>Site and Architectural Review</del> )	-	P	P	P	P	-
Television, radio, VCR, stereo and CD component stores (sales and repair)	-	P	P	P	-	-
Toy stores	C	P	P	P	-	-
Variety department stores	C	P	P	P	-	-
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): electric vehicle charging stations (accessory use) <sup>c</sup>	P	P	P	P	P	P
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): parts and supplies (retail)	-	P	P	P	P	-
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): parts and supplies (wholesale)	-	-	-	-	P	-
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): rentals	-	C	C	C	P	-
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): repair	-	-	-	C	P	-
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): sales (new and used vehicles)	-	C	C	C	C	-
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service	-	C	C	C	C	-

related to boats, trailers and campers.): service stations

Veterinary clinic (completely contained in a building)	-	C	C	P	P	-
Watch and clock shops (sales and repair);	C	P	P	P	-	-
Wireless communication facilities subject to Chapter 18.71	C	C	C	C	C	C
Wholesale, storage and distribution facilities	-	-	-	P	P	-
Yardage goods stores	-	P	P	P	-	-

Footnotes:

- a. Land uses subject to Chapter 18.27.020 Nonresidential Hours of Operation.
- b. "Bona fide public eating place" means a place which is regularly and in a bona fide manner used and kept open for the serving of meals to "guests" for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking and an assortment of foods which may be required for ordinary "meals", the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the department of health. "Meals" means the usual assortment of foods commonly ordered at various hours of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement. In addition, the following, and offerings similar to them, do not meet the meal requirement:
  - Snacks such as pretzels, nuts, popcorn, pickles, and chips.
  - Food ordinarily served as appetizers or first courses such as cheese sticks, fried calamari, chicken wings, pizza bites (as opposed to a pizza), egg rolls, pot stickers, flautas, cups of soup, and any small portion of a dish that may constitute a main course when it is not served in a full portion or when it is intended for sharing in small portions.
  - Side dishes such as bread, rolls, french fries, onion rings, small salads (green, potato, macaroni, fruit), rice, mashed potatoes, and small portions of vegetables.
  - Reheated refrigerated or frozen entrees.
  - Desserts.

"Guests" shall mean ~~persons~~ **people** who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal

therein. Nothing in this Section, however, shall be construed to require that any food be sold or purchased with any beverage.

- c. Nonresidential Electric Vehicle Charging Stations shall be processed by the City in compliance with AB 970 (McCarty, 2021) subject to the specific binding timelines for the expedited, streamlined, ministerial review and approval of Electric Vehicle Charging Station (EVCS) permit applications per Assembly Bill 1236 (Chiu, 2015). The review periods for Electric Vehicle Charging Stations are determined based on the size of the proposed project.

#### Application Completeness.

- 1-25 Electric Vehicle Charging Stations at a single site: 5 business days.
- 26 or more stations at a single site: 10 business days.

#### Application Approval.

- 1-25 Electric Vehicle Charging Stations at a single site: 20 business days.
- 26 or more stations at a single site: 40 business days.

#### Conditions of Approval for Expedited Review.

- All proposed Electric Vehicle Charging Stations and equipment shall conform with the City of Grand Terrace Objective Design Standards (ODS).
- Electric Vehicle Charging Station equipment including transformers, generating stations, energy storage units, and any other electric vehicle charging station related equipment must be adequately screened from visible view to the satisfaction of the City by one or combination of the following:
  - Permanent masonry enclosure with decorative block wall and metal roof covering. Access gates/doors to be lockable and secure.
  - Shrink wrap material acceptable to the City's objective design standards.”

**SECTION 9.** Section 18.48.040 “Review Procedures” of Chapter 18.48 - “R3-24 OVERLAY DISTRICT” of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

**“18.48.040 - Review Pprocedures.**

Development applications in the R3-24 overlay district shall be processed as an ~~administrative site and architectural~~ **Land Use Permit Application** review application pursuant to Subsection 18.63.020.G.”

**SECTION 10.** Section 18.56.020 “Permitted Uses” of Chapter 18.56 – “AG-2 AGRICULTURAL-2 OVERLAY DISTRICT” of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

**“18.56.020 – Permitted Land Uses.**

**Land** Uses permitted in the AG-2 overlay district are as follows:

- A. Temporary uses which are determined by the ~~Community~~ **Planning and Development Services** Director not to have significant long-term impact on the environment. (Uses such as parking lot sales, Christmas tree sales, seasonal sales, rummage sales, and others with review through the ~~Land Use Permit Application review and approval process;~~ or, ~~administrative site and architectural~~ **the Temporary Use Permit review and approval process** in accordance with Chapter 18.63, ~~Site and Architectural Review.~~)”

**SECTION 11.** Chapter 18.63 – “SITE AND ARCHITECTURAL REVIEW” of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

**“Chapter 18.63 SITE AND ARCHITECTURAL REVIEW**

Sections:

**18.63.010 Purpose.**

The purpose of this chapter is to empower the planning commission to sit as the ~~City of Grand Terrace's Planning Commission~~ **City of Grand Terrace's Planning Commission** ~~site and Architectural Review Board~~ and the ~~community development~~ **director of Planning and Development Services** with the responsibility for comprehensive site plan and architectural review in order to achieve the following:

- A. To ensure that new development and the alteration or enlargement of existing development occurs in a manner that is consistent with the intent of this title and the ~~City of Grand Terrace~~ **City of Grand Terrace** ~~General Plan~~;
- B. To ensure that the location and configuration of structures are visually harmonious with their sites and surrounding sites and structures, that they do not interfere with neighbors' privacy, that they do not unnecessarily block scenic views from other structures and/or public areas, and be in scale with the townscape and natural landscape of the area;

- C. To ensure that the architectural design of structures and their materials and colors are visually harmonious with surrounding development, natural landforms, is functional for the proposed project and is consistent with this title;
- D. To ensure that plans for landscaping and open spaces provide a functional and visually pleasing setting for the structures on the site and is harmonious with the natural landscape of the area and nearby developments;
- E. To ensure the preservation of the natural beauty of the city and its setting, to prevent the indiscriminate clearing of property, the destruction of trees and natural vegetation and the excessive and unsightly grading of hillsides, and to preserve the natural landforms;
- F. To ensure that the design and location of signs are consistent with the scale and character of the building to which they are attached or otherwise associated with and are consistent with this title;
- G. To ensure that structures/buildings damaged by fire, earthquake and other natural disasters are reconstructed in accordance with the Grand Terrace Municipal Code, zoning code and other applicable health and safety, building, and fire codes.
- H. To mitigate governmental constraints on the production of single-family housing, and to expedite permit processing of single-family housing, and/or reduce permitting fees for single-family housing.**

**18.63.020 Application.**

- A. There are ~~three~~ **two** levels of applications for site and architectural review:
  - 1. Land ~~Use~~ **Permit** Application (*ministerial*);
  - 2. ~~Administrative site and architectural review; and~~
  - 2.3. Site and ~~A~~ **Architectural Permit Application** review (with public hearing).
- B. Land Use **Permit** Application. The purpose of this section is to empower the ~~community development~~ **Planning and Development Services** ~~Director~~ or representative **their designee** with responsibilities for *ministerial* site and architectural review of minor items, ~~yet which may~~ **that** have **no** potential to adversely affect the environment. ~~Noticing to adjacent property owners will be at the discretion of the community development director, with the exception of satellite dishes.~~
  - 1. Land ~~Use~~ **Permit A**pplication, regardless of need for a **building** permit, shall be required in the event any of the following actions or construction occur:
    - a. Any new construction exceeding six (**6**) feet in height;

- b. Any remodeling or renovation of a structure which results in:
  - i. A change in use or intensity of use (includes any ~~proposed~~ use of a structure which has been vacant for a period of six **(6)** months or more), or
  - ii. An increase in building size (including bulk area and floor area), or
  - iii. Increased capacity, or
  - iv. Additional street access;
- c. Plan check or clearance of building plans including, but not limited to: swimming pools, spas, patio covers, enclosed ~~structures~~ **patios**, all types of accessory structures, walls, fences and other structures which do not require ~~administrative or formal site and architectural review.~~
- d. Additions to existing residential structures located in a residential district and the exterior design and materials of the addition match the exterior design and materials of the existing structure.**

~~2. The following items may be approved by the Planning Director without going to the Site and Architectural Review Board:~~

- ~~e.a. Sunrooms, provided they *strictly* meet the ~~planning commission setbacks~~ policies, UBC and other construction code regulations;~~
- ~~f.b. Satellite dish antennae, provided they can be screened from the street in accordance with code and design standards. ~~Notice including location map or site plan shall be mailed to adjacent property owners requesting comments at least two weeks in advance of the Planning Director's decision;~~~~
- ~~g.e. Overhead decks, provided they strictly meet the Planning Commission design guidelines;~~
- h.d. Single family homes that do not require a variance and are compliant with zoning and general plan designations are processed ministerially.**  
~~Ground floor additions to existing residential structures located in an R1 district where the addition is less than 500 square feet gross floor area and the exterior design and materials of the addition match the exterior design and materials of the existing structure;~~
- ~~i.e. Fences or walls which do not meet Section 18.73.070;~~
- ~~j.f. All construction of elevated decks;~~
- ~~k.g. Construction of playhouses according to Section 18.63.110 of this Chapter;~~

~~l.h.~~ Temporary uses with insignificant adverse, long-term impact on the environment, i.e., parking lot sales, rummage sales, Christmas tree sales, seasonal sales and others in the commercial and industrial areas other than residential areas;

~~m.i.~~ In the case of damaged or partially damaged structures due to fire, earthquake, explosion or other natural disasters, and the structure will be reconstructed in the exact condition prior to the disaster and in conformance with applicable City codes and the Zoning Code.

~~C. Administrative Site and Architectural Review Application. The purpose of this application is to allow staff level review of projects of medium scale and impact without the need for a public hearing, related costs and noticing procedures.~~

~~The following items may be approved by the Planning Director without going to the Site and Architectural Review Board. However, the plans must be routed to all reviewing agencies and notices shall be mailed to adjacent property owners requesting comments within two weeks.~~

~~The Planning Director's decisions shall be final unless appealed to the Planning Commission within ten calendar days.~~

~~Appeals shall be filed with the Planning Department and follow similar rules as the appeals to the City Council (Section 18.63.070).~~

~~n.1.~~ All accessory structures, except:

~~1.a.~~ Structures with 65 percent or more of the square footage of the main residence living area. Living area does not include porches, patios, carports, garages, storage areas, or auxiliary rooms;

~~2.b.~~ Structures 1,200 square feet or more in size;

~~3.c.~~ Structures with lot coverage higher than 25 percent;

~~o.2.~~ All room additions, except room additions with 65 percent or more of the square footage of the main residence living area. Living area does not include porches, patios, carports, garages, storage areas, or auxiliary rooms;

~~p.3.~~ Large scale temporary uses of insignificant adverse impact on the environment, i.e., parking lot sales which require review by fire, health and other agencies;

~~q.4.~~ In case of damaged structures due to fire, earthquakes or other natural disasters where the structure will be reconstructed with alterations but not sufficient to trigger a public hearing.

- r.5- Developments within the R3-24 and R3-24 Overlay districts. Such developments shall not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.
- s.6- Applications for second units and two-unit developments in accordance with Chapter 18.65.

t.7-Applications for accessory dwelling units and junior accessory dwelling units in accordance with Chapter 18.69.

**u. Urban Lot Splits in accordance with Chapter 17.30.**

**v. Minor changes to an approved Site and Architectural Permit or Planned Residential Development.**

Any item which could not be satisfactorily reviewed *ministerially* at staff level may be ~~shall be~~ subject to site and architectural *permit* review at the discretion of the Community **Planning Commission Site and Architecture Review Board** Development Director. ~~The Community Development Director's decisions shall be final unless appealed to the Planning Commission within ten calendar days. Appeals shall be filed with the Planning Department and follow similar rules as the appeals to the City Council (Section 18.63.070).~~

D. Site and Architectural Review **Permit** Application. The purpose of this application is to allow major projects to receive full review from the **Planning Commission** Site and Architectural Review Board through a public hearing process. Site and architectural review by the **Planning Commission** Site and Architectural Review Board includes, but is not limited to:

1. All items which are not subject to *ministerial* land use *permit* or administrative site and architectural review applications;
2. Any conversion of a single ownership property to a condominium ownership or stock cooperative project;
3. Any placement of a modular structure in any district in accordance with this Title;
4. ~~Any other project subject to site and architectural review as listed in this Title or in the Barton Road specific plan;~~
- 4.5. ~~Any item which could not be satisfactorily reviewed at the staff level per discretion of the Community Development Director. Additionally, A~~any replacement or reconstruction of disaster-damaged structures that are not in the same condition as prior, including changes initiated by the applicant or increased square footage of 65 percent or more of the main residential livable area, lot coverage over 25 percent or add accessory structure over 1,200 square feet;

5.6. Refer to chart Review Process for Nonconforming Structures Affected By Natural Disasters/Fire.

**6. Major changes to an approved Site and Architectural Permit or Planned Residential Development.**

Review Process for Nonconforming Structures  
Affected by Natural Disasters/Fire

1. Proposed Threshold Triggering Zoning Conformity.
  - a. Cost to rebuild equal or greater than seventy-five percent of current value of property. (assessed, appraised, or construction value, whichever is greater).
    - Bring whole building up to all codes, since the structure is basically being redone.
  - b. Cost to rebuild less than seventy-five percent
    - Does not trigger zoning conformance. However, continues triggering building compliance.
2. Site and Architectural Review Procedures for Damaged Structures Chart.

<u>Description of Property</u>	<u>Threshold of Zoning Conformity</u>	<u>Can It Be Rebuilt? / Codes to Comply</u>	<u>Proposed Process</u>	
			<u>Applications Required In Case of No Alterations*</u>	<u>Applications Required in Case of Alterations**</u>
Two counts nonconforming (use and structure)	(Cost to rebuild is equal or greater than 75 percent of the current value of property)	Cannot be rebuilt because it is not in conformance with city codes	N/A	N/A
i.e., old residential unit located on Barton Road (commercial area)	(Cost to rebuild is less than 75 percent of current value of property)	Can be rebuilt/allowed not to be in conformance with zoning code	Only building permits required	Alterations to meet all codes, CUP required Not supposed to expand
One count nonconforming (structure only)	(Cost to rebuild is equal to or greater than 75 percent of the	Can be rebuilt and requires conformance with all codes	Land use and building permit required	SA review portionately

	current value of property)			
i.e., old residential unit located in residential district	(Cost to rebuild is equal or less than 75 percent of current value of property)	Can be rebuilt allowed not to be in conformance with zoning code	Building permit only	Alterations to meet all codes, CUP required Not supposed to expand

\* No alterations: Exception: Alterations to bring structure into compliance with building codes.

\*\* With alterations: Other expansion of structures per applicant's initiative.

**18.63.030 Scope.**

The responsibility of the **Planning Commission** Site and Architectural Review Board and/or **Planning and Development Services Department** Director is to provide comprehensive site plan and architectural review of projects. The scope of the review is to consider the site plan in relation to the property and development standards (i.e. setbacks, lot coverage, building height, parking, etc.), placement of structures, vehicle and pedestrian access, landscaping, police and fire services, grading and drainage, traffic, relationship to existing and planned uses of adjoining and surrounding properties, and relationship to nearby properties and structures and surrounding natural topography. It is also to consider the ~~proposed~~ architecture of buildings in terms of style and design, materials and colors, and size and bulk in relation to the surrounding properties.

Where site and architectural review is required the **Planning Commission** Site and Architectural Review Board and/or the ~~Community~~ **Planning and Development Services** Director shall consider the following issues (other relevant issues not listed below may also be considered):

- A. The ~~proposed~~ site plan for the property shall be reviewed taking into consideration the following:
  1. Placement of all structures and improvements (including adherence to setback requirements);
  2. Vehicular ingress and egress;
  3. Internal vehicular circulation and parking lot design;
  4. Pedestrian and vehicular safety;
  5. Landscaping;
  6. Pedestrian amenities;

7. Lighting;
  8. Location of all service facilities, including waste recycling bins;
  9. Walls and fences;
  10. Police and fire protection;
  11. Relationship to adjoining properties, structures and the site's and surrounding area's natural topography;
  12. Grading and drainage issues;
  13. Relationship to existing and/or the planned use of adjoining properties and within the general area;
  14. Consistency with this Title and the general plan;
  15. Traffic-control measures.
- B. The ~~proposed~~ architecture of all structures shall be reviewed taking into consideration the following:
1. Architectural style and building design;
  2. Proposed building materials and colors;
  3. Height of structures;
  4. Design and location of all signs;
  5. Size and bulk of the structures in relation to existing and/or planned structures on the subject site, adjoining properties and within the general area;
  6. Consistency with this title and the general plan.

**18.63.040 Submittal process.**

Applications for site and architectural review shall be submitted to the ~~planning~~ department **Planning and Development Services Department**. The ~~Planning Director~~ **Planning and Development Services Director of their designee** shall review each application and determine its completeness in accordance with planning department policy. Upon determination that an application is complete, the application shall be scheduled either for review by the ~~Planning Commission~~ **Site and Architectural Review Board** or by the ~~community~~ **Planning and Development Services Director** as applicable according to Section 18.63.020. Land ~~Use~~ applications may be completed by assigned planners at the counter or taken in for review as needed.

An application for site and architectural review shall contain the following:

- A. Completed application form ***includes***:
  1. ***Parcel numbers, legal description, and site address.***
  2. ***Name, address, and contact information of applicant and property owner.***
  3. ***Wet-signed owner consent letter if applicant is not the property owner.***
  4. ***Existing uses, structures, and major physical alterations on the site.***
  5. ***Existing site conditions including trees, topography, easements, and utilities.***
  6. ***Aerial and street view site photograph showing existing environmental features.***
  7. ***Identification of replacement housing units and affordable housing units.***
  8. ***Proposed number of dwelling units by type, size, and tenure.***
  9. ***Nonresidential square footage, if applicable.***
  10. ***Proposed number of bonus units and all requested incentives, waivers, concessions, or parking reductions.***
  11. ***Total project data including:***
    - a. ***Land use designation***
    - b. ***Zoning district***
    - c. ***Unit mix (studio, 1-bed, etc.)***
    - d. ***Lot Coverage***
    - e. ***Total square footage***
    - f. ***Square footage by structure***
    - g. ***Setbacks (front, side, rear)***
    - h. ***On-site open space and common open space***

- i. Landscape coverage (sq. ft. and percentage)*
  
- 12. Landscape plan prepared by a licensed landscape architect**
  
- 13. Irrigation plan and complete Model Water Efficient Landscaping Ordinance (MWELo) compliance documentation.**
  
- 14. Proposed plant palette and planting schedule.**
  
- 15. Materials board with manufacturer specification sheets.**
  
- 16. Window and door manufacturer specification sheets.**
  
- 17. Title Report dated within the last 6 months.**
  
- 18. Location of all recorded public easements including storm drain, sewer, water, and utilities.**
  
- 19. Identification of environmental constraints including:**
  - a. Very high fire hazard severity zone*
  - b. Wetlands*
  - c. Hazardous materials sites*
  - d. FEMA 100-year flood zone*
  - e. Earthquake fault zone*
  - f. Streambeds subject to Fish & Game Code §1600*
  - g. Special-status species occurrences*
  
- 20. Subdivision information if required (parcel map, tentative map, condo map).**
  
- 21. Environmental application and associated fees.**
  
- 22. Technical studies including, as applicable:**
  - a. Phase I Environmental Site Assessment*
  - b. Geotechnical/Soils report*

- c. Hydrology and stormwater quality management plan*
  - d. Traffic and circulation study*
  - e. Noise study*
  - f. Water and sewer demand studies*
- 23. On-site improvement plan (sidewalks, lighting, paving, utilities).**
- 24. Off-site improvement plan (street trees, street lighting, curb, gutter, sidewalk, frontage improvements).**
- 25. Plans submitted to the San Bernardino County Fire Department and obtain Fire Permit Letter.**
- 26. Solar and solar-ready area diagrams.**
- 27. Location of transformers, mechanical equipment, and all above-grade utilities.**
- 28. Fire rating of exterior walls and fenestration areas.**
- 29. EV charging plan.**
- 30. Manufactured home information, when applicable:**
- a. Engineered foundation plans*
  - b. HUD certification*
  - c. Unit age*
  - d. Roof and exterior material compliance*
  - e. Fire separation diagrams*
- 31. Public art compliance information or fee-in-lieu documentation.**
- 32. Sign Program application (if applicable).**
- 33. Utilities will-serve letters (water, sewer, power, gas, schools).**
- 34. Waste Management Plan for demolition and construction waste.**

**35. Demolition asbestos/lead clearance from licensed abatement contractor.**

**36. Street improvement plans and precise grading permit application.**

A. Site plan, ~~twenty~~-five blueline copies plus one blueline copy colored for presentation purposes. The site plan shall be a fully dimensioned drawing clearly showing:

1. All buildings, property lines and easements;
2. All parking spaces, driveways and drive aisles **scaled and dimensioned, including EV and ADA spaces;**
3. All landscaped areas;
4. All walls and fences;
5. Location of all signs;
6. Public improvements to the street centerline;
7. Site address and assessor's parcel number;
8. Property owner name and address;
9. Number of lots and their sizes (in square feet);
10. North arrow, graphic and numeric scales.

**11. Building massing, height, number of stories, and approximate square footage.**

**12. Building-to-building separation distances.**

**13. Identification and dimension of required setbacks.**

C. Elevations, ~~twenty~~-five blueline copies plus one blueline copy colored for presentation purposes. The elevations shall be scaled, dimensioned drawings of each side of each building and/or sign.

D. Landscape plan, ~~twenty~~-five blueline copies plus one blueline copy colored for presentation purposes. The landscape plan shall show the location of all proposed plant material, common and botanical names, quantities and sizes, paved areas and paving materials and property lines.

- E. Grading plan, ~~twenty-five~~ **blueline** copies plus one blueline copy colored for presentation purposes. The grading plan shall show existing and proposed topography for the site and within one hundred feet of the property lines. The plan shall also show all trees with a trunk diameter greater than four inches.
- F. Material board, one eight-and-one-half-inch by eleven-inch mounting board showing samples of exterior design elements such as roofing material, paint chips, brick, stone or other accent features.
- G. ~~Three-hundred-foot-~~**Radius** map **compliant with Section 8.03.070**, property owner mailing list keyed to the radius map and a signed mailing list affidavit.
- H. Application Fee. In case of ~~administrative site and architectural review and land use applications~~, the number of plans and specific requirements will be determined by the ~~community development director~~ **Director of Planning and Development Services or their designee** on a case-by-case basis according to the scale and impact of projects. The ~~community development director~~ **Director of Planning and Development Services or their designee** may require additional information or delete certain requirements from an application depending on the specific situation.

**I. Three (3) USB Thumb drives with digital copies of all of the above.**

**18.63.050 Public hearing.**

The **Planning Commission** ~~Site and Architectural Review Board~~ shall hold a public hearing on any ~~proposed site and architectural review~~ **permit** application and shall notice said hearing in accordance with Section 65091 of the California Government Code, and with Section 18.03.070 (Public hearing notice) of Chapter 18.03 (General provisions).

**18.63.060 Approval process.**

After review of an application, the **Planning Commission** ~~Site and Architectural Review Board~~ shall approve the application only if **the following findings can be made**:

~~A. The following findings are made:~~

1. The ~~proposed~~ project is consistent with the intent of this code and the general plan;
2. The location and configuration of all structures associated with this project are visually harmonious with this site and surrounding sites and structures, that they do not interfere with the neighbors' privacy, that they do not unnecessarily block scenic views from other structures and/or public areas and are in scale with the townscape and natural landscape of the area;

3. The architectural design of structures, their materials and colors are visually harmonious with surrounding development, natural landforms, are functional for the proposed project and are consistent with ~~this code~~ **the City of Grand Terrace Municipal Code**;
4. The plan for landscaping and open spaces provides a functional and visually pleasing setting for the structures on this site and is harmonious with the natural landscape of the area and nearby developments;
5. There is no indiscriminate clearing of property, destruction of trees or natural vegetation or the excessive and unsightly grading of hillsides, thus the natural beauty of the city **City of Grand Terrace**, its setting and natural landforms are preserved;
6. The design and location of all signs associated with this project are consistent with the scale and character of the building to which they are attached or otherwise associated with and are consistent with this code;
7. Conditions of approval for this project necessary to secure the purposes of ~~this code~~ **the City of Grand Terrace Municipal Code** and **City of Grand Terrace General Plan** are made a part of this approval.

**18.63.070 Appeal process.**

The decision of the **Planning Commission Site and Architectural Review Board** shall be final unless appealed to the City Council within ten **(10)** calendar days. Such an appeal may be made by the applicant, any member of the City Council or any other interested person.

- A. ~~An appeal of a site and architectural review board~~ **Planning Commission Site and Architectural Review Board** decision shall be made in the following manner:
  1. Filing with the City Clerk's office a completed application for appeal;
  2. Payment of the appropriate appeal fee.
- B. After accepting an application for appeal, the City Clerk shall set a date for the City Council to hear the appeal. Notices of the appeal shall be given to the applicant, the **Planning Commission Site and Architectural Review Board** and the appellant. The notice shall also be provided in accordance with Section 18.63.050 (Public hearing) of Chapter 18.63 (Site and architectural review).
- C. ~~The site and architectural review board~~ **Planning Commission Site and Architectural Review Board** shall submit a report to the City Council containing

the reasons for the ~~board~~ **Commission's** decision and the minutes of its meeting regarding the appealed decision.

- D. The City Council shall hear the appeal and make its own determination regarding the application and its consistency with this Title and the general plan. Upon such determination, the City Council shall uphold, modify or reverse the **Planning Commission** ~~Site~~ and Architectural Review Board's decision. If during the City Council's hearing of the appeal, new information is provided that was not considered by the **Planning Commission** ~~Site~~ and Architectural Review Board, the City Council may refer the application back to the **Planning Commission** ~~Site~~ and Architectural Review Board for reconsideration of the application with the new information.

### **18.63.080 Building permit process.**

After the appropriate appeal period has ended or after a final determination is made by the City Council, the applicant may submit for building permits.

The application shall include three **(3)** sets of the approved site plan, elevations, landscape plan and grading plan, ~~each set shall be approved and signed by the Community Development Director~~ and shall have attached to it a copy of any conditions of approval required by the **Planning Commission** ~~Site~~ and Architectural Review Board or the City Council. Two **(2)** of the required sets of plans shall be submitted to the Department of Building and Safety along with the appropriate construction specification plans for the approved project. The third set shall be kept on file in the ~~Planning~~ **Building** Department **for pickup by the County Assessor's Office**. The Department of Building and Safety shall then prepare the appropriate permits in accordance with all applicable state and local codes.

***At the time of building permit application, the applicant shall submit all required plans and documents for Building & Safety plan review including plan review fee. Plan review and permit fees shall be paid prior to permit issuance. The applicant shall provide the following plan sets and documents:***

#### **A. Building & Safety Plan Submittal Requirements**

- 1. (3) Architectural Plans**
- 2. (3) Structural Plans**
- 3. (2) Structural Calculations**
- 4. (2) Roof and Floor Truss Plans**
- 5. (3) Plot/Site Plans**
- 6. (3) Electrical Plans**

**7. (3) Electrical Load Calculations**

**8. (3) Plumbing Plans (water, sewer, gas, and isometrics)**

**9. (3) Mechanical Plans**

**10. (3) mechanical Duct Layout Plans**

**11. (2) Title 24 Energy Calculations**

**12. Dd (2) Soils and Hydrology Reports**

**B. Building Code Compliance**

**All structures shall be designed in accordance with the applicable California Building Standards Code, including the California Building, Mechanical, Plumbing, Electrical, Residential, and Green Building Standards Codes.**

**C. Public Right-of-Way Work**

**Any work in the public right-of-way shall comply with the San Bernardino County Public Works Standards or standards approved by the Public Works Director, City Engineer, or their designee.**

**D. Final Occupancy Coordination**

**The Developer/Owner is responsible for coordinating all final inspection and occupancy requirements and shall obtain sign-offs from all City departments and divisions on the Building & Safety Job Card prior to requesting final inspection.**

**E. Inspection Requests**

**Building & Safety and Public Works inspections may be requested 24 hours in advance by calling (909) 954-5200 or by visiting the Building & Safety public counter.**

**F. Construction Site Requirements**

- 1. Construction sites shall be fully secured with fencing and screening at all times.**
- 2. Sanitary toilet facilities shall be provided and maintained in compliance with ANSI ZA.3.**

### **G. Construction Waste Recycling Requirements**

**Prior to building permit issuance, the applicant shall enter into a construction waste recycling agreement pursuant to Ordinance No. 243. All waste shall be disposed at approved Burrtec Waste Industries facilities. Receipts must be maintained onsite for inspection. Disposal at non-approved facilities may result in forfeiture of the recycling deposit.**

### **H. Temporary Construction Power**

**Temporary electrical power requires and Electrical Permit. No temporary power shall be issued unless:**

- 1. A construction trailer is installed; or**
- 2. A secure, fenced location for electrical equipment has been established and approved.**

### **I. Construction Trailers**

**Construction or sales trailers shall be located on private property only and are prohibited within the public right-of-way. The Department of Building and Safety shall then prepare the appropriate permits in accordance with all applicable state and local codes.**

### **18.63.090 Minor alterations and revisions.**

An applicant may request minor alterations or revisions to approved plans by the **Planning Commission** Site and Architectural Review Board after the initial approval of the plans as follows:

- A. Minor alterations to the approved plans which result in a change to the exterior facade of a structure, any element of the landscaping plan or the design of the site plan may be approved by the Community **Planning and Development Services** Director **or their designee**. Other minor alterations may be approved by the Building **Official** and Safety Director. All approved minor alterations shall not result in a substantial change from the approved plans.
- B. Any proposed revisions which result in a substantial change to the approved plans shall be submitted to the **Planning Commission** Site and Architectural Review Board for consideration pursuant to the procedures set forth in this Chapter for initial application.

### **18.63.100 Expiration and Eextensions.**

The approval of a site and architectural review application shall expire ~~one~~ **two (2)** years from the date of its approval unless the following actions occur:

- A. The applicant applies for a building permit and commits substantial investment in accordance with the approved plans prior to the expiration date.
- B. A business license is issued in accordance with this Code, as applicable.
- C. The applicant has complied with all applicable conditions of approval.

In case the applicant is not able to comply with Subsection A, B or C of this Section, then the applicant shall apply for an extension of the one **(1)** year compliance period prior to expiration date.

The Planning **and Development Services** Director may, upon application by the applicant, extend the period of approval for a length of time up to one **(1)** year. ~~No approval shall be extended to a date beyond two years from the date of the initial approval.~~

**18.63.110 Playhouse Rreview Gguidelines.**

- A. Definition. "Playhouses" consist of small structures (maximum of **one hundred and twenty (120)** square feet, with ground-mounted or elevated floor where raised floor does not exceed six feet in height. Playhouses are made by property owners, "handyman" or premanufactured kits, usually with elevated portions at times connected to other play equipment such as jungle gyms, swings, etc. Playhouses are usually built of wood, painted metal and various other materials. Playhouses are sometimes placed over a tree. These structures are built as children play areas.

It should be noted that premanufactured kits are not pre-approved structures and do not necessarily conform to City codes and to these guidelines. Such kits are subject to the guidelines as much as any playhouses built from scratch by a "handyman" or property owner.

Playhouses are considered accessory structures or "subordinate structures" to the main residence and shall be built in compatibility with the main residence and with surrounding sites and structures.

- B. Goals. The review of a playhouse is therefore to achieve the same goals as the site and architectural review of a main residence, as listed in Section 18.63.010, Purpose, of this Chapter:
  - 1. To ensure that the location and configuration of structures are visually harmonious with their sites and surrounding sites and structures, that they do not interfere with neighbors' privacy, that they do not unnecessarily block scenic views from other structures and/or public areas, and be in scale with the townscape and natural landscape of the area;

2. To ensure that the architectural design of structures and their materials and colors are visually harmonious with surrounding development, natural landforms, is functional for the proposed project and is consistent with this title;
3. To ensure the preservation of the natural beauty of the city and its setting, to prevent the indiscriminate clearing of property, the destruction of trees and natural vegetation and the excessive and unsightly grading of hillsides, and to preserve the natural landforms.

C. Specific Review Criteria.

1. Location of playhouse shall minimally meet accessory structure setbacks (ten feet rear and five feet side setbacks from toe or top of slope) and shall not be located on utility easements or public right-of-way. It is recommended that playhouses be located as not to be visible from neighbors' yards, whenever possible.
2. The following criteria apply to all playhouses, but especially to playhouses which are visible from neighbors' yards:
  - a. Playhouse windows shall not face neighbors' yards but towards the main residence so as not to interfere with neighbors' privacy.
  - b. Ceiling height on elevated playhouses shall not be suitable for adults (maximum of five and one-half feet). An elevated playhouse which functions as an observation tower or elevated deck shall follow a different set of review criteria and may be subject to a public hearing. Playhouses for infants or toddlers who need constant supervision are strongly encouraged to be ground-mounted. Note that a playhouse shall not be elevated more than six feet from grade, otherwise, the "under floor" will be considered a "story" and the structure will no longer be considered a playhouse.
  - c. Colors shall be compatible with the main residence and with neighbors' fences in such a manner as to blend in as much as possible. Brightly colored playhouses visible from neighbors' yards are strongly discouraged. Pastel colors such as off-white, cream and light tan are encouraged. This applies to all construction elements, such as walls, pilasters, roof and trim.
  - d. In case playhouses barely meet the accessory structure setback requirements, a row of London plane trees or other trees are encouraged to be planted surrounding the structure to diminish visual impact of structure on adjacent residences.
  - e. Construction materials shall not include glass, cardboard or sheet aluminum roofing. No electrical or plumbing elements are allowed. First-quality materials are recommended, since playhouses do not require permits and aesthetics and safety of construction is critical.

- f. Playhouses shall be constructed so as not to obstruct scenic views of the mountains or valley and shall be on scale with adjacent development on- and off-site, i.e.:
- i. Hilly areas: In areas of small lots (7,200 square feet or less), a **one hundred and twenty (120)** square-foot elevated playhouse (**twelve (12)** feet in height) at five (**5**) feet from the property line may be perceived as a "huge structure" if seen from a neighbor's yard, especially when in a descendent topography. It is recommended that special attention be given to views when in areas with topographic gradients.
  - ii. Areas with existing accessory structures: In the case where other surrounding accessory structures are of eight (**8**) to ten (**10**) feet in height, a playhouse with height exceeding ten (**10**) feet is strongly discouraged. Harmony with scale of surrounding development is to be achieved.
  - iii. Flat areas: In case proposed playhouse is the first accessory structure with overall height above six (**6**) feet in a specific area (three to four adjacent properties), it is strongly recommended that it be ground-mounted and located so as not to be visible from neighbors' yards (roof can be visible). Preservation of existing feelings of openness and space is desired whenever possible. Unless this structure blends in "perfectly" with its surroundings, it is likely to create significant controversy.
  - iv. Playhouses on trees:
    - (A) When playhouses are installed on a live tree without alterations to the appearance of the tree, they are considered self-screened; however, all other criteria will apply.
    - (B) When playhouses are installed on a dead or significantly altered or chopped tree with or without posts of support, they are subject to the guidelines as any other playhouse.

Note that in case these structures are larger than **one hundred and twenty (120)** square feet, they are considered illegal structures and shall be demolished. A building permit is not applicable. Chopping or destroying trees to install tree houses is strongly discouraged.

Trees have several natural functions, such as cooling the environment, cleaning the air by producing oxygen, fertilizing and protecting soil from erosion and many more. Trees help to create the very same scenic view which enhances property values. Observations provide evidence that there is a very significant correlation between amount of trees on private and public spaces with high-image cities and neighborhoods. While one tree may be interrupting a scenic view, all the neighborhood trees, including the

one in question, together help maintain and enhance the quality of life and property values in that community.

D. **Playhouse** Review Procedures Required.

1. Playhouses exceeding six (**6**) feet in overall height are subject to playhouse review criteria and require Community **Planning and Development Services** Director clearance (~~land use approval **Land Use Permit Approval** application \$33.00 fee~~). Playhouses **under one hundred and twenty (120) square feet in footprint** are exempt from ~~B~~**uilding P**ermit.
2. Playhouses which are six (**6**) feet or below in overall height are exempt from both **Building P**ermit and planning **Land Use Permit** review.

Note that small structures exceeding **one hundred and twenty (120)** square feet with second story, are not considered playhouses and are subject to ~~permit~~ **Building Permit**. When subject to a ~~permit~~ **Building Permit**, such a structure will need to meet habitable standards, including, but not limited to, Title 24 of the ~~Uniform~~ **California Building Standards** Code, energy conservation, electrical, plumbing, etc. This basically transforms the small structure into a "recreation room" of "accessory living quarters."

- E. **Playhouse Approval** Process. ~~In case your proposed~~ **A** playhouse **that** meets all criteria, ~~an~~ **qualifies for an** over-the-counter approval will be granted. ~~Otherwise,~~ **A playhouse that does not meet all criteria is subject to** noticing to adjacent neighbors may be required to avoid complaints in the future. At the end of two (**2**) weeks, if no complaints **neighbor concerns** are received **that cannot be resolved**, the application will be approved subject to the ~~community development director's~~ **Planning and Development Services Director's** recommendation. To expedite the process, the applicant has the option to bring support letters from the neighbors **stating they have reviewed the plans being submitted to the City and are in support of the playhouse**. In case neighbors are concerned, a meeting will take place for exchange of information. Usually, it resolves all questions, and the project can proceed. Ultimately, ~~in case~~ **if** the applicant is not accepting of the Community **Planning and Development Services** Director's approval recommendations, then ~~he/she~~ **they** can appeal to the Planning Commission per Section 18.63.070.

**18.63.120 Mechanical Equipment Screening.**

In the case of new residential, commercial or industrial units all rooftop mechanical equipment shall be located at a distance from the edge of the building or shielded by means of a lattice or similar materials or parapet, so as not to be visible from the pedestrian level, adjacent roads or adjacent properties. In case of fire-damaged structures, staff will evaluate projects on a one-by-one-case basis before applying requirement."

**SECTION 12.** Section 18.65.020 “Ministerial Review; Standard for Denial; Courtesy Notice” of Chapter 18.65 – “SECOND UNITS AND TWO-UNIT DEVELOPMENTS” of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

**“18.65.020 - Ministerial Rreview; Sstandard for Ddenial; Ccourtesy Nnotice.**

- A. Notwithstanding any other provision of this Code, an application for a second unit or a two-unit development shall be considered ministerially, without discretionary review or a hearing, and shall be approved if it meets all of the requirements of this Chapter.
- B. An application for a second unit or a two **(2)** unit development shall be reviewed by the Planning **and Development Services** Director **or their designee** through the **ministerial** ~~administrative site and architectural~~ **Land Use Permit Application** review process, as described in Chapter 18.63, and the decision may be appealed in accordance with Subsection 18.63.020(C).
- C. Notwithstanding Subsection A, the City may deny an application for a second unit or two-unit development if the Building Official, or designee, makes a written finding, based upon a preponderance of the evidence, that the proposed second unit or two-unit development would have a specific, adverse impact, as defined in Subsection (d)(2) of Government Code Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- D. At least seven days prior to making a determination on an application for a second unit or two-unit development, the Planning Director shall mail a courtesy notice to the owner(s) of each property immediately adjacent to the property where the proposed development will be located informing the owner(s) of the submitted application.”

**SECTION 13.** Section 18.69.030 “Review Process; Certificate of Occupancy” of Chapter 18.69 – “ACCESSORY DWELLING UNITS” of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

**“18.69.030 - Review Pprocess; Ccertificate of Ooccupancy.**

- A. Applications for accessory dwelling units and junior accessory dwelling units pursuant to this Chapter shall be processed ministerially, without discretionary review or a hearing, through the ~~administrative site and architectural~~ **Land Use Permit Application** review process, as described in Chapter 18.63, within **sixty (60)** days from the date the City receives a complete **Land Use Permit Application** if there is an existing single-family or multifamily dwelling on the lot. If the application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the application for the accessory dwelling unit or the junior accessory dwelling unit until the City acts on the permit application to create the new single-family dwelling, but the application to create the accessory

dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay.

- B. A certificate of occupancy for an accessory dwelling unit shall not be issued before the City issues a certificate of occupancy for the primary dwelling.”

**SECTION 14.** Section 18.71.070 “Zoning” of Chapter 18.71 – “WIRELESS TELECOMMUNICATION FACILITIES” of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

**“18.71.070 - Zoning.**

- F. Incentive Processing. ~~An administrative site and architectural~~ **Land Use Permit Application** review may be applicable as an incentive to those telecommunication facilities which are concealed completely and integrated into existing structures, and have no aesthetic impacts per the Community **Planning and Development Services** Director **or their designee**. All standards herein apply.”

**SECTION 15.** Section 18.73.070 “Fence and Wall Height” of Chapter 18.73 – “GENERAL REGULATIONS AND EXCEPTIONS” of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

**“18.73.070 - Fence and wall height.**

- D. The permitted height of a fence or wall may be increased or reduced if:

1. The ~~Director of Building and Safety~~ **Official** determines such an increase or reduction is necessary to maintain proper vehicular and pedestrian safety.
2. The Community **Planning and Development Services** Director through the ~~Administrative Site and Architectural Review Board~~ **Land Use Permit Application review** may approve a greater or lesser height.”

**SECTION 16.** Section 18.73.2110 “Temporary Uses Allowed” of Chapter 18.73 – “GENERAL REGULATIONS AND EXCEPTIONS” of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

**“18.73.211 - Temporary uses allowed.**

Temporary uses with insignificant adverse, long-term impact on the environment, i.e., parking lot sales, rummage sales, Christmas tree sales, seasonal sales and others through the Land Use **Permit Application review and** approval ~~or administrative site and architectural approval process~~ in accordance with Chapter 18.63, ~~Site and Architectural Review~~, in the commercial and industrial uses other than residential.”

**SECTION 17.** The City Council enacts this Ordinance approving ZCA 25-03 under the authority granted to cities by Article XI, Section 7 of the California Constitution and Government Code Sections 65852.28, 65913.4.5, and 66499.41.

**SECTION 18.** If any section, subsection, paragraph, sentence, clause or phrase of the Ordinance, or its application to any person or circumstance, is for any reason held to be invalid and unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases hereof be declared invalid or unenforceable.

**SECTION 19.** This Ordinance approving ZCA 25-03 shall take effect and be in force thirty (30) days from and after its adoption.

**SECTION 20.** First read at a regular meeting of the City Council held on the 10th day of February 2026 and adopted the Ordinance after the second reading at a regular meeting held on the 24th day of February 2026.

**SECTION 21.** The Mayor shall sign, and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect thirty (30) days after its final passage.

**PASSED, APPROVED, AND ADOPTED** by the City Council of Grand Terrace at a regular meeting held on the 24<sup>th</sup> day of February 2026.

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Bill Hussey  
Mayor

**ATTEST:**

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Daysi Alcocer  
City Clerk

**APPROVED AS TO FORM:**

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Adrian R. Guerra  
City Attorney

## Senate Bill No. 684

### CHAPTER 783

An act to add Sections 65852.28, 65913.4.5, and 66499.41 to the Government Code, relating to land use.

[Approved by Governor October 11, 2023. Filed with Secretary of State October 11, 2023.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 684, Caballero. Land use: streamlined approval processes: development projects of 10 or fewer residential units on urban lots under 5 acres.

Existing law, the Subdivision Map Act, vests the authority to regulate and control the design and improvement of subdivisions in the legislative body of a local agency and sets forth procedures governing the local agency's processing, approval, conditional approval or disapproval, and filing of tentative, final, and parcel maps, and the modification thereof. The act generally requires a subdivider to file a tentative map or vesting tentative map with the local agency, as specified, and the local agency, in turn, to approve, conditionally approve, or disapprove the map within a specified time period.

The Planning and Zoning Law contains various provisions requiring a local government that receives an application for certain types of qualified housing developments to review the application under a streamlined, ministerial approval process depending on the type of housing development, as specified. Existing law, known as the Starter Home Revitalization Act of 2021, requires a city or county to approve an application for a small home lot housing development project, as defined, on a proposed site to be subdivided unless the city or county makes a finding related to the development's compliance with certain requirements or the development's specific, adverse public health or safety impact.

This bill would require a local agency to ministerially consider, without discretionary review or a hearing, a parcel map or a tentative and final map for a housing development project that meets specified requirements. In this regard, the bill would require the proposed subdivision to result in 10 or fewer parcels and the housing development project to, among other things, consist of 10 or fewer residential units, meet certain minimum parcel size and density requirements, and be located on a lot zoned for multifamily residential development that is no larger than 5 acres and is substantially surrounded by qualified urban uses. The bill would exempt the housing development project from certain requirements relating to minimum parcel size and dimensions and the formation of a homeowners' association, except as specified.

This bill also would require a local agency to ministerially consider, without discretionary review or a hearing, an application for a housing development project on a lot that is subdivided pursuant to the provisions of the bill described above. The bill would authorize a local agency to impose on the housing development objective zoning standards, objective subdivision standards, or objective design standards that are related to a housing development or to the design or improvement of a parcel, as specified. However, the bill would prohibit a local agency from imposing on the housing development certain standards, including those that physically preclude the development of a project built to specified densities, impose a requirement that applies to a project solely or partially on the basis that the subdivision or housing development receives approval pursuant to the bill's provision, or impose certain requirements related to parking, setbacks, or floor area ratios, as specified.

This bill would impose streamlining requirements with regard to consideration of an application for a parcel map or a tentative and final map pursuant to the first set of provisions described above or an application for a housing development project pursuant to the 2nd set of provisions described above. Specifically, the bill would require a local agency to approve or deny a completed application submitted to a local agency pursuant to these provisions within 60 days from the date the local agency receives it. Under the bill, if the local agency does not approve or deny the application within 60 days, the application would be deemed approved. If the local agency denies the application, the bill would require the local agency, within 60 days of receipt of the application, to return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the applicant can remedy the application.

This bill would also require, except as specified, a local agency to issue a building permit for one or more residential units that are part of a housing development project consisting of 10 or fewer units on a lot proposed to be subdivided as part of a subdivision if the applicant meets certain requirements. In this regard, the bill would require the applicant to have received a tentative map approval or parcel map approval for the subdivision, to have submitted a building permit application that the local agency deemed complete pursuant to a provision governing local agency review of postentitlement phase permit applications. The bill would authorize a local agency to condition the issuance of the building permit on the applicant submitting a recorded covenant and agreement that conditions the issuance of the building permit on the recording of the final map, as specified.

The Planning and Zoning Law provides for the creation of accessory dwelling units and junior accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions.

Under this bill, a local agency would not be required to permit an accessory dwelling unit or a junior accessory dwelling unit on a parcel created through the exercise of the authority provided by the bill, as described above.

The Subdivision Map Act requires a local agency to ministerially approve a parcel map for an urban lot split that meets certain requirements, as specified. The Planning and Zoning Law requires a proposed housing development containing no more than 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, as specified.

Under this bill, the above-described existing law provisions would not apply to a site that is located within a single-family residential horsekeeping zone designated in a specified master plan if the applicable local government has an adopted housing element that is compliant with applicable law. Under the bill, a local agency would not be required to permit an urban lot split on a parcel created through the exercise of the authority provided by the bill, as described above.

This bill would make the exemption for a site located within a single-family residential horsekeeping zone designated in a specified master plan operative on January 1, 2024, and would make all of the other above-described provisions operative on July 1, 2024.

This bill would make related findings and declarations.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

Because this bill would impose new duties on local governments related to the review and approval of parcel maps, tentative and final maps, and housing development projects, the bill would impose a state-mandated local program.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA does not apply to the approval of ministerial projects.

By establishing a streamlined, ministerial approval process for certain housing developments, this bill would expand the exemption for the ministerial approval of projects under CEQA. Under the bill, an ordinance adopted by a local agency to implement certain provisions of the bill would not be considered a project under CEQA.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) California has a statewide housing crisis, represented by a shortage of nearly 3,500,000 homes.

(b) California's housing crisis stifles economic growth, contributes to the homelessness epidemic, consumes an ever-growing share of the paychecks of working families, and holds millions of households back from realizing the California dream of home ownership.

(c) Restrictive zoning, land use, and burdensome permitting policies at the local and state level are a major cause of the shortfall between California's housing needs and the available supply of housing.

(d) Home ownership is still the primary way in which most Americans build wealth and assets. California has the third-highest median home price in the country and the high cost of housing has pushed what was once a modest goal further and further out of reach for most people of color.

(e) Home ownership rates in California are among the lowest nationwide, and in recent years those numbers have continued downward. Between 2020 and 2022, California home ownership declined by 3.19 percent.

(f) While the home ownership gap is an issue throughout the country, the rate of African American and Latinx home ownership is significantly worse in California. At a national level, African Americans and Latinx have a home ownership rate of 42 percent and 47 percent, respectively, while here in California, that rate drops down to 35 percent and 42 percent, respectively.

(g) The Legislative Analyst's Office has identified a lack of housing supply as one of the culprits for the severe home ownership gap. The office's 2016 housing affordability report found that "the state's housing shortage also makes many Californians, not only low-income residents, more likely to commute longer distances, live in overcrowded housing, and delay or forgo home ownership."

(h) According to the Urban Institute, multifamily construction built for sale accounted for only 5.4 percent of all multifamily starts and only 2.7 percent of all single-family and multifamily home construction for the first three quarters of 2021.

(i) Houses cost more in California due to increased costs, heavy regulatory hurdles, and mandatory features and fees that add tens of thousands of dollars to the cost of each unit.

(j) Access to sustainable home ownership can be expanded with fiscal assistance, housing counseling, sound lending, flexible underwriting that ensures the ability to pay, and backing by Federal Housing Administration (FHA) mortgage insurance.

(k) As production has slowed and changed, for-sale inventory has tightened, particularly for entry-level homes.

(l) Higher home prices have translated to less diversity in who is able to purchase a home.

(m) Home ownership is a powerful tool to close the racial and ethnic wealth gap across the State of California and nationwide.

(n) The production of new market-rate housing frees up existing, more affordable elsewhere in the region for sale or rent to middle and lower-income households.

SEC. 2. Section 65852.28 is added to the Government Code, to read:

65852.28. (a) A development proponent may submit an application for a housing development project on a lot that is subdivided pursuant to Section 66499.41 and that meets the requirements of this section.

(b) (1) For any housing development on a lot that is subdivided pursuant to Section 66499.41, a local agency may impose objective zoning standards, objective subdivision standards, or objective design standards that are related to the housing development or to the design or improvement of a parcel, and do not conflict with this section or Section 66499.41.

(2) Notwithstanding paragraph (1), a local agency shall not impose on a housing development on a lot that is subdivided pursuant to Section 66499.41 an objective zoning standard, objective subdivision standard, or objective design standard that does or is any of the following:

(A) Physically precludes the development of a project built to densities as specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2. This paragraph does not preclude a local agency from adopting an ordinance that allows developments at a density greater than the maximum density specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2.

(B) Imposes any requirement that applies to a project solely or partially on the basis that the subdivision or housing development receives approval pursuant to this section.

(C) Requires a setback between the units, except as required in the California Building Code (Title 24 of the California Code of Regulations).

(D) Requires that parking be enclosed or covered.

(E) Imposes side and rear setbacks from the original lot line inconsistent with subparagraph (B) of paragraph (2) of subdivision (b) of Section 65852.21.

(F) Imposes parking requirements inconsistent with paragraph (1) of subdivision (c) of Section 65852.21.

(G) (i) For a housing development project consisting of three to seven units, inclusive, impose a floor area ratio standard that is less than 1.0.

(ii) For a housing development project consisting of 8 to 10 units, inclusive, impose a floor area ratio standard that is less than 1.25.

(c) (1) A local agency shall ministerially consider, without discretionary review or a hearing, an application submitted to a local agency pursuant to this section.

(2) A local agency shall approve or deny an application for a housing development project submitted to a local agency pursuant to this section within 60 days from the date the local agency receives a completed application. If the local agency does not approve or deny a completed application within 60 days, the application shall be deemed approved. If the

local agency denies the application, the local agency shall, within 60 days from the date the local agency receives the completed application, return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the applicant can remedy the application.

(d) A local agency may disapprove a housing development project that meets the requirements of this section if it makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(e) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(f) This section shall become operative on July 1, 2024.

SEC. 3. Section 65913.4.5 is added to the Government Code, to read:

65913.4.5. (a) (1) A local agency shall issue a building permit for one or more residential units that are part of a housing development project consisting of 10 or fewer units on a lot proposed to be subdivided as part of a subdivision pursuant to paragraph (3) if the applicant for the permit has met both of the following requirements:

(A) The applicant has received a tentative map approval or parcel map approval for the subdivision.

(B) The applicant has submitted a building permit application that the local agency deemed complete pursuant to subdivision (b) of Section 65913.3.

(2) The local agency may condition the issuance of a building permit on the applicant submitting proof to the satisfaction of the local agency of a recorded covenant and agreement enforceable by the local agency that states that the applicant and the applicant's successors and assignees agree that the building permit is issued on the condition that a certificate of occupancy or equivalent final approval for the building will not be issued unless the final map has been recorded.

(3) (A) The local agency shall issue the building permit based upon the tentative or parcel map and its conditions of approval. Any dedication, improvement, and sewer requirements identified in the approved tentative or parcel map or its conditions of approval shall be guaranteed to the satisfaction of the local agency at the time the building permit is issued.

(B) The local agency may require security to ensure faithful performance of the requirements identified in the approved tentative or parcel map or its conditions of approval. The amount of security shall be determined by the local agency and shall not be more than 300 percent of the total estimated cost of the improvements or of the acts to be performed. The security shall be provided in either of the following forms, as determined by the local agency:

- (i) Bond or bonds by one or more duly authorized corporate sureties.
- (ii) An instrument of credit from an agency of the state, federal, or local government when any agency of the state, federal, or local government provides at least 20 percent of the financing for the portion of the act or agreement requiring security, or from one or more financial institutions subject to regulation by the state or federal government and pledging that the funds necessary to carry out the act or agreement are on deposit and guaranteed for payment, or a letter of credit issued by such a financial institution.

(4) Notwithstanding paragraph (1), a local agency may deny issuance of a building permit if the building official makes a written finding, based upon a preponderance of the evidence, that construction of the proposed structure or structures before recordation of the final map would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(b) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(c) This section shall become operative on July 1, 2024.

SEC. 4. Section 66499.41 is added to the Government Code, to read:

66499.41. (a) A local agency shall ministerially consider, without discretionary review or a hearing, a parcel map or a tentative and final map for a housing development project that meets all of the following requirements:

(1) The proposed subdivision will result in 10 or fewer parcels and the housing development project on the lot proposed to be subdivided will contain 10 or fewer residential units.

(2) The lot proposed to be subdivided meets all of the following sets of requirements:

(A) The lot is zoned for multifamily residential development.

(B) The lot is no larger than five acres and is substantially surrounded by qualified urban uses. For purposes of this subparagraph, the following definitions apply:

(i) “Qualified urban use” has the same meaning as defined in Section 21072 of the Public Resources Code.

(ii) “Substantially surrounded” has the same meaning as defined in paragraph (2) of subdivision (a) of Section 21159.25 of the Public Resources Code.

(C) The lot is a legal parcel located within either of the following:

(i) An incorporated city, the boundaries of which include some portion of an urbanized area.

(ii) An urbanized area or urban cluster in a county with a population greater than 600,000 based on the most recent United States Census Bureau data.

(iii) For purposes of this subparagraph, the following definitions apply:

(I) “Urbanized area” means an urbanized area designated by the United States Census Bureau, as published in the Federal Register, Volume 77, Number 59, on March 27, 2012.

(II) “Urban cluster” means an urbanized area designated by the United States Census Bureau, as published in the Federal Register, Volume 77, Number 59, on March 27, 2012.

(D) The lot was not established pursuant to this section or Section 66411.7.

(3) (A) Except as specified in subparagraph (B), the newly created parcels are no smaller than 600 square feet.

(B) A local agency may, by ordinance, adopt a smaller minimum parcel size subject to ministerial approval under this subdivision.

(4) The housing units on the lot proposed to be subdivided are one of the following:

(A) Constructed on fee simple ownership lots.

(B) Part of a common interest development.

(C) Part of a housing cooperative, as defined in Section 817 of the Civil Code.

(D) Owned by a community land trust. For the purpose of this subparagraph, “community land trust” means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that satisfies all of the following:

(i) Has as its primary purposes the creation and maintenance of permanently affordable single-family or multifamily residences.

(ii) All dwellings and units located on the land owned by the nonprofit corporation are sold to qualified owners to be occupied as the qualified owner’s primary residence or rented to persons and families of low or moderate income. For the purpose of this subparagraph, “qualified owner” means a person or family of low or moderate income, including a person or family of low or moderate income who owns a dwelling or unit collectively as a member occupant or resident shareholder of a limited-equity housing cooperative.

(iii) The land owned by the nonprofit corporation, on which a dwelling or unit sold to a qualified owner is situated, is leased by the nonprofit corporation to the qualified owner for the convenient occupation and use of that dwelling or unit for a renewable term of 99 years.

(5) The proposed development will, pursuant to the requirements of this division, meet one of the following, as applicable:

(A) If the parcel is identified in the jurisdiction’s housing element for the current planning period that is in substantial compliance with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1, the development will result in at least as many units as projected for that parcel in the housing element. If the parcel is identified to accommodate any portion of the jurisdiction’s share of the regional housing need for low- or very low income households, the development will result in at least as many low- or

very low income units as projected in the housing element. These units shall be subject to a recorded affordability restriction of at least 45 years.

(B) If the parcel is not identified in the jurisdiction's housing element for the current planning period that is in substantial compliance with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1, the development will result in at least as many units as the maximum allowable residential density.

(6) The average total area of floorspace for the proposed housing units on the lot proposed to be subdivided does not exceed 1,750 net habitable square feet.

(7) The housing development project on the lot proposed to be subdivided complies with any local inclusionary housing ordinances adopted by the local agency.

(8) The development of a housing development project on the lot proposed to be subdivided does not require the demolition or alteration of any of the following types of housing:

(A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rent to levels affordable to persons and families of low, very low, or extremely low income.

(B) Housing that is subject to any form of rent or price control through a local public entity's valid exercise of its police power.

(C) Housing occupied by tenants within the five years preceding the date of the application, including housing that has been demolished or that tenants have vacated prior to the submission of the application for a development permit.

(D) A parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(9) The lot proposed to be subdivided is not located on a site that is any of the following:

(A) Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

(B) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

(C) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code.

(D) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless either of the following apply:

(i) The site is an underground storage tank site that received a uniform closure letter issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code based on closure criteria established by the State Water Resources Control Board for residential use or residential mixed uses. This section does not alter or change the conditions to remove a site from the list of hazardous waste sites listed pursuant to Section 65962.5.

(ii) The State Department of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency making a determination pursuant to subdivision (c) of Section 25296.10 of the Health and Safety Code, has otherwise determined that the site is suitable for residential use or residential mixed uses.

(E) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

(F) Within a special flood hazard area subject to inundation by the 1-percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this paragraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

(i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.

(ii) The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

(G) Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide

that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.

(H) Land identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or another adopted natural resource protection plan.

(I) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

(J) Land under conservation easement.

(10) The proposed subdivision conforms to all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)), except as otherwise expressly provided in this section.

(11) The proposed subdivision complies with all applicable standards established pursuant to Section 65852.28.

(12) Any parcels proposed to be created pursuant to this section will be served by a public water system and a municipal sewer system.

(b) A housing development project on a proposed site to be subdivided pursuant to this section is not required to comply with any of the following requirements:

(1) A minimum requirement on the size, width, depth, or dimensions of an individual parcel created by the development beyond the minimum parcel size specified in, or established pursuant to, paragraph (3) of subdivision (a).

(2) (A) The formation of a homeowners' association, except as required by the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code).

(B) Subparagraph (A) shall not be construed to prohibit a local agency from requiring a mechanism for the maintenance of common space within the subdivision, including, but not limited to, a road maintenance agreement.

(c) A local agency shall approve or deny an application for a parcel map or a tentative map for a housing development project submitted to a local agency pursuant to this section within 60 days from the date the local agency receives a completed application. If the local agency does not approve or deny a completed application within 60 days, the application shall be deemed approved. If the local agency denies the application, the local agency shall, within 60 days from the date the local agency receives the completed application, return in writing a full set of comments to the applicant with a

list of items that are defective or deficient and a description of how the applicant can remedy the application.

(d) Any housing development project constructed on the lot proposed to be subdivided pursuant to this section shall comply with all applicable objective zoning standards, objective subdivision standards, and objective design standards as established by the local agency that are not inconsistent with this section and paragraph (2) of subdivision (a) of Section 65852.28.

(e) A local agency may condition the approval and recordation of a subdivision map upon the completion of a residential structure in compliance with all applicable provisions of the California Building Standards Code that contains at least one dwelling unit on each resulting parcel that does not already contain an existing legally permitted residential structure or is reserved for internal circulation, open space, or common area.

(f) A local agency may deny the issuance of a parcel map, a tentative map, or a final map if it makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(g) Notwithstanding Section 65852.2 or 65852.22, a local agency is not required to permit an accessory dwelling unit or a junior accessory dwelling unit on parcels created through the exercise of the authority contained within this section.

(h) (1) Notwithstanding Section 66411.7, a local agency is not required to permit an urban lot split on a parcel created through the exercise of the authority contained within this section.

(2) Notwithstanding Sections 65852.21 and 66411.7, those sections shall not apply to a site that meet both of the following requirements:

(A) The site is located within a single-family residential horsekeeping zone designated in a master plan, adopted before January 1, 1994, that regulates land zoned single-family horsekeeping, commercial, commercial-recreational, and existing industrial within the plan area.

(B) The applicable local government has an adopted housing element that is compliant with applicable law.

(i) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(j) Paragraph (2) of subdivision (h) shall become operative on January 1, 2024. Subdivisions (a) to (g), inclusive, paragraph (1) of subdivision (h), and subdivision (i) shall become operative on July 1, 2024.

SEC. 5. The Legislature finds and declares that the state faces a severe housing shortage, largely due to the lack of available housing affordable to lower and moderate-income families. By expanding opportunities for ownership of more affordable housing types on smaller, less expensive parcels, this act ensures access to affordable housing and addresses a matter

of statewide concern, rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 2 of this act amending Section 65585 of the Government Code and Sections 3, 4, and 5 of this act adding Sections 65852.28, 65913.4.5, and 66499.41 to the Government Code apply to all cities, including charter cities.

SEC. 6. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

O

## Senate Bill No. 1123

### CHAPTER 294

An act to amend Sections 65852.28 and 66499.41 of the Government Code, relating to land use.

[Approved by Governor September 19, 2024. Filed with Secretary of State September 19, 2024.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1123, Caballero. Planning and zoning: subdivisions: ministerial review.

Existing law, known as the Starter Home Revitalization Act of 2021, among other things, requires a local agency to ministerially consider, without discretionary review or a hearing, a parcel map or a tentative and final map for a housing development project that meets certain requirements, including that the housing development project on the lot proposed to be subdivided will contain 10 or fewer residential units, is zoned for multifamily residential development, is no larger than 5 acres, as specified, and the newly created parcels are no smaller than 600 square feet, except as provided. Existing law prohibits a local agency from imposing on the housing development an objective zoning standard, objective subdivision standard, or objective design standard that, among other things, physically precludes the development of a project built to specified densities.

This bill would prohibit, if a local agency chooses to permit accessory dwelling units or junior accessory dwelling units, those units from counting as residential units for purposes of the above-described requirement that a housing development project on the lot proposed to be subdivided will contain 10 or fewer residential units. The bill would revise the requirement that the lot be zoned for multifamily residential development and would instead require that the lot either be zoned for multifamily residential dwelling use or vacant, as defined, and zoned for single-family residential development. The bill would require that a vacant lot zoned for single-family residential development is no larger than 1 ½ acres, as specified, and that if the parcels are zoned for single-family residential use, the newly created parcels are no smaller than 1,200 square feet. The bill would, notwithstanding the prohibition related to physical preclusion of a development described above, authorize a local agency to impose a specified height limit on a lot that is vacant and zoned for single-family residential development.

The bill would include in the above-described certain requirements that the proposed subdivision will not result in any existing dwelling unit being alienable separate from the title to any other existing dwelling unit on the lot.

Existing law also includes among these certain requirements that the housing units on the lot proposed to be subdivided meet one of specified

conditions, including being constructed on fee simple ownership lots or owned by a community land trust, as defined.

This bill would expand the above-described specified conditions to include being part of a tenancy in common, as specified. The bill would revise the above-described conditions to instead include being constructed on land owned by a community trust. By expanding the duties for a local agency to ministerially consider a housing development project, this bill would impose a state-mandated local program.

Existing law, if a parcel is not identified in the jurisdiction's housing element for the current planning period that is in substantial compliance, as specified, requires a proposed development to result in at least as many units as the maximum allowable residential density.

This bill would instead require the proposed development to result in at least 66% of the maximum allowable residential density as specified by local zoning or 66% of the applicable residential density, as specified, whichever is greater.

Existing law provides that a housing development project on a proposed site to be subdivided under these provisions is not required to comply with certain requirements, including a minimum requirement on the size, width, depth, or dimensions of an individual parcel created by the development beyond the minimum parcel size of 600 square feet, except as provided.

This bill would provide that an above-described housing development is also not required to comply with a minimum requirement on the frontage of an individual parcel created by the development.

This bill would require that its provisions become operative on July 1, 2025.

This bill would make related findings and declarations.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

- (a) California has a statewide housing crisis, represented by a shortage of nearly 3,500,000 homes.
- (b) California's housing crisis stifles economic growth, contributes to the homelessness epidemic, consumes an ever-growing share of the

paychecks of working families, and holds millions of households back from realizing the California dream of home ownership.

(c) Restrictive zoning, land use, and burdensome permitting policies at the local and state level are a major cause of the shortfall between California’s housing needs and the available supply of housing.

(d) Home ownership is still the primary way in which most Americans build wealth and assets. California has the third highest median home price in the country and the high cost of housing has pushed what was once a modest goal further and further out of reach for most people of color.

(e) Home ownership rates in California are among the lowest nationwide, and in recent years those numbers have continued downward. Between 2020 and 2022, inclusive, California home ownership declined by 3.19 percent.

(f) While the home ownership gap is an issue throughout the country, the rate of African American and Latinx home ownership is significantly worse in California. At a national level, African Americans and Latinx have a home ownership rate of 42 percent and 47 percent, respectively, while here in California, that rate drops down to 35 percent and 42 percent, respectively.

(g) The Legislative Analyst’s Office has identified a lack of housing supply as one of the culprits for the severe home ownership gap. The office’s 2016 housing affordability report found that “the state’s housing shortage also makes many Californians, not only low-income residents, more likely to commute longer distances, live in overcrowded housing, and delay or forgo home ownership.”

(h) According to the Urban Institute, multifamily construction built for sale accounted for only 5.4 percent of all multifamily starts and only 2.7 percent of all single-family and multifamily home construction for the first three quarters of 2021.

(i) Houses cost more in California due to increased costs, heavy regulatory hurdles, and mandatory features and fees that add tens of thousands of dollars to the cost of each unit.

(j) Access to sustainable home ownership can be expanded with fiscal assistance, housing counseling, sound lending, flexible underwriting that ensures the ability to pay, and backing by Federal Housing Administration (FHA) mortgage insurance.

(k) As production has slowed and changed, for-sale inventory has tightened, particularly for entry-level homes.

(l) Higher home prices have translated to less diversity in who is able to purchase a home.

(m) Home ownership is a powerful tool to close the racial and ethnic wealth gap across the State of California and nationwide.

(n) The production of new market-rate housing frees up existing, more affordable housing elsewhere in the region for sale or rent to lower and middle-income households.

SEC. 2. Section 65852.28 of the Government Code is amended to read:

65852.28. (a) A development proponent may submit an application for a housing development project on a lot that is subdivided pursuant to Section 66499.41 and that meets the requirements of this section.

(b) (1) For any housing development on a lot that is subdivided pursuant to Section 66499.41, a local agency may impose objective zoning standards, objective subdivision standards, or objective design standards that are related to the housing development or to the design or improvement of a parcel, and do not conflict with this section or Section 66499.41.

(2) Notwithstanding paragraph (1), a local agency shall not impose on a housing development on a lot that is subdivided pursuant to Section 66499.41 an objective zoning standard, objective subdivision standard, or objective design standard that does or is any of the following:

(A) (i) Physically precludes the development of a project built to densities as specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2. This paragraph does not preclude a local agency from adopting an ordinance that allows developments at a density greater than the maximum density specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2.

(ii) Notwithstanding clause (i), for a development located on a lot that meets the definition of clause (ii) of subparagraph (A) of paragraph (2) of subdivision (a) of Section 66499.41, a local agency may impose a height limit of no less than the height allowed pursuant to the existing zoning designation applicable to the lot.

(B) Imposes any requirement that applies to a project solely or partially on the basis that the subdivision or housing development receives approval pursuant to this section.

(C) Requires a setback between the units, except as required in the California Building Code (Title 24 of the California Code of Regulations).

(D) Requires that parking be enclosed or covered.

(E) Imposes side and rear setbacks from the original lot line inconsistent with subparagraph (B) of paragraph (2) of subdivision (b) of Section 65852.21.

(F) Imposes parking requirements inconsistent with paragraph (1) of subdivision (c) of Section 65852.21.

(G) (i) For a housing development project consisting of three to seven units, inclusive, impose a floor area ratio standard that is less than 1.0.

(ii) For a housing development project consisting of 8 to 10 units, inclusive, impose a floor area ratio standard that is less than 1.25.

(c) (1) A local agency shall ministerially consider, without discretionary review or a hearing, an application submitted to a local agency pursuant to this section.

(2) A local agency shall approve or deny an application for a housing development project submitted to a local agency pursuant to this section within 60 days from the date the local agency receives a completed application. If the local agency does not approve or deny a completed application within 60 days, the application shall be deemed approved. If the local agency denies the application, the local agency shall, within 60 days

from the date the local agency receives the completed application, return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the applicant can remedy the application.

(d) A local agency may disapprove a housing development project that meets the requirements of this section if it makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(e) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(f) This section shall become operative on July 1, 2024.

(g) The amendments made to this section by the act adding this subdivision shall become operative on July 1, 2025.

SEC. 3. Section 66499.41 of the Government Code is amended to read:

66499.41. (a) A local agency shall ministerially consider, without discretionary review or a hearing, a parcel map or a tentative and final map for a housing development project that meets all of the following requirements:

(1) The proposed subdivision will result in 10 or fewer parcels and the housing development project on the lot proposed to be subdivided will contain 10 or fewer residential units, except as provided in subdivision (g).

(2) The lot proposed to be subdivided meets all of the following sets of requirements:

(A) The lot is one of the following:

(i) Zoned to allow multifamily residential dwelling use.

(ii) Vacant and zoned for single-family residential development. For purposes of this paragraph, “vacant” means having no permanent structure, unless the permanent structure is abandoned and uninhabitable. All of the following types of housing shall not be defined as “vacant”:

(I) Housing that is subject to a recorded covenant, ordinance, or law that restricts rent or sales price to levels affordable to persons and families of low, very low, or extremely low income.

(II) Housing that is subject to any form of rent or sales price control through a local public entity’s valid exercise of its police power.

(III) Housing occupied by tenants within the five years preceding the date of the application, including housing that has been demolished or that tenants have vacated prior to the submission of the application for a development permit.

(B) (i) A lot zoned to allow multifamily residential dwelling use is no larger than five acres and is substantially surrounded by qualified urban uses.

(ii) A vacant lot zoned for single-family residential development is no larger than one and one-half acres and is substantially surrounded by qualified urban uses.

(iii) For purposes of this subparagraph, the following definitions apply:

(I) “Qualified urban use” has the same meaning as defined in Section 21072 of the Public Resources Code.

(II) “Substantially surrounded” has the same meaning as defined in paragraph (2) of subdivision (a) of Section 21159.25 of the Public Resources Code.

(C) The lot is a legal parcel located within one of the following:

(i) An incorporated city, the boundaries of which include some portion of an urbanized area.

(ii) An urbanized area or urban cluster in a county with a population greater than 600,000 based on the most recent United States Census Bureau data.

(iii) For purposes of this subparagraph, the following definitions apply:

(I) “Urbanized area” means an urbanized area designated by the United States Census Bureau, as published in the Federal Register, Volume 77, Number 59, on March 27, 2012.

(II) “Urban cluster” means an urbanized area designated by the United States Census Bureau, as published in the Federal Register, Volume 77, Number 59, on March 27, 2012.

(D) The lot was not established pursuant to this section or Section 66411.7.

(3) (A) Except as specified in subparagraphs (B) and (C), the newly created parcels are no smaller than 600 square feet.

(B) If the parcels are zoned for single-family residential use, the newly created parcels are no smaller than 1,200 square feet.

(C) A local agency may, by ordinance, adopt a smaller minimum parcel size subject to ministerial approval under this subdivision.

(4) The housing units on the lot proposed to be subdivided are one of the following:

(A) Constructed on fee simple ownership lots.

(B) Part of a common interest development.

(C) Part of a housing cooperative, as defined in Section 817 of the Civil Code.

(D) Constructed on land owned by a community land trust. For the purpose of this subparagraph, “community land trust” means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that satisfies all of the following:

(i) Has as its primary purposes the creation and maintenance of permanently affordable single-family or multifamily residences.

(ii) All dwellings and units located on the land owned by the nonprofit corporation are sold to qualified owners to be occupied as the qualified owner’s primary residence or rented to persons and families of low or moderate income. For the purpose of this subparagraph, “qualified owner” means a person or family of low or moderate income, including a person

or family of low or moderate income who owns a dwelling or unit collectively as a member occupant or resident shareholder of a limited-equity housing cooperative.

(iii) The land owned by the nonprofit corporation, on which a dwelling or unit sold to a qualified owner is situated, is leased by the nonprofit corporation to the qualified owner for the convenient occupation and use of that dwelling or unit for a renewable term of 99 years.

(E) Part of a tenancy in common, as described in Section 685 of the Civil Code.

(5) The proposed development will, pursuant to the requirements of this division, meet one of the following, as applicable:

(A) If the parcel is identified in the jurisdiction's housing element for the current planning period that is in substantial compliance with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1, the development will result in at least as many units as projected for that parcel in the housing element. If the parcel is identified to accommodate any portion of the jurisdiction's share of the regional housing need for low- or very low income households, the development will result in at least as many low- or very low income units as projected in the housing element. These units shall be subject to a recorded affordability restriction of at least 45 years.

(B) (i) If the parcel is not identified in the jurisdiction's housing element for the current planning period that is in substantial compliance with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1, the development will result in at least 66 percent of the maximum allowable residential density as specified by local zoning or 66 percent of the applicable residential density specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2, whichever is greater.

(ii) Where local zoning does not specify a maximum allowable residential density, the development will result in at least 66 percent of the applicable residential density as specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2.

(6) The average total area of floorspace for the proposed housing units on the lot proposed to be subdivided does not exceed 1,750 net habitable square feet. For purposes of this paragraph, "net habitable square feet" means the finished and heated floor area fully enclosed by the inside surface of walls, windows, doors, and partitions, and having a headroom of at least six and one-half feet, including working, living, eating, cooking, sleeping, stair, hall, service, and storage areas, but excluding garages, carports, parking spaces, cellars, half-stories, and unfinished attics and basements.

(7) The housing development project on the lot proposed to be subdivided complies with any local inclusionary housing ordinances adopted by the local agency.

(8) The development of a housing development project on the lot proposed to be subdivided does not require the demolition or alteration of any of the following types of housing:

(A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rent to levels affordable to persons and families of low, very low, or extremely low income.

(B) Housing that is subject to any form of rent or price control through a local public entity's valid exercise of its police power.

(C) Housing occupied by tenants within the five years preceding the date of the application, including housing that has been demolished or that tenants have vacated prior to the submission of the application for a development permit.

(D) A parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(9) The lot proposed to be subdivided is not located on a site that is any of the following:

(A) Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

(B) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

(C) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code.

(D) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to former Section 25356 of the Health and Safety Code, unless either of the following applies:

(i) The site is an underground storage tank site that received a uniform closure letter issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code based on closure criteria established by the State Water Resources Control Board for residential use or residential mixed uses. This section does not alter or change the conditions to remove a site from the list of hazardous waste sites listed pursuant to Section 65962.5.

(ii) The State Department of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency making a determination pursuant to subdivision (c) of Section 25296.10 of the Health and Safety Code, has otherwise determined that the site is suitable for residential use or residential mixed uses.

(E) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the

development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

(F) Within a special flood hazard area subject to inundation by the 1-percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this paragraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following is met:

(i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.

(ii) The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

(G) Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.

(H) Land identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or another adopted natural resource protection plan.

(I) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game

Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

(J) Land under conservation easement.

(10) The proposed subdivision conforms to all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)), except as otherwise expressly provided in this section.

(11) The proposed subdivision complies with all applicable standards established pursuant to Section 65852.28.

(12) Any parcels proposed to be created pursuant to this section will be served by a public water system and a municipal sewer system.

(13) The proposed subdivision will not result in any existing dwelling unit being alienable separate from the title to any other existing dwelling unit on the lot.

(b) A housing development project on a proposed site to be subdivided pursuant to this section is not required to comply with either of the following requirements:

(1) A minimum requirement on the size, width, depth, frontage, or dimensions of an individual parcel created by the development beyond the minimum parcel size specified in, or established pursuant to, paragraph (3) of subdivision (a).

(2) (A) The formation of a homeowners' association, except as required by the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code).

(B) Subparagraph (A) shall not be construed to prohibit a local agency from requiring a mechanism for the maintenance of common space within the subdivision, including, but not limited to, a road maintenance agreement.

(c) A local agency shall approve or deny an application for a parcel map or a tentative map for a housing development project submitted to a local agency pursuant to this section within 60 days from the date the local agency receives a completed application. If the local agency does not approve or deny a completed application within 60 days, the application shall be deemed approved. If the local agency denies the application, the local agency shall, within 60 days from the date the local agency receives the completed application, return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the applicant can remedy the application.

(d) Any housing development project constructed on the lot proposed to be subdivided pursuant to this section shall comply with all applicable objective zoning standards, objective subdivision standards, and objective design standards as established by the local agency that are not inconsistent with this section and paragraph (2) of subdivision (a) of Section 65852.28.

(e) A local agency may condition the approval and recordation of a subdivision map upon the completion of a residential structure in compliance with all applicable provisions of the California Building Standards Code that contains at least one dwelling unit on each resulting parcel that does not already contain an existing legally permitted residential structure or is reserved for internal circulation, open space, or common area.

(f) A local agency may deny the issuance of a parcel map, a tentative map, or a final map if it makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(g) Notwithstanding Article 2 (commencing with Section 66314) or Article 3 (commencing with Section 66333) of Chapter 13 of Division 1, a local agency is not required to permit an accessory dwelling unit or a junior accessory dwelling unit on parcels created through the exercise of the authority contained within this section. If a local agency chooses to permit accessory dwelling units or junior accessory dwelling units, the units shall not count as residential units for the purposes of paragraph (1) of subdivision (a).

(h) (1) Notwithstanding Section 66411.7, a local agency is not required to permit an urban lot split on a parcel created through the exercise of the authority contained within this section.

(2) Notwithstanding Sections 65852.21 and 66411.7, those sections shall not apply to a site that meet both of the following requirements:

(A) The site is located within a single-family residential horsekeeping zone designated in a master plan, adopted before January 1, 1994, that regulates land zoned single-family horsekeeping, commercial, commercial-recreational, and existing industrial within the plan area.

(B) The applicable local government has an adopted housing element that is compliant with applicable law.

(i) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(j) Paragraph (2) of subdivision (h) shall become operative on January 1, 2024. Subdivisions (a) to (g), inclusive, paragraph (1) of subdivision (h), and subdivision (i) shall become operative on July 1, 2024.

(k) The amendments made to this section by the act adding this subdivision shall become operative on July 1, 2025.

SEC. 4. The Legislature finds and declares that the state faces a severe housing shortage, largely due to the lack of available housing affordable to lower and moderate-income families. By expanding opportunities for ownership of more affordable housing types on smaller, less expensive parcels, this act ensures access to affordable housing and addresses a matter of statewide concern, rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Sections 2 and 3 of this act amending Sections 65852.28 and 66499.41 of the Government Code apply to all cities, including charter cities.

SEC. 5. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and

school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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# AGENDA REPORT

MEETING DATE: February 24, 2026

TITLE: Zoning Code Amendment (ZCA) 25-04 – Logistics Use Standards (AB 98 / SB 415)

PRESENTED BY: Gabriel Arguelles, Assistant Planner

RECOMMENDATION: **SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAND TERRACE, CALIFORNIA, APPROVING ZONING CODE AMENDMENT (ZCA) 25-04, AMENDING TITLE 18 (ZONING) TO IMPLEMENT ASSEMBLY BILL 98 (2024), AS CLARIFIED BY SENATE BILL 415 (2024), INCLUDING ADDING DEFINITIONS, ESTABLISHING A “LOGISTICS USE” CATEGORY, AND ADDING A NEW CHAPTER 18.75 (LOGISTICAL USE STANDARDS); AND FINDING THAT THE ORDINANCE IS NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO GOVERNMENT CODE SECTIONS 65852.28(e), 65913.4.5(b), AND 66499.41(i).**

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## **2030 VISION STATEMENT:**

This staff report supports City Council Goal #5, “Engage in Proactive Communication” by updating the City’s Municipal Code to provide current information regarding City policies.

## **BACKGROUND:**

City staff is recommending approval of Zoning Code Amendment (ZCA) 25-04 to bring the City’s zoning regulations into compliance with Assembly Bill 98 (2024), known as the *Planning, Logistics, and Neighborhood Standards Act*, as clarified by Senate Bill 415 (2024). Together, these State laws establish new statewide development standards for logistics uses, including requirements related to site design, building orientation, landscaping, truck circulation, loading bay placement, screening, sustainability measures, and minimum separation from sensitive receptors.

To implement these State mandates, staff has prepared amendments to Title 18 of the Grand Terrace Municipal Code that establish clear and objective development standards applicable to logistics facilities. The proposed amendments ensure consistency with State law, improve internal consistency within the Zoning Code, and provide clearer expectations for applicants, staff, decision-makers, and the public when reviewing logistics-related development projects.

The Ordinance approving Zoning Code Amendment (ZCA) 25-04 is included as *Attachment 1*. Supporting reference materials are provided as exhibits to Attachment 1, including Assembly Bill No. 98 (**EXHIBIT A**), Assembly Bill No. 415 (**EXHIBIT B**), AB 98 Implementation Guidance for Local Agencies (**EXHIBIT C**), and the SB 415 Compliance Update (**EXHIBIT D**).

In 2024, the California State Legislature adopted Assembly Bill 98 (AB 98), known as the *Planning, Logistics, and Neighborhood Standards Act*. AB 98 was enacted in response to increasing statewide

and local concerns regarding the impacts of warehouse and logistics development, particularly when these facilities are located near homes, schools, parks, and other sensitive land uses. The legislation establishes uniform statewide standards governing the design and operation of logistics facilities, including requirements for building placement, buffering, landscaping, truck circulation, loading areas, and overall site layout.

Later in 2024, the Legislature adopted Senate Bill 415 (SB 415), which refined and clarified several provisions of AB 98. SB 415 provides additional guidance on how the standards are to be applied and helps ensure consistent implementation across jurisdictions as cities update their zoning regulations to reflect the new statutory framework.

State law anticipates that local jurisdictions will incorporate these requirements into their zoning codes through locally adopted standards. Accordingly, the City must update its Municipal Code to align with AB 98 and SB 415. Taking action at this time ensures the City's zoning regulations remain current with State law and clearly articulate the standards that apply to logistics uses.

Zoning Code Amendment (ZCA) 25-04 implements these State-mandated requirements by amending Title 18 of the Municipal Code to establish a new chapter dedicated to logistical use standards and by making related updates to definitions and nonresidential use regulations. Collectively, these changes provide a clear and structured framework for reviewing logistics facilities while maintaining protections for nearby residents and other sensitive receptors.

## **DISCUSSION:**

The proposed ordinance updates the City's zoning regulations to comply with Assembly Bill 98 (2024) and Senate Bill 415 (2024). These laws establish statewide, objective development standards for logistics facilities, particularly those located near sensitive receptors such as homes, schools, childcare centers, parks, and medical facilities.

To meet these requirements, the ordinance creates a new chapter dedicated entirely to logistics facilities and updates existing sections of the Municipal Code. Consolidating the standards into one chapter ensures that applicants, staff, and the public can easily understand the rules that apply to logistics projects and how those projects must be designed to protect surrounding neighborhoods.

The ordinance also updates key definitions needed to implement AB 98 and SB 415. A new definition for "Logistics Use" is added, covering facilities where goods are stored or moved using heavy-duty trucks, while clearly excluding retail-serving buildings, rail-served facilities, and strategic intermodal facilities. In addition, the ordinance includes a State-aligned definition of "Sensitive Receptor," identifying the specific types of nearby uses that trigger enhanced buffering and protection requirements.

As part of these updates, the nonresidential use table has been reorganized so that logistics uses are identified as their own distinct category, separate from storage, wholesale, and other industrial uses. This clarification ensures consistency across the Code and makes it clear which projects are subject to the new logistics standards.

Together, these amendments bring the Municipal Code into alignment with State law, establish consistent terminology, and ensure that logistics projects in the City are designed, reviewed, and regulated using clear and objective standards that protect nearby residents and other sensitive uses.

## **Section 18.27.010 (Nonresidential Use Regulations)**

This section updates the City’s nonresidential use table to clearly separate “Logistics Use” from other industrial categories. Under the current table, logistics, storage, and wholesale uses are grouped together, which makes it difficult to identify which projects are subject to the new State-required standards.

The revised table reorganizes these categories so that Logistics Use, Storage Use, and Wholesale Use each appear as distinct land uses. This clarification does not change where these uses are permitted, it simply separates them so applicants and staff can easily determine which standards apply.

A new footnote is also added to make clear that all logistics uses must comply with AB 98, including the new logistical development standards related to building orientation, truck circulation, loading bay placement, screening, landscaping, and vehicle routing.

These updates improve clarity and consistency in the Municipal Code while ensuring that logistics uses are regulated in accordance with State law.

### **New Chapter 18.75 - Logistical Use Standards**

This chapter sets objective standards for logistics facilities in line with AB 98. These rules apply to all logistics, warehouse, and distribution uses in the city, with stronger requirements for sites within 900 feet of a sensitive receptor. The section includes clear building setbacks and buffer standards, including the State-required 500-foot setback and additional buffer widths based on the size of the facility and the zoning district. Buffers must include features such as walls or berms, drought-tolerant landscaping, and double-row evergreen trees to help reduce noise, visual impacts, and emissions on nearby homes, schools, parks, childcare centers, and other sensitive uses. The ordinance also sets minimum separation distances for truck loading bays, generally between 300 and 500 feet.

The section includes objective standards for truck access and circulation, such as dedicated truck entry points, required on-site stacking space, limits on where heavy-duty trucks can operate, and a prohibition on truck queuing in the public right-of-way. New building-orientation requirements ensure loading areas face away from sensitive receptors and allow buildings to act as physical buffers for nearby properties. The ordinance also incorporates State-aligned idling limits, upgraded landscaping and screening, and requirements to add shade over paved truck areas over time.

For large logistics facilities of 250,000 square feet or more, the chapter includes AB 98’s Tier 1 21st Century Warehouse standards, such as installing electric-vehicle charging for at least 10 percent of employee parking spaces. Additional operational standards apply, including limits on heavy-truck delivery hours near sensitive receptors, lighting controls, compliance with City noise and odor rules, and restrictions on overnight truck parking.

All projects subject to this section must go through discretionary Site and Architectural Review. During that review, the approving body must find that the project’s design, buffers, circulation plan, and operations meet the objective standards and adequately protect surrounding neighborhoods.

Together, these requirements ensure that logistics facilities in the City are designed and operated in a way that is compatible with nearby properties and consistent with AB 98.

### **Discussion – Planning Commission Input and Revisions**

On December 18, 2025, the Planning Commission/ Site and Architectural Review Board held a duly

noticed public hearing for Zoning Code Amendment (ZCA) 25-04. After reviewing the staff report, considering public testimony, and evaluating the evidence presented, the Planning Commission voted to recommend approval of the ordinance to the City Council without changes.

## **Public Hearing Notification**

Notice of the City Council public hearing for Zoning Code Amendment (ZCA) 25-03 was provided in accordance with Sections 65090 and 65091 of the California Government Code and Section 18.03.070 (Public Hearing Notice) of Chapter 18.03 (General Provisions) of the Grand Terrace Municipal Code.

The public hearing notice was published in a newspaper of general circulation, the *San Bernardino County Sun*, on January 22, 2026. In addition, the notice was posted by the City Clerk in compliance with applicable State law and the City's adopted noticing requirements.

## **Conclusion**

The Zoning Code Amendment (ZCA 25-04) updates Title 18 of the Municipal Code to align the City's regulations with the requirements of AB 98 and SB 415, ensuring that logistics facilities are designed, reviewed, and operated using consistent and objective standards. These changes strengthen neighborhood protections, bring clarity to applicants and staff, and eliminate ambiguity by consolidating all State-mandated logistics standards into a coordinated local framework.

By adopting ZCA 25-04, the City will modernize its zoning regulations, maintain compliance with State law, and establish a predictable and transparent process for evaluating future logistics-related development. Because the amendment only updates local procedures and does not authorize or approve any specific project, it does not constitute a "project" under CEQA and requires no additional environmental review.

All required findings to support adoption of Zoning Code Amendment (ZCA) 25-04 are included in the ordinance provided as *Attachment 1*.

Staff recommends that the City Council adopt the Ordinance approving Zoning Code Amendment (ZCA) 25-04 and amend Title 18 of the Grand Terrace Municipal Code accordingly.

## **ENVIRONMENTAL IMPACT:**

ZCA The City of Grand Terrace has reviewed the (ZCA) 25-04 project with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq) ("CEQA").

Government Code Section 65852.28(e) – "A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code."

Government Code Section 65913.4.5(b) – "A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code."

Government Code 66499.41(i) – "A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code."

The City Council has determined that the text amendment in this Ordinance is not a project under CEQA pursuant to Government Code Sections 65852.28(e), 659.13.4.5(b), and 66499.41(i) and is therefore not subject to further environmental review under CEQA.

**FISCAL IMPACT:**

Adoption of Zoning Code Amendment (ZCA) 25-04 is not expected to result in any direct fiscal impact to the City. The ordinance updates the Municipal Code to comply with State law and does not approve or authorize any specific development project.

Any future logistics projects would be subject to the City's existing application fees, plan check fees, and discretionary review processes in effect at the time of application. Implementation of the ordinance will be handled through existing staff resources and standard development review procedures.

## ORDINANCE NO. 374

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAND TERRACE, CALIFORNIA, APPROVING ZONING CODE AMENDMENT (ZCA) 25-04, AMENDING TITLE 18 (ZONING) TO IMPLEMENT ASSEMBLY BILL 98 (2024), AS CLARIFIED BY SENATE BILL 415 (2024), INCLUDING ADDING DEFINITIONS, ESTABLISHING A “LOGISTICS USE” CATEGORY, AND ADDING A NEW CHAPTER 18.75 (LOGISTICAL USE STANDARDS); AND FINDING THAT THE ORDINANCE IS NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO GOVERNMENT CODE SECTIONS 65852.28(E), 65913.4.5(B), AND 66499.41(I).**

**WHEREAS**, the City of Grand Terrace has adopted a Zoning Code, set forth in Title 18 of the Grand Terrace Municipal Code (“GTMC”), which has been amended from time to time to respond to changes in state law and community needs; and

**WHEREAS**, on September 29, 2024, the Governor of California signed Assembly Bill 98 (“AB 98”), also known as the Planning, Logistics, and Neighborhood Standards Act, establishing statewide minimum standards applicable to logistics facilities, including requirements related to site design, building placement, buffering from sensitive receptors, lighting, truck routing, energy efficiency, and housing replacement requirements; and

**WHEREAS**, Assembly Bill 98 (2024) was subsequently refined and clarified by Senate Bill 415 (2024), which amended portions of the Planning, Logistics, and Neighborhood Standards Act, and the City’s Zoning Code Amendment (ZCA) 25-04 has been reviewed for consistency with both AB 98 and SB 415 to ensure full compliance with applicable state law; and

**WHEREAS**, AB 98 is intended to protect public health and welfare by reducing the negative environmental and community impacts of logistics development, especially near sensitive receptors such as residences, schools, and parks; and

**WHEREAS**, AB 98 defines “logistics use developments” to include warehouses, distribution centers, fulfillment centers, cross-dock facilities, last-mile delivery centers, cold-storage logistics facilities, and similar industrial operations utilizing Class 4 through Class 8 trucks; and

**WHEREAS**, AB 98 further requires local jurisdictions to clearly identify and classify logistics uses in their land use regulations, necessitating the addition of a “Logistics Use / Logistics Use Development” land-use category within GTMC Table 18.27.010 (Nonresidential Land Use Regulations); and

**WHEREAS**, AB 98 mandates that local zoning regulations incorporate minimum standards for logistics uses, including requirements for building orientation, screening, landscaping, truck circulation, loading bay placement, and buffer areas from sensitive receptors; and

**WHEREAS**, AB 98 requires cities to ensure that local zoning codes incorporate minimum state standards for such logistics uses, including but not limited to building placement, façade design, screening, landscaping depth and plantings, truck access and circulation, operational limitations, and orientation of loading bays away from sensitive receptors; and

**WHEREAS**, to comply with AB 98, the City must amend its zoning code (Title 18) to define “logistics use,” revise the M2 Industrial District and MR Restricted Manufacturing District to include the required design, buffer, truck entrance, and operational standards; and

**WHEREAS**, AB 98 mandates developers to replace demolished housing (in certain cases) when logistics projects displace residential units, thereby contributing to affordable housing for affected communities; and

**WHEREAS**, Senate Bill 415 (2024) revised and clarified portions of AB 98 to ensure consistent implementation of logistics development standards across California jurisdictions; and

**WHEREAS**, the City Council desires to adopt this Zoning Code Amendment to ensure that future logistics development in the City meets the state’s minimum standards under AB 98, while protecting neighborhood health, safety, and welfare.

**WHEREAS**, this Ordinance is supported by and based upon related State legislation and guidance materials, including Assembly Bill No. 98 (2024) (**Exhibit A**), Assembly Bill No. 415 (2024) (**Exhibit B**), AB 98 Implementation Guidance for Local Agencies (**Exhibit C**), and the SB 415 Compliance Update (**Exhibit D**), all of which are incorporated herein by this reference.

**WHEREAS**, notice of the City Council Public Hearing concerning this Ordinance was duly published in a local newspaper at least ten (10) days prior to the Public Hearing and posted by the City Clerk in compliance with the City’s Zoning Code and City Council Resolution No. 2019-24, Expanded Public Noticing and Outreach Policy for Public Hearings and Public Workshops; and

**WHEREAS**, Ordinance No. 374 approving Zoning Code Amendment (ZCA) 25-04 is exempt from California Environmental Quality Act (CEQA) pursuant to Government Code Sections 65852.28(e), 659.13.4.5(b), and 66499.41(i) and thus is not subject to further environmental review under CEQA; and

**WHEREAS**, on December 18, 2025, the Planning Commission/Site and Architectural Review Board of the City of Grand Terrace conducted a duly noticed Public Hearing on Zoning Code Amendment (ZCA) 25-04 and considered testimony and evidence presented by the public, city staff, and other interested parties, at the Public Hearing and recommended approval of the ordinance to the City Council without changes; and

**WHEREAS**, on February 10, 2026, the City Council of the City of Grand Terrace held a duly noticed Public Hearing with respect thereto, and considered testimony and evidence at the Public Hearing on the Ordinance that would approve Zoning Code Amendment (ZCA) 25-04; and

**WHEREAS**, all legal prerequisites to the adoption of this Ordinance have occurred.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRAND TERRACE DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council hereby specifically finds that all the facts set forth in the above Recitals are true and correct and incorporated herein by this reference and made a part hereof.

**SECTION 2.** Based upon the forgoing and all oral and written testimony by members of the public and City staff (including, but not limited to, staff reports and attachments) made at the Public Hearing, the City Council hereby finds that the Project “Zoning Code Amendment (ZCA) 25-04” is not subject to environmental review pursuant Government Code Sections 65852.28(e), 65913.4.5(b), and 66499.41(i) and thus is not subject to further environmental review under CEQA as follows:

**Finding:** A project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where 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 activity is not subject to CEQA.

**Facts in Support of Finding:** The City of Grand Terrace has reviewed the ZCA 25-04 project with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq) (“CEQA”).

Government Code Section 65852.28(e) – “A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.”

Government Code Section 65913.4.5(b) – “A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with

Section 21000) of the Public Resources Code.”

Government Code 66499.41(i) – “A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.”

The City Council has determined that the text amendment in this ordinance is not a project under CEQA pursuant to Government Code Sections 65852.28(e), 659.13.4.5(b), and 66499.41(i) and thus is not subject to further environmental review under CEQA.

**SECTION 3.** Based upon the forgoing and all oral and written testimony by members of the public and City staff (including, but not limited to, staff reports and attachments) made at the Public Hearing, the City Council determines the findings for Zoning Code Amendment (ZCA) 25-04 pursuant to Grand Terrace Municipal Code Section §18.90.040 can be made supporting the project application as follows:

- 1) **Finding:** The proposed amendment will not be detrimental to the health, safety, morals, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City.

**Facts in Support of Finding:** ZCA 25-04 implements state-mandated AB 98 standards regulating logistics use developments, including mandatory buffers, loading bay orientation requirements, landscaping standards, façade design, and truck routing controls. These standards reduce environmental, noise, and circulation impacts and therefore enhance public health and safety.

- 2) **Finding:** The proposed amendment will not be: Injurious to property or improvements in the neighborhood or within the City.

**Facts in Support of Finding:** The zoning amendments ensure that logistics use developments, including warehouses and distribution facilities, are constructed with mandatory state screening, noise-attenuating features, truck circulation requirements, and setbacks that protect adjacent properties. These standards exceed current minimum requirements and reduce potential adverse impacts on surrounding areas.

- 3) **Finding:** The proposed amendment will be consistent with the latest adopted general plan.

**Facts in Support of Finding:** The General Plan designates the MR and M2 districts for industrial and employment-generating uses. AB 98 compliance ensures that such uses develop with appropriate performance standards, environmental protections, and circulation controls. Therefore, the amendments maintain consistency with the General Plan’s Land Use and Circulation Elements.

**SECTION 4.** Section 18.27.010 “Nonresidential Use regulations” of Chapter 18.27 – NONRESIDENTIAL DISTRICTS of the Grand Terrace Municipal Code is hereby amended to read in its entirety as follows:

Deletions as strikethroughs; additions as ***bold italics***.

**“18.27.010 Nonresidential Use regulations.**

Uses listed in Table 18.27.010 shall be allowed in one or more of the nonresidential districts as indicated in the columns below each district heading. Permitted uses are indicated by the letter "P" while the letter "C" indicates uses which require a conditional use permit. A "-" indicates uses which are prohibited.

Permitted Uses <sup>a</sup>	AP	C2	CM	MR	M2	PUB
Agricultural and nursery supplies and services	-	-	-	P	P	-
Amateur "HAM" radio antenna structures (Subject to Chapter 18.72)	P	P	P	P	P	P
Antique shops	C	P	P	P	-	-
Apparel stores	C	P	P	P	-	-
Appliance stores and repair	-	P	P	P	-	-
Art, music and photographic studios and supply stores	-	P	P	P	-	-
Athletic and health clubs and weight-reducing clinics	-	P	P	P	-	-
Bakeries (retail only)	C	P	P	P	-	-
Bakeries (wholesale)	-	-	-	-	P	-
Banks, financial services and institutions	P	-	-	-	-	-
Barber and beauty shops	-	P	P	P	-	-
Bicycle shops	-	P	P	P	-	-
Book, gift and stationary stores (other than adult related material)	C	-	-	-	-	-
Building maintenance services	-	-	C	P	P	-
Building supplies and sales	-	-	C	C	-	-
Building supplies sales, enclosed	-	-	-	P	-	-
Building supplies sales (wholesale and retail), indoor	-	-	-	-	P	-
Building supplies sales (wholesale and retail), outdoor	-	-	-	-	C	-
Building supplies and sales, outdoor	-	-	-	C	-	-
Business and office services	P	-	-	-	-	-
Business and office facilities	-	-	P	P	-	-
Business support services	-	-	P	P	-	-
Camera shop and film processing services	-	P	P	P	-	-
Candy and confectionery stores (retail only)	C	P	P	P	-	-
Carpet and floor covering stores	-	P	P	P	-	-

China and glassware stores	C	P	P	P	-	-
Cleaning and pressing establishments	-	P	P	P	-	-
Computer and software stores	C	P	P	P	-	-
Communication services	-	-	P	P	P	-
Contractor's office and storage yards, indoor	-	-	-	-	P	-
Contractor's office and storage yards, outdoor	-	-	-	C	C	-
Convenience stores	C	P	P	P	-	-
Curtain and drapery shops	-	P	P	P	-	-
Day care centers	C	C	C	C	-	-
Delicatessens and specialty food stores	-	P	P	P	-	-
Drug stores and pharmacies	C	P	P	P	-	-
Emergency shelters subject to Chapter 18.78	-	-	-	-	P	-
Equipment sales and services, indoor	-	-	-	P	-	-
Establishments with on-site alcohol beverage sales and consumption that are not bona fide eating establishments (bars, taverns, cocktail lounges, breweries, distilleries and/or wine making facilities with sales for on-site and off- site consumption) <sup>b</sup>	C	C	C	C	-	-
Florist shops	C	P	P	P	-	-
Funeral homes (without crematory services)	-	-	-	C	-	-
Funeral homes (with crematory services)	-	-	-	-	C	-
Furniture stores	C	P	P	P	-	-
General assembly facilities (other than church facilities)	P	-	-	-	-	-
Government offices and service facilities	-	-	-	-	-	P
Grocery stores and supermarkets	C	P	P	P	-	-
Hardware stores	C	P	P	P	-	-
Heavy equipment rentals, sales and services, indoor	-	-	P	P	P	-
Heavy equipment rentals, sales and services, outdoor	-	-	C	C	C	-
Hobby and craft shops	C	P	P	P	-	-
Ice cream and yogurt shops	-	P	P	P	-	-
Jewelry stores	C	P	P	P	-	-
Laundry (self-service)	-	P	P	P	-	-
Laundry and cleaning services	-	-	-	P	-	-
Laundry and dry-cleaning facilities	-	-	-	-	P	-
Leather goods and luggage stores	C	P	P	P	-	-
Liquor stores	C	P	P	P	-	-
<b>Logistics Use – Warehouse/Distribution</b>	-	-	-	<b>P</b>	<b>P</b>	
Mail order services	-	-	-	P	P	-
Manufacturing, light facilities	-	-	C	P	P	-

Manufacturing, medium facilities	-	-	-	-	P	-
Medical and dental offices and related health clinics	P	-	-	-	-	-
Modular units for office purpose only	-	-	-	C	-	-
Modular units for business office or headquarter purposes only	-	-	-	-	C	-
Motels and hotels	-	C	C	C	-	-
Nurseries and garden supply stores	C	P	P	P	-	-
Nursing and retirement home facilities	C	-	-	-	-	-
Office supplies store	-	P	P	P	-	-
Outdoor displays/uses shall take place in front of business on site, which have been approved with a conditional use permit. Under special circumstances outdoor uses/displays are allowed without conditional use permits during two city-wide events (the Grand Terrace Days in June and Tour De Terrace Bike Event in October), and in connection with business grand openings. Temporary special event permits will be required for display of associated balloons, banners and special event signs.	-	C	C	C	-	-
Paint, glass and wallpaper stores	C	P	P	P	-	-
Pet shops	-	P	P	P	-	-
Photography and film processing facilities	-	-	-	-	P	-
Plant nurseries, wholesale, outdoor	-	-	-	-	C	-
Printing, blueprinting and reproduction services	-	P	P	P	P	-
Private School Facilities	C	-	-	-	-	-
Public and quasi-public facilities	C	-	-	-	-	-
Public library facilities	-	-	-	-	-	P
Public parks and recreational facilities	-	-	-	-	-	P
Public schools facilities	-	-	-	-	-	P
Public storage facilities, indoor	-	-	P	P	P	-
Public storage facilities, outdoor	-	-	C	C	C	-
Public utility facilities and services	-	-	C	C	C	P
Record, tape and video stores (sales and rental)	-	P	P	P	-	-
Recreational facilities	-	-	C	C	C	-
Recreation vehicle storage, indoor	-	-	-	-	P	-
Recreation vehicle storage, outdoor	-	-	-	-	C	-
Research and development facilities	-	-	P	P	-	-
Research services	-	-	-	P	-	-

Restaurants: With incidental serving of beer and wine (without a cocktail lounge, bar, entertainment or dancing)	-	P	P	P	-	-
Restaurants: With a cocktail lounge, bar, entertainment- or dancing)		C	C	C	-	-
Restaurants: Fast food (without a drive-thru)	-	P	P	P	-	-
Restaurants: With entertainment and/or serving of alcoholic beverages (other than beer and wine)	-	C	C	C	-	-
Restaurants: Fast food (with a drive-thru)	-	C	C	C	-	-
Secondhand sales	-	C	C	C	-	-
Shoe stores (sales and repair)	-	P	P	P	-	-
Sporting goods stores	C	P	P	P	-	-
<b>Storage Facility</b>	-	-	-	<b>P</b>	<b>P</b>	
Tailor shops	-	P	P	P	-	-
Temporary uses which are determined by the community development director not to have significant long-term impact on the environment. (Uses such as parking lot sales, Christmas tree sales, seasonal sales, rummage sales, and others with review through the land use approval or administrative site and architectural approval process in accordance with Chapter 18.63, Site and Architectural Review)	-	P	P	P	P	-
Television, radio, VCR, stereo and CD component stores (sales and repair)	-	P	P	P	-	-
Toy stores	C	P	P	P	-	-
Variety department stores	C	P	P	P	-	-
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): electric vehicle charging stations (accessory use) <sup>c</sup>	P	P	P	P	P	P
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): parts and supplies (retail)	-	P	P	P	P	-
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): parts and supplies (wholesale)	-	-	-	-	P	-

Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): rentals	-	C	C	C	P	-
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): repair	-	-	-	C	P	
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): sales (new and used vehicles)	-	C	C	C	C	-
Vehicle related services (Includes but not limited to motorcycles and recreational vehicles. And service related to boats, trailers and campers.): service stations	-	C	C	C	C	-
Veterinary clinic (completely contained in a building)	-	C	C	P	P	-
Watch and clock shops (sales and repair);	C	P	P	P	-	-
Wireless communication facilities subject to Chapter 18.71	C	C	C	C	C	C
<b>Wholesale Facility</b>	-	-	-	<b>P</b>	<b>P</b>	-
<del>Wholesale, storage and distribution facilities</del>	-	-	-	<del>P</del>	<del>P</del>	-
Yardage goods stores	-	P	P	P	-	-

Footnotes:

- a. Land uses subject to Chapter 18.27.020 Nonresidential Hours of Operation.
- b. "Bona fide public eating place" means a place which is regularly and in a bona fide manner used and kept open for the serving of meals to "guests" for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking and an assortment of foods which may be required for ordinary "meals", the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the department of health. "Meals" means the usual assortment of foods commonly ordered at various hours of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement. In addition, the following, and offerings similar to them, do not meet the meal requirement:
  - Snacks such as pretzels, nuts, popcorn, pickles, and chips.
  - Food ordinarily served as appetizers or first courses such as cheese sticks, fried calamari, chicken wings, pizza bites (as opposed to a pizza), egg rolls, pot stickers, flautas, cups of soup, and any small portion of a dish that may

constitute a main course when it is not served in a full portion or when it is intended for sharing in small portions.

- Side dishes such as bread, rolls, french fries, onion rings, small salads (green, potato, macaroni, fruit), rice, mashed potatoes, and small portions of vegetables.
- Reheated refrigerated or frozen entrees.
- Desserts.

"Guests" shall mean persons who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal therein. Nothing in this Section, however, shall be construed to require that any food be sold or purchased with any beverage.

- c. Nonresidential Electric Vehicle Charging Stations shall be processed by the City in compliance with AB 970 (McCarty, 2021) subject to the specific binding timelines for the expedited, streamlined, ministerial review and approval of Electric Vehicle Charging Station (EVCS) permit applications per Assembly Bill 1236 (Chiu, 2015). The review periods for Electric Vehicle Charging Stations are determined based on the size of the proposed project.
- d. ***All Logistics Uses, including logistics warehouses, distribution facilities, fulfillment centers, and cross-dock facilities, shall comply Chapter 18.75 and with Assembly Bill 98 (2024), including but not limited to mandatory building orientation, circulation design, landscaping, screening, truck loading bay placement, and vehicle routing standards. Where conflicts occur between this Code and AB 98, AB 98 shall govern.***

**SECTION 5.** Chapter 18.75 – Logistical Use Standards is hereby added to Title 18 of the Grand Terrace Municipal Code to read in its entirety as follows:

### ***18.75 - Logistical Use Standards***

#### ***18.75.010 Purpose***

***The purpose of this section is to ensure that logistical uses and large-scale warehousing and distribution facilities within the M2 Industrial District are designed and operated in a manner compatible with surrounding nonindustrial uses and consistent with Assembly Bill 98. These standards are intended to minimize potential adverse impacts from noise, air emissions, truck traffic, lighting, and visual intrusion.***

#### ***18.75.020 Applicability.***

- 1. The provisions of this chapter apply to any logistical use or warehousing and distribution facility within the City of Grand Terrace.***

2. ***Any logistical use located within 900 feet of a sensitive receptor shall comply with all standards in this chapter.***
3. ***For purposes of this section, sensitive receptors include residences, schools, childcare centers, hospitals, convalescent facilities, parks, and other similar uses that are sensitive to noise, air quality, and traffic impacts.***

#### **18.75.030 Definitions**

1. ***For the purposes of this section, the following definition shall apply:***
  - a. ***“Logistics use” means a building in which cargo, goods, or products are moved or stored for later distribution to business or retail customers, or both, that does not predominantly serve retail customers for onsite purchases, and heavy-duty trucks (Class 4 through Class 8) are primarily involved in the movement of the cargo, goods, or products.***

***“Logistics use” does not include any of the following:***

***Facilities where food or household goods are sold directly to consumers and are accessible to the public.***

***A building primarily served by rail to move cargo, goods, or products.***

***Strategic Intermodal Facilities, defined as projects that satisfy all of the following:***

***Logistics facilities, including warehousing and transloading facilities, served by rail; and***

***Intermodal freight transport services.***

***This definition is adopted to comply with Assembly Bill 98 (2024) and California Government Code §65098(d). In the event of any conflict between this local definition and the Government Code, the Government Code shall supersede.***

- b. ***A “sensitive receptor” means one or more of the following:***
  - Residences, including private homes, apartments, condominium units, group homes, dormitory units, or retirement homes;***
  - Schools, including preschools, prekindergarten, or schools maintaining kindergarten or any of grades 1 through 12, inclusive;***
  - Daycare facilities, including in-home daycares;***
  - Publicly owned parks, playgrounds, and recreational areas or facilities primarily used by children, unless such areas are developed as a condition of approval for a logistics use;***
  - Nursing homes, long-term care facilities, hospices, convalescent facilities, or similar live-in housing;***

**Hospitals, as defined in Section 128700 of the California Health and Safety Code.**

**This definition is consistent with California Government Code §65098(e). If there is a conflict between this Code and the Government Code, the Government Code definition shall control.**

**18.75.040 – Development and Operational Standards**

**A. Buffers and Setbacks from Sensitive Receptors.**

- 1. A minimum 500-foot building setback applies for all logistical uses within 900 feet of a sensitive receptor, as required under AB 98.**
- 2. Buffer Requirements by Use Size and Zoning:**
  - a. For logistical uses 250,000 square feet or larger located on a site zoned for industrial use or recently rezoned industrial, the buffer area shall include a solid decorative wall, landscaped berm with wall, or landscaped berm, with drought-tolerant groundcover and solid-screen trees. The minimum buffer width shall be 50 feet.**
  - b. For logistical uses 250,000 square feet or larger located on a site not zoned industrial and requiring rezoning, the buffer area shall include a solid decorative wall, landscaped berm with wall, or landscaped berm, with drought-tolerant groundcover and solid-screen trees. The minimum buffer width shall be 100 feet.**
  - c. For logistical uses less than 250,000 square feet located on a site zoned for industrial use or recently rezoned industrial, the buffer area shall include a solid decorative wall, landscaped berm with wall, or landscaped berm, with drought-tolerant groundcover and solid-screen trees. The minimum buffer width shall be 50 feet.**
  - d. Buffer Planting Standards: Trees used as part of the buffer shall be planted in two rows along the length of the property line adjacent to the sensitive receptor. Trees shall be evergreen, drought-tolerant, low biogenic emission species, with a minimum 36-inch box size at planting, and spaced no greater than 40 feet on center. Palm trees shall not be used.**
  - e. Measurement: Buffers shall be measured from the property line of all adjacent sensitive receptors that fully screen the project from view.**
  - f. The Planning Commission/Site and Architectural Review Board may adjust buffer width, planting density, or berm/wall treatment where natural topography, existing structures, or equivalent mitigation measures provide equal or greater protection to sensitive receptors.**

**B. Truck Loading Bay Locations**

- 1. For sites not zoned industrial (requiring rezoning) or for logistical uses of 250,000 square feet or more, maintain a minimum distance of 500 feet, measured in a direct straight line, from the property line of the**

**nearest sensitive receptor to the nearest truck loading bay opening. (CA Gov't Code §65098.1(b)).**

- 2. For sites of 250,000 square feet or more, zoned for industrial use (or recently rezoned to industrial), maintain a minimum distance of 300 feet, measured in a direct straight line, from the property line of the nearest sensitive receptor to the nearest truck loading bay opening (CA Gov't Code §65098.1(a)).**

**C. Truck Entrances, Exit, and Internal Circulation requirements**

- 1. Position entry gates into the truck loading court after a minimum of 50 feet of total available stacking depth inside the property line**
- 2. Provide a separate entrance for heavy-duty trucks**
- 3. Locate entry, exit, and internal circulation routes away from sensitive receptor**
- 4. Prohibit heavy-duty diesel truck drive aisles along building sides directly adjacent to a sensitive receptor property line**

**D. Building and Loading Orientation.**

- 1. Loading docks, truck bays, and service doors shall be located on the side or rear of buildings and oriented away from sensitive receptors and public streets, wherever feasible.**
- 2. Buildings shall be designed to act as a physical barrier between loading areas and any adjacent nonindustrial properties.**
- 3. Truck access points shall be consolidated and located as far as practical from residential property lines and intersections with nonindustrial streets.**
- 4. Where truck loading or circulation areas face a sensitive receptor, a combination of solid walls and evergreen screening shall be provided to block views and reduce noise.**

**E. Truck Circulation and Idling.**

- 1. Truck access shall be designed to minimize conflicts with passenger vehicles and pedestrians.**
- 2. Truck queuing on public streets is prohibited.**
- 3. Trucks shall not idle for more than five (5) minutes on-site and are prohibited from idling within 300 feet of a sensitive receptor, consistent with state air quality regulations.**

**F. Landscaping and Screening.**

- 1. All perimeter property lines adjacent to nonindustrial uses shall include a minimum 10-foot landscape buffer with evergreen trees and shrubs forming a continuous visual screen.**

2. **Landscaping shall be designed to reduce heat and glare from paved areas and to buffer truck circulation from view.**
3. **Decorative solid walls or berms may be required as part of the screening treatment.**
4. **Interior parking and truck areas shall include tree planting sufficient to shade at least 50 percent of paved surfaces within 15 years of installation.**

**G. Electric Vehicle Charging Requirements (AB 98 – Tier 1 21<sup>st</sup> Century Warehouse)**

1. **This subsection applies to any logistical use, warehouse, fulfillment center, or distribution facility 250,000 square feet or more, consistent with the definition of a “Tier 1 21st Century Warehouse” under California Government Code §65098(g)(6).**
2. **A minimum of 10 percent of all passenger vehicle parking spaces provided on-site shall be installed with electric vehicle charging stations at the time of project completion.**
3. **When the required number of installed EV charging spaces results in a fractional number, the total shall be rounded up to the next whole number.**
4. **EV charging spaces shall:**
  - a. **Be distributed across passenger parking areas to ensure reasonable access for employees; and**
  - b. **Be located in safe, accessible areas with clear pedestrian routes to building entries.**
5. **The required minimum number of installed EV charging stations shall not be reduced through shared parking, off-site parking, or parking demand studies.**
6. **Where any conflict exists between this section and California Government Code §65098, the state standard shall govern.**

**H. Operational Standards.**

1. **Logistical uses within 500 feet of a sensitive receptor shall limit truck delivery and heavy-duty vehicle operations to 6:00 a.m. – 10:00 p.m., unless otherwise approved by the reviewing authority.**
2. **Truck routes shall comply with the City’s designated truck route map or Circulation Element.**
3. **All exterior lighting shall be fully shielded and directed downward to prevent glare onto adjacent properties.**
4. **Noise, odor, and vibration shall comply with applicable performance standards in Chapter 18.68.**

5. Any overnight parking of heavy-duty trucks shall occur only within designated on-site areas screened from view of sensitive receptors.

I. Review and Findings.

All logistical uses subject to this section shall be reviewed through Site and Architectural Review (Chapter 18.63). In addition to the findings required by that chapter, the Planning Commission/ Site and Architectural Review Board shall find that:

1. The site design, building orientation, and landscaping comply with the buffer and screening requirements of this section;
2. The project minimizes potential truck traffic, air quality, and noise impacts on adjacent properties and sensitive receptors; and
3. The project includes operational and physical measures sufficient to comply with the intent of AB 98 and the City's General Plan policies for environmental quality and land use compatibility.

Figure A: Required Setbacks for Truck Loading Bays

**Graphic 1**  
Setbacks for Truck Loading Bays

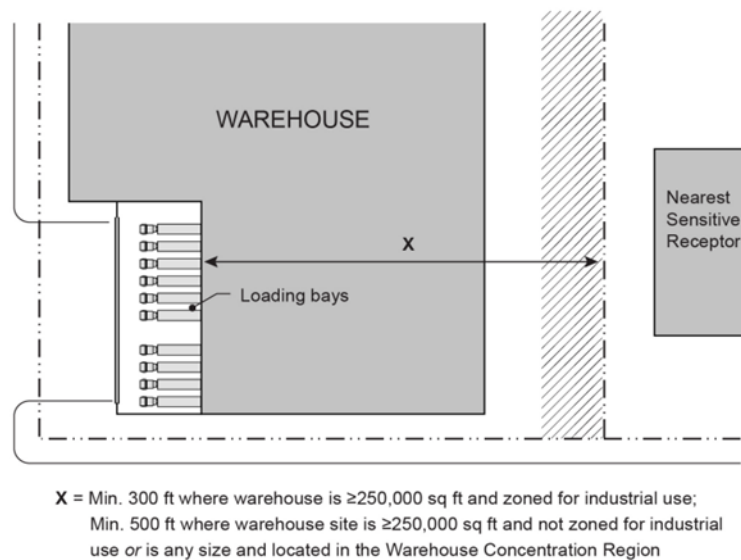
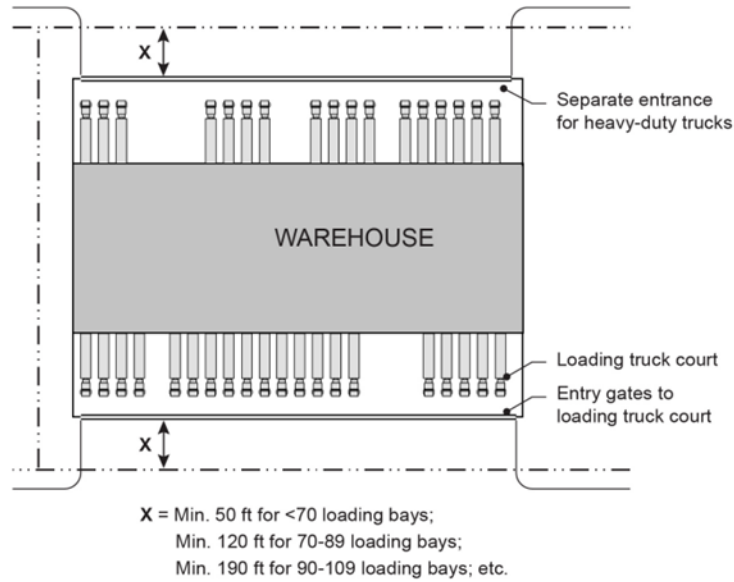


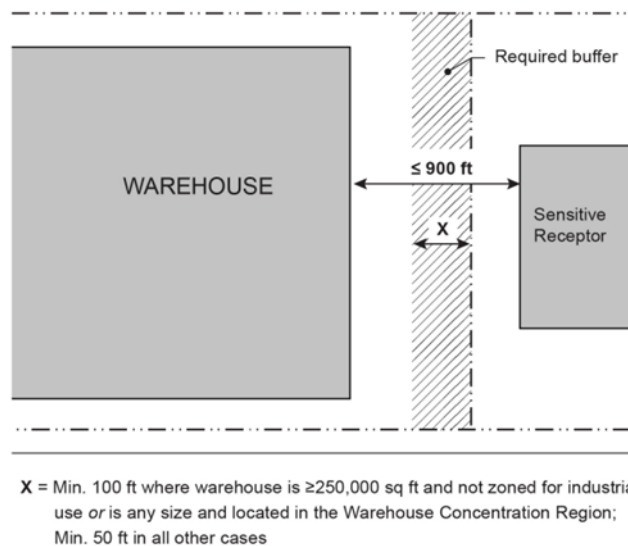
Figure B: Entry Gate Placement and Minimum Stacking Distance (Cross-Dock Layout)

## Graphic 2 Entry Gate Location (Cross Docking Example)



**Figure C: Required Buffers and Landscape Treatments Near Sensitive Receptors**

## Graphic 3 Buffering from Sensitive Receptors



**SECTION 6.** The City Council enacts this Ordinance approving ZCA 25-04 under the authority granted to cities by Article XI, Section 7 of the California Constitution and Government Code Sections 65852.28, 65913.4.5, and 66499.41.

**SECTION 7.** If any section, subsection, paragraph, sentence, clause or phrase of the Ordinance, or its application to any person or circumstance, is for any reason held to be invalid and unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases hereof be declared invalid or unenforceable.

**SECTION 8.** This Ordinance approving ZCA 25-03 shall take effect and be in force thirty (30) days from and after its adoption.

**SECTION 9.** First read at a regular meeting of the City Council held on the 10th day of February 2026 and adopted the Ordinance after the second reading at a regular meeting held on the 24th day of February 2026.

**SECTION 10.** The Mayor shall sign, and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect thirty (30) days after its final passage.

**PASSED, APPROVED, AND ADOPTED** by the City Council of Grand Terrace at a regular meeting held on the 24<sup>th</sup> day of February 2026.

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Bill Hussey  
Mayor

**ATTEST:**

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Daysi Alcocer  
City Clerk

**APPROVED AS TO FORM:**

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Adrian R. Guerra  
City Attorney

## Assembly Bill No. 98

### CHAPTER 931

An act to add Section 65302.02 to, and to add Chapter 2.8 (commencing with Section 65098) to Division 1 of Title 7 of, the Government Code, and to add Sections 40458.5 and 40522.7 to the Health and Safety Code, relating to land use.

[Approved by Governor September 29, 2024. Filed with  
Secretary of State September 29, 2024.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 98, Juan Carrillo. Planning and zoning: logistics use: truck routes.

(1) Existing law, the Planning and Zoning Law, sets forth various requirements relating to the review of development project permit applications and the issuance of development permits for specified classes of development projects.

This bill, beginning January 1, 2026, would prescribe various statewide warehouse design and build standards for any proposed new or expanded logistics use developments, as specified, including, among other things, standards for building design and location, parking, truck loading bays, landscaping buffers, entry gates, and signage. The bill would except from those design and build standards certain existing logistics use developments, proposed expansions of a logistics use development, and property currently in a local entitlement process to become a logistics use, under prescribed conditions. The bill would require a facility operator, prior to the issuance of a certificate of occupancy, to establish and submit for approval by a city, county, or city and county a truck routing plan to and from the state highway system based on the latest truck route map of the city, county, or city and county, as prescribed. The bill would require a facility operator to enforce the plan. The bill would provide for the revision of the plan in specified circumstances.

The bill would prohibit a city, county, or city and county from approving development of a logistics use that does not meet or exceed the standards outlined in the bill. The bill would require a city, county, or city and county to condition approval of a logistics use on 2-to-1 replacement of any demolished housing unit that was occupied within the last 10 years unless the housing unit was declared substandard by a building official, as specified, and payments to displaced tenants if residential dwellings are affected through purchase, as prescribed. The bill would define terms for these purposes.

(2) The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and specified land outside its

boundaries that includes, among other specified mandatory elements, a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan. Existing law requires, upon any substantive revision of the circulation element, that the legislative body modify the element to address specified additional issues.

This bill would require a county or city, by January 1, 2028, except as provided, to update its circulation element, as prescribed, including identifying and establishing specific travel routes for the transport of goods, materials, or freight for storage, transfer, or redistribution to safely accommodate additional truck traffic and avoid residential areas and concentrations of sensitive receptors, as defined. The bill would establish specific standards for truck routes. The bill would require a county or city to provide for posting of conspicuous signage to identify truck routes and additional signage for truck parking and appropriate idling facility locations. The bill would require a county or city to make truck routes publicly available and share maps of the truck routes with warehouse operators, fleet operators, and truck drivers. The bill would authorize the Attorney General to enforce these provisions, as provided, including by imposition of a fine of up to \$50,000 every 6 months if the required updates have not been made.

(3) Existing law provides for the creation of the South Coast Air Quality Management District in those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino included within the area of the South Coast Air Basin, as specified. Existing law provides that the south coast district is governed by a board consisting of 13 members and requires the district to adopt rules and regulations to carry out the south coast district air quality management plan that are not in conflict with state and federal laws and rules and regulations.

This bill would require the south coast district to establish a process for receiving community input on how any penalties assessed and collected for violation of the Warehouse Indirect Source Rule are spent, as specified. The bill would require the south coast district, subject to an appropriation for this express purpose, to, beginning on January 1, 2026, and until January 1, 2032, deploy mobile air monitoring systems within the Counties of Riverside and San Bernardino to collect air pollution measurements in communities that are near operational logistics use developments. The bill would require the south coast district to use the data collected to conduct an air modeling analysis to evaluate the impact of air pollution on sensitive receptors from logistics use development operations and to submit its findings to the Legislature on or before January 1, 2033. The bill would also require the district to submit an interim report to the Legislature on or before January 1, 2028, to evaluate the impact of air pollution on sensitive receptors, as defined, from logistics use development operations in the Counties of Riverside and San Bernardino, as provided.

(4) By modifying the duties of local agencies with regard to the approval of logistics use development and requiring the revision of the circulation

element of a general plan, the bill would impose a state-mandated local program.

(5) The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. Chapter 2.8 (commencing with Section 65098) is added to Division 1 of Title 7 of the Government Code, to read:

CHAPTER 2.8. WAREHOUSE DESIGN AND BUILD STANDARDS

65098. As used in this chapter:

(a) “21st century warehouse” means a logistics use that meets all of the following:

(1) Complies with or exceeds all requirements of the most current building energy efficiency standards specified in Part 6 (commencing with Section 100) of Title 24 of the California Code of Regulations and the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations), including, but not limited to, the following requirements related to:

- (A) Photovoltaic system installation and associated battery storage.
- (B) Cool roofing.
- (C) Medium- and heavy-duty vehicle charging readiness.
- (D) Light-duty electric vehicle charging readiness and installed charging stations.

(2) Has skylights in at least 1 percent of the roof area, or equivalent LED efficient lighting.

(3) Provides conduits and electrical hookups at all loading bays serving cold storage. Idling or use of auxiliary truck engine power to power climate control equipment shall be prohibited if the truck is capable of plugging in at the loading bay.

(4) Ensures that any heating, ventilation, and air-conditioning is high-efficiency.

(5) (A) Ensures that all classes of forklifts used on site, pursuant to State Air Resources Board’s Zero-Emission Forklifts regulation, as drafted, shall be zero-emission by January 1, 2030, to the extent operationally feasible, commercially off-the shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(6) (A) Ensures that equipment used on site utilizing small off-road engines shall be zero-emission, to the extent operationally feasible, commercially off-the shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(C) Should any equipment used on site utilizing small off-road engines be contracted out, the logistics use facility shall preferentially contract for services utilizing zero-emission small off-road engines.

(b) “Expansion of an existing logistics use” means the expansion of an existing logistics use by 20 percent or more of the existing square footage. Office space shall not be included as part of the existing square footage or in the square footage for the 20-percent expansion threshold.

(c) “Heavy-duty truck” means a class 7 or class 8 truck. As used in this subdivision:

(1) “Class 7 truck” means a truck with a gross vehicle weight rating of 26,001 to 33,000 pounds.

(2) “Class 8 truck” means a truck with a gross vehicle weight rating of greater than 33,000 pounds.

(d) “Logistics use” means a building in which cargo, goods, or products are moved or stored for later distribution to business or retail customers, or both, that does not predominantly serve retail customers for onsite purchases, and heavy-duty trucks are primarily involved in the movement of the cargo, goods, or products. “Logistics use” does not include any of the following:

(1) Facilities where food or household goods are sold directly to consumers and are accessible to the public.

(2) A building primarily served by rail to move cargo goods or product.

(3) (A) A Strategic Intermodal Facility.

(B) For purposes of this subdivision, “Strategic Intermodal Facility” means a project that satisfies all of the following requirements:

(i) Logistics facilities, including warehousing and transloading facilities, served by rail.

(ii) Intermodal freight transport services.

(iii) All facility structures and related rail operations are located within a single site footprint.

(e) “Sensitive receptor” means one or more of the following:

(1) A residence, including, but not limited to, a private home, apartment, condominium unit, group home, dormitory unit, or retirement home.

(2) A school, including, but not limited to, a preschool, prekindergarten, or school maintaining kindergarten or any of grades 1 to 12, inclusive.

- (3) A daycare facility, including, but not limited to, in-home daycare.
- (4) Publicly owned parks, playgrounds, and recreational areas or facilities primarily used by children, unless the development of the park and recreation areas are included as a condition of approval for the development of a logistics use.
- (5) Nursing homes, long-term care facilities, hospices, convalescent facilities, or similar live-in housing.
- (6) Hospitals, as defined in Section 128700 of the Health and Safety Code.
- (f) “Small off-road engines” means spark-ignition engines rated at or below 19 kilowatts.
- (g) “Tier 1 21st century warehouse” means a logistics use that meets all of the following:
  - (1) Complies with or exceeds all requirements of the most current building energy efficiency standards specified in Part 6 (commencing with Section 100) of Title 24 of the California Code of Regulations and the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations), including, but not limited to, the following requirements related to:
    - (A) (i) Photovoltaic system installation and associated battery storage.
    - (ii) For purposes of the photovoltaic system installation requirement in clause (i), all warehouse square footage should be considered conditioned space.
    - (B) Cool roofing.
    - (C) Medium- and heavy-duty vehicle charging readiness.
    - (D) Light-duty electric vehicle charging readiness and installed charging stations.
  - (2) Has skylights in at least one percent of the roof area, or equivalent LED efficient lighting.
  - (3) Has a microgrid-ready switchgear system capable of supporting distributed energy resources.
  - (4) Is advanced smart metering ready.
  - (5) Has a minimum of 50 percent of all passenger vehicle parking spaces preinstalled with conduit and all necessary physical infrastructure to support future charging of electric vehicles.
  - (6) Has a minimum of 10 percent of all passenger vehicle parking spaces installed with electric vehicle charging stations.
  - (7) Provides conduits and electrical hookups at all loading bays serving cold storage. Idling or use of auxiliary truck engine power to power climate control equipment shall be prohibited if the truck is capable of plugging in at the loading bay.
  - (8) Ensures that any heating, ventilation, and air-conditioning is high-efficiency.
  - (9) (A) Ensures that all classes of forklifts used on site, pursuant to State Air Resources Board’s Zero-Emission Forklifts regulation, as drafted, shall be zero-emission by January 1, 2028, to the extent operationally feasible, commercially off-the shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(10) (A) Ensures that equipment used on site utilizing small off-road engines shall be zero-emission, to the extent operationally feasible, commercially off-the shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(C) Should any equipment used on site utilizing small off-road engines be contracted out, the logistics use facility shall preferentially contract for services utilizing zero-emission small off-road engines.

(h) “Warehouse concentration region” 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.

65098.1. (a) Commencing January 1, 2026, any proposed new or expanded logistics use development 250,000 square feet or more where the loading bay is within 900 feet of a sensitive receptor that is utilizing a site zoned for industrial use or any site where an application was submitted to the jurisdiction by September 30, 2024, to rezone as industrial and the rezone to industrial was ultimately approved shall comply with all of the following:

(1) Include all Tier 1 21st century warehouse design elements described in subdivision (g) of Section 65098.

(2) Orient truck loading bays on the opposite side of the logistics use development away from sensitive receptors, to the extent feasible.

(3) Locate truck loading bays a minimum of 300 feet from the property line of the nearest sensitive receptor to the nearest truck loading bay opening using a direct straight-line method.

(4) Have a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses.

(5) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the building that are directly adjacent to a sensitive receptor property line.

(6) Include buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(b) Commencing January 1, 2026, except as provided for in subdivision (c), any proposed new or expanded logistics use development that is on land that is not zoned industrial, whether developed or undeveloped, or land that needs to be rezoned, where the loading bay is within 900 feet of a sensitive receptor, shall comply with all of the following:

(1) If the logistics use development is 250,000 square feet or more it shall include all Tier 1 21st century warehouse design elements described in subdivision (g) of Section 65098. If the logistics use development is less than 250,000 square feet it shall include all 21st century warehouse design elements described in subdivision (a) of Section 65098.

(2) Orient truck loading bays on the opposite side of the logistics use development away from sensitive receptors, to the extent feasible.

(3) Locate truck loading bays a minimum of 500 feet from the property line of the nearest sensitive receptor to the nearest truck loading bay opening using a direct straight-line method.

(4) Have a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses.

(5) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the building that are directly adjacent to a sensitive receptor property line.

(6) Include buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(c) Commencing January 1, 2026, any proposed new or expanded logistics use development that is on land that is not zoned industrial, whether developed or undeveloped, or land that needs to be rezoned, and is located in the warehouse concentration region, shall comply with all of the following:

(1) If the logistics use development is 250,000 square feet or more it shall include all Tier 1 21st century warehouse design elements described in subdivision (g) of Section 65098. If the logistics use development is less than 250,000 square feet it shall include all 21st century warehouse design elements described in subdivision (a) of Section 65098.

(2) Orient truck loading bays on the opposite side of the logistics use development away from sensitive receptors, to the extent feasible.

(3) Locate truck loading bays a minimum of 500 feet from the property line of the nearest sensitive receptor to the nearest truck loading bay opening using a direct straight-line method.

(4) Have a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses.

(5) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the building that are directly adjacent to a sensitive receptor property line.

(6) Include buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(d) Commencing January 1, 2026, any proposed new or expanded logistics use development less than 250,000 square feet where the loading bay is within 900 feet of a sensitive receptor that is utilizing a site zoned for industrial use or any site where an application was submitted to the

jurisdiction by September 30, 2024, to rezone as industrial and the rezone to industrial was ultimately approved shall comply with all of the following:

(1) Orient truck loading bays on the opposite side of the logistics use development away from sensitive receptors, to the extent feasible.

(2) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the building that are directly adjacent to a sensitive receptor property line.

(3) Include buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(4) Complies with or exceeds all requirements of the most current building energy efficiency standards specified in Part 6 (commencing with Section 100) of Title 24 of the California Code of Regulations and the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations), including, but not limited to, the following requirements related to:

(A) Photovoltaic system installation and associated battery storage.

(B) Cool roofing.

(C) Medium- and heavy-duty vehicle charging readiness.

(D) Light-duty electric vehicle charging readiness and installed charging stations.

(5) Provides conduits at loading bays equal to one truck per every loading bay serving cold storage. Idling or use of auxiliary truck engine power to power climate control equipment shall be prohibited if the truck is capable of plugging in at the loading bay.

(6) Ensures that any heating, ventilation, and air-conditioning is high-efficiency.

(7) Have a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses.

(e) (1) Except as provided in paragraph (2), on or before January 1, 2028, a city, county, or city and county shall update its circulation element to include truck routes, as specified in Section 65302.02.

(2) On or before January 1, 2026, all cities and counties in the warehouse concentration region shall update its circulation element to include truck routes, as specified in Section 65302.02.

65098.1.5. (a) (1) Notwithstanding any other provision of law, any existing logistics use development in existence as of September 30, 2024, shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a new sensitive receptor is constructed, established, or permitted after the effective date of this chapter.

(2) Notwithstanding any other provision of law, if, by September 30, 2024, a proposed expansion of a logistics use development is in a local entitlement process, then the proposed expansion shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3)

of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after the effective date of this chapter.

(3) Notwithstanding any other provision of law, if, by September 30, 2024, a property is currently in a local entitlement process to become a logistics use, then the proposed logistics use development shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after the effective date of this chapter.

(b) (1) Any new logistics use developments that require the rezoning of land and must undergo a municipal entitlement process shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if the start of the entitlement process for the logistics use began before any sensitive receptor started its own entitlement or permitting process, unless the proposed sensitive receptor was an existing allowable use according to local zoning regulations.

(2) During a logistics use development's entitlement process for a new or expanded logistics use, if a new sensitive receptor is proposed or established within the distances required by paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, then those distance requirements shall not apply to the logistics use development so long as the logistics use development was not already subject to those requirements prior to the new sensitive receptor being proposed or established.

(c) This chapter shall not apply to any logistics projects that were subject to a commenced local entitlement process prior to September 30, 2024.

(d) The protection afforded by this section shall remain in effect from the time of the initial application submission through the completion of the entitlement process, including any necessary rezoning actions and through the development period. If no development activity occurs within five years of entitlement approvals, the protections shall be waived.

(e) This chapter shall not apply to a logistics project that received an approval by a local agency prior to the effective date of this chapter. For purposes of this subdivision, "approval" shall have the same meaning as set forth in subdivision (a) of Section 15352 of Chapter 3 of Division 6 of Title 14 of the California Code of Regulations.

65098.2. (a) Any new logistics use facility within 900 feet of a sensitive receptor shall have a buffer as follows:

(1) If the logistics use development is subject to the requirements of subdivision (a) or (d) of Section 65098.1, the buffer shall be 50 feet in width measured from the property line of all adjacent sensitive receptors that fully screen the project from the sensitive receptor.

(2) If the logistics use development is subject to either subdivision (b) or subdivision (c) of Section 65098.1, the buffer shall be 100 feet in width

measured from the property line of all adjacent sensitive receptors that fully screen the project from the sensitive receptor.

(b) Buffer areas shall include a solid decorative wall, landscaped berm and wall, or landscaped berm 10 feet or more in height, drought tolerant natural ground landscaping with proper irrigation, and solid-screen buffering trees as described in subdivision (c).

(c) Trees shall be used as part of a solid-screen buffering treatment and planted in two rows along the length of the property line adjacent to the sensitive receptor. Trees used for this purpose shall be evergreen, drought tolerant, to the extent feasible, composed of species with low biogenic emissions, of a minimum 36-inch box size at planting, and spaced at no greater distance than 40 feet on center. Palm trees shall not be utilized.

65098.2.5. The entry gates into the loading truck court for a new or expanded logistics use facility shall be positioned after a minimum of 50 feet of total available stacking depth inside the property line. The stacking depth shall be increased by 70 feet for every 20 loading bays beyond 50 loading bays, to the extent feasible.

65098.2.7. (a) The purpose of this section is to ensure that logistics use developments, beginning January 1, 2026, are sited in locations that minimize adverse impacts on residential communities and enhance transportation efficiency. This is achieved by restricting logistics use development to roadways that are suited to handle the associated traffic and that predominantly serve commercial uses.

(b) (1) Any new logistics use development shall be sited on roadways that meet the following classifications:

- (A) Arterial roads.
- (B) Collector roads.
- (C) Major thoroughfares.
- (D) Local roads that predominantly serve commercial uses.

(2) For purposes of this chapter, local roads shall be considered to predominantly serve commercial uses if more than 50 percent of the properties fronting the road within 1000 feet are designed for commercial or industrial use according to the local zoning ordinance.

(c) A waiver may be granted where siting on the designated roadways pursuant to subdivision (b) is impractical due to unique geographic, economic, or infrastructure-related reasons. The waiver shall be approved by the city, county, or city and county, provided that the applicant demonstrates all of the following:

- (1) There is no feasible alternative site that exists within the designated roadways.
- (2) A traffic analysis has been completed and submitted to the local approving authority.
- (3) The site is an existing industrial zone.
- (4) The proposed site will incorporate mitigations to minimize traffic and environmental impacts on residential areas to the greatest extent feasible.

65098.3. (a) Anti-idling signs indicating a three-minute heavy-duty truck engine idling restriction shall be posted at logistics use developments along entrances to the site and at the truck loading bays.

(b) Signs shall be installed at all heavy-duty truck exit driveways directing truck drivers to the truck route as indicated in the truck routing plan, as described in Section 65098.4, and in the state highway system.

65098.4. Prior to the issuance of a certificate of occupancy, a facility operator shall establish and submit for approval to the planning director or equivalent position for the city, county, or city and county a truck routing plan to and from the state highway system based on the latest truck route map of the city, county, or city and county. The truck routing plan shall describe the operational characteristics of the use of the facility operator, including, but not limited to, hours of operation, types of items to be stored within the building, and proposed truck routing to and from the facility to designated truck routes that, to the greatest extent possible, avoid passing sensitive receptors. The truck routing plan shall include measures, such as signage and pavement markings, queuing analysis, and enforcement, for preventing truck queuing, circling, stopping, and parking on public streets. The facility operator shall be responsible for enforcement of the truck routing plan. A revised truck routing plan shall be submitted to the planning director or equivalent position prior to a business license being issued by the city, county, or city and county for any new tenant of the property. The planning director or equivalent position shall have discretion to determine if changes to the truck routing plan are necessary, including, but not limited to, any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.

65098.5. (a) A city, county, or city and county shall not approve development of a logistics use that does not meet or exceed the standards outlined in this chapter.

(b) This section shall not be construed to restrict the existing authority of a city, county, or city and county to deny a logistics use facility altogether.

65098.6. A city, county, or city and county shall condition approval of a logistics use on the following:

(a) Two-to-one replacement of any demolished housing unit that was occupied within the last 10 years, unless the housing unit was declared substandard by a building official, pursuant to Section 17920.3 of the Health and Safety Code, prior to purchase by the developer. For each housing unit demolished, regardless of market value of the unit, two units of affordable housing for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, that are deed-restricted shall be built within the jurisdiction. Funds from any fee imposed for the replacement of demolished housing units shall be placed in a housing-specific set-aside account and shall be used for housing within three years of collection.

(b) If residential dwellings are affected through purchase, the developer shall be required to provide any displaced tenant with an amount equivalent to 12 months' rent at the current rate.

65098.7. Nothing in this chapter shall be construed to supersede mitigation measures required by the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

65098.8. The Legislature finds and declares that the movement and storage of freight and the impact of this activity on public health and communities across the state as set forth in this chapter is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this chapter applies to all cities, including charter cities.

65098.9. The provisions of this chapter shall not apply to a logistics use development if it meets both of the following:

(a) The logistics use development is a mixed-use development that may create sensitive receptors on the site of the new logistics use development.

(b) There are no existing sensitive receptors within 900 feet of the loading bay.

SEC. 2. Section 65302.02 is added to the Government Code, to read:

65302.02. By January 1, 2028, except as provided for in subdivision (h), a county or city shall update its circulation element, as required by subdivision (b) of Section 65302, to do all of the following:

(a) Identify and establish specific travel routes for the transport of goods, materials, or freight for storage, transfer, or redistribution to safely accommodate additional truck traffic and avoid residential areas and sensitive receptors, as defined by Section 65098.

(b) Maximize the use of interstate or state divided highways as preferred routes for truck routes. The county or city shall also maximize use of arterial roads, major thoroughfares, and predominantly commercially oriented local streets when state or interstate highways are not utilized. Truck routes shall comply with the following:

(1) Major or minor collector streets and roads that predominantly serve commercially oriented uses shall be used for truck routes only when strictly necessary to reach existing industrial zones.

(2) Trucks shall be routed via transportation arteries that minimize exposure to sensitive receptors.

(3) On and after January 1, 2028, all proposed development of a logistics use development, as defined in subdivision (d) of Section 65098, shall be accessible via arterial roads, major thoroughfares, or roads that predominantly serve commercially oriented uses.

(A) The purpose of this section is to ensure that logistics use developments are sited in locations that minimize adverse impacts on residential communities and enhance transportation efficiency. This is achieved by restricting logistics use developments to roadways that are suited to handle the associated traffic and that predominantly serve commercial uses.

(B) For purposes of this section, local roads shall be considered to predominantly serve commercial uses if more than 50 percent of the

properties fronting the road within 1000 feet are designated for commercial or industrial use according to the local zoning ordinance.

(c) The county or city may consult with the Department of Transportation and the California Freight Advisory Committee for technical assistance.

(d) The county or city shall provide for posting of conspicuous signage to identify truck routes and additional signage for truck parking and appropriate idling facility locations.

(e) The county or city shall 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.

(f) The city or county shall provide opportunities for the involvement of citizens, California Native American Indian tribes, public agencies, public utility companies, and civic, educational, and other community groups through public hearings and any other means the planning agency deems appropriate, consistent with Section 65351.

(g) The city or county shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the changes required pursuant to this section.

(h) The warehouse concentration region, as defined in Section 65098, shall implement the provisions of this section by January 1, 2026.

(i) The Attorney General may enforce this section.

(1) The Attorney General may impose a fine against a jurisdiction that is in violation of this section of up to fifty thousand dollars (\$50,000) every six months if the required updates have not been made.

(2) Upon appropriation by the Legislature, any fines collected shall be distributed by the Attorney General and returned to the local air quality management district in which the fine was imposed and be used for the district's efforts to improve air quality.

SEC. 3. Section 40458.5 is added to the Health and Safety Code, to read:

40458.5. (a) Subject to an appropriation for this express purpose, the south coast district shall, beginning on January 1, 2026, and until January 1, 2032, deploy mobile air monitoring systems within the Counties of Riverside and San Bernardino to collect air pollution measurements in communities that are near operational logistics use developments.

(b) The south coast district shall use the data collected pursuant to subdivision (a) to conduct an air modeling analysis to evaluate the impact of air pollution on sensitive receptors, as defined in Section 65098 of the Government Code, from logistics use development operations in the Counties of Riverside and San Bernardino, including relative pollution concentrations from logistics use developments at varying distances from sensitive receptors.

(c) The south coast district shall submit its findings to the Legislature on or before January 1, 2033. On or before January 1, 2028, the south coast district shall submit an interim report to evaluate the impact of air pollution on sensitive receptors, as defined in Section 65098 of the Government Code, from logistics use development operations in the Counties of Riverside and San Bernardino, including relative pollution concentrations from logistics

use developments at varying distances from sensitive receptors. This report shall be used to assess the effectiveness of setbacks on public health.

(d) (1) The requirement for submitting a report imposed pursuant to subdivision (c) is inoperative on January 1, 2040, pursuant to Section 10231.5 of the Government Code.

(2) A report to be submitted pursuant to subdivision (c) shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 4. Section 40522.7 is added to the Health and Safety Code, to read:

40522.7. The south coast district shall establish a process for receiving community input on how any penalties assessed and collected for violations of the Warehouse Indirect Source Rule are spent. The south coast district shall ensure a wide range of community groups are included in the process and that groups represent the geographic areas where there are high numbers of warehouse facilities.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

O

## Senate Bill No. 415

### CHAPTER 316

An act to amend Sections 65098, 65098.1, 65098.1.5, 65098.2, 65098.2.5, 65098.2.7, 65098.3, 65098.4, 65098.5, 65098.6, and 65302.02 of, and to add Sections 65098.1.6 and 65098.2.8 to, the Government Code, to amend Sections 40458.5 and 40522.7 of the Health and Safety Code, and to add Section 2429.9 to the Vehicle Code, relating to land use.

[Approved by Governor October 3, 2025. Filed with Secretary of State October 3, 2025.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 415, Reyes. Planning and zoning: logistics use developments: truck routes.

Existing law, beginning January 1, 2026, prescribes various statewide warehouse design and build standards for any proposed new or expanded logistics use developments, as specified, including, among other things, standards for building design and location, parking, truck loading bays, landscaping buffers, entry gates, and signage. Existing law defines various terms, including “21st century warehouse,” and “tier 1 21st century warehouse,” for purposes of those provisions as logistics uses that, among other things, comply with specified building and energy efficiency standards, including requirements related to the availability of conduits and electrical hookups to power climate control equipment at loading bays, as specified. Existing law, subject to specified exceptions, defines “logistics use” for these purposes to mean a building in which cargo, goods, or products are moved or stored for later distribution to business or retail customers, or both, that does not predominantly serve retail customers for onsite purchases, and heavy-duty trucks are primarily involved in the movement of the cargo, goods, or products.

This bill would clarify that a 21st century warehouse and a tier 1 21st century warehouse are required to comply with those standards as are in effect at the time that the building permit for a development of a 21st century warehouse is issued and make other clarifying changes relating to permissibility of use of conduits and electrical hookups at loading bays at those locations. The bill would revise the definition of “logistics use” and instead define “logistics use development” for these purposes to mean a building that is primarily used as a warehouse for the movement or the storage of cargo, goods, or products that are moved to business or retail customers, or both, that does not predominantly serve retail customers for onsite purchases, and heavy-duty trucks are primarily involved in the movement of the cargo, goods, or products. The bill would make various

other technical and conforming changes to the provisions governing logistics use development.

Existing law requires a facility operator, before issuance of a certificate of occupancy, to establish and submit for approval by a city, county, or city and county a truck routing plan that, among other things, described the operational characteristics of the use of the facility operator. Existing law requires, by January 1, 2028, a county or city to update its circulation element, as provided, and to provide for posting of conspicuous signage to identify truck routes and additional signage for truck parking and appropriate idling facility locations, as specified. Existing law authorizes the Attorney General to enforce those provisions concerning the circulation element and to impose a fine against a jurisdiction that is in violation of these provisions, as provided.

This bill would, instead, require that the truck routing plan describe the operational characteristics of the logistics use development and of the logistics use development operator. The bill would require a jurisdiction, except as specified, to adopt a prescribed ordinance, on or before January 1, 2028, including that the ordinance establishes specific travel routes for the transport of goods, materials, or freight for storage, transfer, or redistribution to safely accommodate additional truck traffic and avoid residential areas and sensitive receptors, as provided. The bill would, instead, require a county or city that is located in a warehouse concentration region to update its circulation element, on or before January 1, 2026, as specified. On and after January 1, 2028, or January 1, 2030, as specified, the bill would require that all proposed development of a logistics use development be accessible via arterial roads, major thoroughfares, or roads that predominantly serve commercially oriented uses. The bill would authorize the Attorney General to bring an action against a city, county, or city and county that is in violation of these provisions. The bill would make a city, county, or city and county that has been found by a court to be in violation of these provisions subject to a civil penalty of up to \$50,000 every 6 months, accrued from the date of the violation until the violation is cured, specified costs, and other relief deemed appropriate by the court. The bill would require a city or county to provide for posting of conspicuous signage to identify truck routes and additional signage for truck parking and appropriate locations for idling and parking, among other things.

Existing law requires a city, county, or city and county to condition approval of a logistics use development on (1) 2-to-1 replacement of any demolished housing unit that was occupied within the last 10 years, unless the housing unit was declared substandard by a building official, prior to purchase by the developer, and (2) the provision to any displaced tenant with a specified amount if residential dwellings are affected through purchase, as provided.

This bill would establish that nothing in the provisions described above regarding conditions placed upon approval of a logistics use development shall be construed to preclude the applicability of or compliance with other provisions that, among other things, prohibit an affected city or an affected

county, as defined, from approving a development project that will require the demolition of occupied or vacant protected units, as defined, or that is located on a site where protected units were demolished in the previous 5 years, unless specified requirements are satisfied.

Existing law provides for the creation of the South Coast Air Quality Management District in those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino included within the area of the South Coast Air Basin, as specified. Existing law requires the district, subject to an appropriation for the express purpose, to deploy mobile air monitoring systems to collect air pollution measurements in communities that are near operational logistics use developments, use the data collected to conduct an air modeling analysis and submit its findings to the Legislature, and establish a process for receiving community input on how specified penalties assessed and collected are spent.

This bill would delete the requirement that the district use the data collected, as described above, to conduct an air modeling analysis and, instead, based upon the amount of appropriated funds, authorize the district to use a combination of new air monitoring data or other measurement data to evaluate pollutant concentrations, as provided. The bill would also make nonsubstantive changes to references to the South Coast Air Quality Management District contained in those provisions.

Existing law creates in the Transportation Agency, the Department of the California Highway Patrol under the control of a civil executive officer known as the Commissioner of the California Highway Patrol. Existing law requires the commissioner to establish a school for the training and education of the members of the California Highway Patrol, and for other employees of the department deemed necessary, in traffic regulation, in the performance of their duties, and in the proper enforcement of codes and laws respecting use of the highways.

This bill would require the department, on or before January 1, 2027, to make specified training on enforcement of laws relating to commercial vehicles, including, but not limited to, truck route enforcement, available to city and county law enforcement agencies, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. Section 65098 of the Government Code is amended to read:

65098. As used in this chapter:

(a) “21st century warehouse” means a logistics use development that meets all of the following:

(1) Complies with or exceeds all requirements of the most current building energy efficiency standards specified in Part 6 (commencing with Section 100) of Title 24 of the California Code of Regulations and the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations) that are in effect at the time that the building permit is issued, including, but not limited to, the following requirements related to:

- (A) Photovoltaic system installation and associated battery storage.
- (B) Cool roofing.
- (C) Medium- and heavy-duty vehicle charging readiness.
- (D) Light-duty electric vehicle charging readiness and installed charging stations.

(2) Has skylights in at least 1 percent of the roof area, or equivalent LED efficient lighting.

(3) (A) Provides conduits and electrical hookups at all loading bays serving cold storage.

(B) Idling or use of auxiliary truck engine power to power climate control equipment shall be prohibited if the truck is capable of plugging in at the loading bay and sufficient power is available.

(4) Ensures that any heating, ventilation, and air-conditioning is high-efficiency.

(5) (A) Ensures that all classes of forklifts used on site, pursuant to State Air Resources Board's Zero-Emission Forklifts regulation, as drafted, shall be zero-emission by January 1, 2030, to the extent operationally feasible, commercially off-the-shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the-shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(6) (A) Ensures that equipment used on site utilizing small off-road engines shall be zero-emission, to the extent operationally feasible, commercially off-the-shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the-shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(C) Should any equipment used on site utilizing small off-road engines be contracted out, the logistics use development shall preferentially contract for services utilizing zero-emission small off-road engines.

(b) "Expansion" means the expansion of an existing logistics use development by 20 percent or more of the existing square footage. Office space shall not be included as part of the existing square footage or in the square footage for the 20-percent expansion threshold.

(c) "Heavy-duty truck" means a class 7 or class 8 truck. As used in this subdivision:

- (1) “Class 7 truck” means a truck with a gross vehicle weight rating of 26,001 to 33,000 pounds.
- (2) “Class 8 truck” means a truck with a gross vehicle weight rating of greater than 33,000 pounds.
- (d) “Logistics use development” means a building that is primarily used as a warehouse for the movement or the storage of cargo, goods, or products that are moved to business or retail customers, or both, that does not predominantly serve retail customers for onsite purchases, and heavy-duty trucks are primarily involved in the movement of the cargo, goods, or products. “Logistics use development” does not include any of the following:
  - (1) Facilities where food or household goods are sold directly to consumers and are accessible to the public.
  - (2) A building primarily served by rail to move cargo goods or product.
  - (3) (A) A Strategic Intermodal Facility.  
(B) For purposes of this subdivision, “Strategic Intermodal Facility” means all of the following requirements:
    - (i) Logistics facilities, including warehousing and transloading facilities, served by rail.
    - (ii) Intermodal freight transport services.
    - (iii) All facility structures and related rail operations are located within a single site footprint.
  - (4) A building that serves a primary agricultural use that is actively operated for a single period of 90 consecutive days or less each year.
- (e) “Sensitive receptor” means one or more of the following:
  - (1) A residence, including, but not limited to, a private home, apartment, condominium unit, group home, dormitory unit, or retirement home.
  - (2) A school, including, but not limited to, a preschool, prekindergarten, or school maintaining kindergarten or any of grades 1 to 12, inclusive.
  - (3) A daycare facility, including, but not limited to, in-home daycare.
  - (4) (A) Publicly owned parks, playgrounds, and recreational areas or facilities primarily used by children.  
(B) For purposes of subparagraph (A), the following types of park and recreation areas shall not be considered a sensitive receptor:
    - (i) Parks and recreation areas included as a condition of approval for the logistics use development.
    - (ii) 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 of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code) or McAteer-Petris Act (Title 7.2 (commencing with Section 66600)).
    - (iii) Land developed at or adjacent to an airport or seaport for the express purpose of creating a buffer area between sensitive receptors and an airport or seaport facility.
  - (5) Nursing homes, long-term care facilities, hospices, convalescent facilities, or similar live-in housing.
  - (6) Hospitals, as defined in Section 128700 of the Health and Safety Code.

(f) “Small off-road engines” means spark-ignition engines rated at or below 19 kilowatts or 25 horsepower or less.

(g) “Tier 1 21st century warehouse” means a logistics use development that meets all of the following:

(1) Complies with or exceeds all requirements of the most current building energy efficiency standards specified in Part 6 (commencing with Section 100) of Title 24 of the California Code of Regulations and the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations) that are in effect at the time that the building permit is issued, including, but not limited to, the following requirements related to:

(A) (i) Photovoltaic system installation and associated battery storage.

(ii) For purposes of the photovoltaic system installation requirement in clause (i), all logistic use square footage should be considered conditioned space.

(B) Cool roofing.

(C) Medium- and heavy-duty vehicle charging readiness.

(D) Light-duty electric vehicle charging readiness and installed charging stations.

(2) Has skylights in at least one percent of the roof area, or equivalent LED efficient lighting.

(3) Has a microgrid-ready switchgear system capable of supporting distributed energy resources.

(4) Is advanced smart metering ready.

(5) Has a minimum of 50 percent of all passenger vehicle parking spaces preinstalled with conduit and all necessary physical infrastructure to support future charging of electric vehicles.

(6) Has a minimum of 10 percent of all passenger vehicle parking spaces installed with electric vehicle charging stations.

(7) (A) Provides conduits and electrical hookups at all loading bays serving cold storage.

(B) Idling or use of auxiliary truck engine power to power climate control equipment shall be prohibited if the truck is capable of plugging in at the loading bay and sufficient power is available.

(8) Ensures that any heating, ventilation, and air-conditioning is high-efficiency.

(9) (A) Ensures that all classes of forklifts used on site, pursuant to State Air Resources Board’s Zero-Emission Forklifts regulation, as drafted, shall be zero-emission by January 1, 2028, to the extent operationally feasible, commercially off-the-shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the-shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(10) (A) Ensures that equipment used on site utilizing small off-road engines shall be zero-emission, to the extent operationally feasible, commercially off-the-shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the-shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(C) Should any equipment used on site utilizing small off-road engines be contracted out, the logistics use development shall preferentially contract for services utilizing zero-emission small off-road engines.

(h) “Warehouse concentration region” includes the unincorporated areas within 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.

(i) “Logistics park” means a development consisting of multiple buildings containing logistics use developments.

SEC. 2. Section 65098.1 of the Government Code is amended to read:

65098.1. (a) Commencing January 1, 2026, any proposed new or expanded logistics use development 250,000 square feet or more where the loading bay is within 900 feet of a sensitive receptor that is utilizing a site zoned for industrial use or any site where an application was submitted to the jurisdiction by September 30, 2024, to rezone as industrial and the rezone to industrial was ultimately approved shall comply with all of the following:

(1) Include all Tier 1 21st century warehouse design elements described in subdivision (g) of Section 65098.

(2) Orient truck loading bays on the side of the logistics use development that is away from the nearest sensitive receptor, to the extent feasible.

(3) Locate truck loading bays a minimum of 300 feet from the property line of the nearest sensitive receptor to the nearest truck loading bay opening using a direct straight-line method.

(4) Have a separate entrance to the logistics use development or logistics park for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial, agricultural, or industrial uses. A separate entrance for heavy-duty trucks may include a driveway with a lane dedicated to heavy-duty trucks and a lane dedicated for other vehicles.

(5) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the logistics use development that are directly adjacent to a sensitive receptor property line.

(6) Comply with buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(b) Commencing January 1, 2026, except as provided for in subdivision (c), any proposed new or expanded logistics use development that is on land that is not zoned industrial, whether developed or undeveloped, or land that needs to be rezoned, where the loading bay is within 900 feet of a sensitive receptor, shall comply with all of the following:

(1) If the logistics use development is 250,000 square feet or more it shall include all Tier 1 21st century warehouse design elements described

in subdivision (g) of Section 65098. If the logistics use development is less than 250,000 square feet it shall include all 21st century warehouse design elements described in subdivision (a) of Section 65098.

(2) Orient truck loading bays on the side of the logistics use development that is away from the nearest sensitive receptor, to the extent feasible.

(3) Locate truck loading bays a minimum of 500 feet from the property line of the nearest sensitive receptor to the nearest truck loading bay opening using a direct straight-line method.

(4) Have a separate entrance to the logistics use development or logistics park for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial, agricultural, or industrial uses. A separate entrance for heavy-duty trucks may include a driveway with a lane dedicated to heavy-duty trucks and a lane dedicated to automobiles.

(5) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the logistics use development that are directly adjacent to a sensitive receptor property line.

(6) Comply with buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(c) Commencing January 1, 2026, any proposed new or expanded logistics use development that is on land that is not zoned industrial, whether developed or undeveloped, or land that needs to be rezoned, and is located in the warehouse concentration region, shall comply with all of the following:

(1) If the logistics use development is 250,000 square feet or more it shall include all Tier 1 21st century warehouse design elements described in subdivision (g) of Section 65098. If the logistics use development is less than 250,000 square feet it shall include all 21st century warehouse design elements described in subdivision (a) of Section 65098.

(2) Orient truck loading bays on the side of the logistics use development that is away from the nearest sensitive receptor, to the extent feasible.

(3) Locate truck loading bays a minimum of 500 feet from the property line of the nearest sensitive receptor to the nearest truck loading bay opening using a direct straight-line method.

(4) Have a separate entrance to the logistics use development or logistics park for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial, agricultural, or industrial uses. A separate entrance for heavy-duty trucks may include a driveway with a lane dedicated to heavy-duty trucks and a lane dedicated to automobiles.

(5) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the logistics use development that are directly adjacent to a sensitive receptor property line.

(6) Comply with buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(d) Commencing January 1, 2026, any proposed new or expanded logistics use development less than 250,000 square feet where the loading bay is within 900 feet of a sensitive receptor that is utilizing a site zoned for industrial use or any site where an application was submitted to the jurisdiction by September 30, 2024, to rezone as industrial and the rezone to industrial was ultimately approved shall comply with all of the following:

(1) Orient truck loading bays on the side of the logistics use development that is away from the nearest sensitive receptor, to the extent feasible.

(2) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the logistics use development that are directly adjacent to a sensitive receptor property line.

(3) Comply with buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(4) Complies with or exceeds all requirements of the most current building energy efficiency standards specified in Part 6 (commencing with Section 100) of Title 24 of the California Code of Regulations and the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations) that are in effect at the time that the building permit is issued, including, but not limited to, the following requirements related to:

(A) Photovoltaic system installation and associated battery storage.

(B) Cool roofing.

(C) Medium- and heavy-duty vehicle charging readiness.

(D) Light-duty electric vehicle charging readiness and installed charging stations.

(5) (A) Provides conduits at loading bays equal to one truck per every loading bay serving cold storage.

(B) Idling or use of auxiliary truck engine power to power climate control equipment shall be prohibited if the truck is capable of plugging in at the loading bay and sufficient power is available.

(6) Ensures that any heating, ventilation, and air-conditioning is high-efficiency.

(7) Have a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses.

(e) For purposes of this section, “rezone” does not include land that meets both of the following requirements:

(1) The land is annexed by a jurisdiction through a boundary change.

(2) The zoning in the new jurisdiction is consistent with the zoning assigned by the original jurisdiction.

SEC. 3. Section 65098.1.5 of the Government Code is amended to read:  
65098.1.5. (a) (1) Notwithstanding any other law, except as provided in Section 65098.1.6, any existing logistics use development in existence as of September 30, 2024, shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a

new sensitive receptor is constructed, established, or permitted after the effective date of this chapter.

(2) Notwithstanding any other law, except as provided in Section 65098.1.6, if by September 30, 2024, a proposed expansion of a logistics use development is in a local entitlement process, then the proposed expansion shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after the effective date of this chapter.

(3) Notwithstanding any other law, except as provided in Section 65098.1.6, if by September 30, 2024, a property is currently in a local entitlement process to become a logistics use development, then the proposed logistics use development shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after the effective date of this chapter.

(b) (1) Any proposed new logistics use developments that require the rezoning of land and must undergo a municipal entitlement process shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if the start of the entitlement process for the logistics use development began before any sensitive receptor started its own entitlement or permitting process, unless the proposed sensitive receptor was an existing allowable use according to local zoning regulations.

(2) During a logistics use development's entitlement process for a new or expanded logistics use development, if a new sensitive receptor is proposed or established within the distances required by paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, then those distance requirements shall not apply to the logistics use development so long as the logistics use development was not already subject to those requirements prior to the new sensitive receptor being proposed or established.

(c) The protection afforded by this section shall remain in effect from the time of the initial application submission through the completion of the entitlement process, including any necessary rezoning actions and through the development period. If no construction activity occurs within five years of entitlement approvals, the protections shall be waived.

SEC. 4. Section 65098.1.6 is added to the Government Code, to read:

65098.1.6. (a) Notwithstanding any other law, this chapter shall not apply to any logistics use development that was subject to a local entitlement process that began before September 30, 2024.

(b) Notwithstanding any other law, this chapter shall not apply to a logistics use development that received an approval by a local agency before the date upon which this chapter became effective.

(c) For purposes of this section, “approval” shall have the same meaning as is set forth in subdivision (a) of Section 15352 of Chapter 3 of Division 6 of Title 14 of the California Code of Regulations.

SEC. 5. Section 65098.2 of the Government Code is amended to read:

65098.2. (a) Any new logistics use development within 900 feet of a sensitive receptor shall have a buffer as follows:

(1) If the logistics use development is subject to the requirements of subdivision (a) or (d) of Section 65098.1, the buffer shall be 50 feet in width measured from the property line of all adjacent sensitive receptors that, in accordance with subdivisions (b) and (c), fully screen the logistics use development from the sensitive receptor.

(2) If the logistics use development is subject to either subdivision (b) or subdivision (c) of Section 65098.1, the buffer shall be 100 feet in width measured from the property line of all adjacent sensitive receptors that, in accordance with subdivisions (b) and (c), fully screen the logistics use development from the sensitive receptor.

(b) Buffer areas shall include a solid decorative wall, landscaped berm and wall, or landscaped berm 10 feet or more in height, drought tolerant natural ground landscaping with proper irrigation, and solid-screen buffering trees as described in subdivision (c) and may include other hardscape, access, and passenger vehicle parking improvements.

(c) Trees shall be used as part of a solid-screen buffering treatment and planted in two rows along the length of the property line adjacent to the sensitive receptor. Trees used for this purpose shall be evergreen, drought tolerant, to the extent feasible, composed of species with low biogenic emissions, of a minimum 36-inch box size at planting, and spaced at no greater distance than 40 feet on center. Palm trees shall not be utilized. The buffer area may include any landscaped areas within a public right-of-way or public or private pedestrian walkways.

SEC. 6. Section 65098.2.5 of the Government Code is amended to read:

65098.2.5. The entry gates into the loading truck court for a new or expanded logistics use development shall be positioned after a minimum of 50 feet of total available stacking depth inside the property line. The stacking depth shall be increased by 70 feet for every 20 loading bays beyond 50 loading bays, to the extent feasible.

SEC. 7. Section 65098.2.7 of the Government Code is amended to read:

65098.2.7. (a) The purpose of this section is to ensure that logistics use developments, beginning January 1, 2026, are sited in locations that minimize adverse impacts on residential communities and enhance transportation efficiency. This is achieved by restricting logistics use development to roadways that are suited to handle the associated traffic and that predominantly serve commercial, agricultural, or industrial uses.

(b) (1) Any new logistics use development shall be sited on roadways that meet the following classifications:

- (A) Arterial roads.
- (B) Collector roads.
- (C) Major thoroughfares.

(D) Local roads that predominantly serve commercial, agricultural, or industrial uses.

(2) For purposes of this chapter, local roads shall be considered to predominantly serve commercial, agricultural, or industrial uses if more than 50 percent of the properties fronting the road within 1,000 feet of the site's truck entrances and exits are designated for commercial, agricultural, or industrial use according to the local zoning ordinance.

(c) A waiver may be granted where siting on the designated roadways pursuant to subdivision (b) is impractical due to unique geographic, economic, or infrastructure-related reasons. The waiver shall be approved by the city, county, or city and county, provided that the applicant demonstrates all of the following:

(1) There is no feasible alternative site that exists within the designated roadways.

(2) A traffic analysis has been completed and submitted to the local approving authority.

(3) The site is an existing industrial zone or an existing industrial or agricultural zone for an agricultural-related logistics use project.

(4) The proposed site will incorporate mitigations to minimize traffic and environmental impacts on residential areas to the greatest extent feasible.

SEC. 8. Section 65098.2.8 is added to the Government Code, to read:

65098.2.8. (a) Except as specified in subdivision (b), a jurisdiction that is not in a warehouse concentration region shall adopt an ordinance, on or before January 1, 2028, that shall do all of the following:

(1) Identify and establish specific travel routes for the transport of goods, materials, or freight for storage, transfer, or redistribution to safely accommodate additional truck traffic and avoid residential areas and sensitive receptors, as defined in Section 65098.

(2) Maximize the use of interstate or divided highways as preferred routes for truck routes. The county or city shall also maximize use of arterial roads, major thoroughfares, and local roads that predominantly serve commercial, agricultural, or industrial uses when state or interstate highways are not utilized. Truck routes shall comply with all of the following.

(A) Major or minor collector streets and local roads that predominantly serve commercial, agricultural, or industrial uses shall be used for truck routes only when strictly necessary to reach existing industrial zones.

(B) Trucks shall be routed via transportation arteries that minimize exposure to sensitive receptors.

(C) On and after January 1, 2028, or January 1, 2030, for a jurisdiction that is subject to subdivision (b), all proposed development of a logistics use development, as defined in subdivision (d) of Section 65098, shall be accessible via arterial roads, major thoroughfares, or local roads that predominantly serve commercial, agricultural, or industrial uses.

(i) The purpose of this section is to ensure that logistics use development are sited in locations that minimize adverse impacts on residential communities and enhance transportation efficiency. This is achieved by restricting logistics use developments to roadways that are suited to handle

the associated traffic and that predominantly serve commercial, agricultural, or industrial uses.

(ii) For purposes of this section, local roads shall be considered to predominantly serve commercial, agricultural, or industrial uses if more than 50 percent of the properties fronting the road within 1,000 feet are designed for commercial, agricultural, or industrial use according to the local zoning ordinance.

(D) Notwithstanding any other provision in this paragraph, an ordinance may, but is not required to, regulate traffic from a primary agricultural use facility, located in that jurisdiction. For purposes of this subparagraph, a primary agricultural use facility means a 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.

(b) A jurisdiction that is a city with a population that is equal to, or less than, 50,000 persons or a county with a population that is equal to, or less than, 100,000 persons shall adopt the ordinance required pursuant to subdivision (a) on or before January 1, 2030.

(c) The city or county may consult with the Department of Transportation and the California Freight Advisory Committee for technical assistance.

(d) The city or county shall provide for posting of conspicuous signage to identify truck routes and additional signage for truck parking and appropriate idling facility locations.

(e) The city or county shall 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.

(f) The city or county shall provide opportunities for the involvement of citizens, California Native American tribes, public agencies, public utility companies, and civic, educational, and other community groups through public hearings and any other means that the planning agency deems appropriate, consistent with Section 65351.

(g) The city or county shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the changes required pursuant to this section.

(h) The requirement to adopt an ordinance pursuant to this section shall not apply to a city, county, or city and county that as of January 1, 2025, did not have any logistics use development within its jurisdiction. If any proposed new logistics use development is approved within a jurisdiction after January 1, 2025, a city, county, or city and county shall comply with the requirements in this section within two years after the date of final approval of a logistics use development.

(i) (1) An action may be brought by the Attorney General against a city, county, or city and county that is in violation of this section. A city, county, or city and county that has been found by a court to be in violation of this section shall be subject to any of the following:

(A) A civil penalty of up to fifty thousand dollars (\$50,000) every six months, accrued from the date of the violation until the violation is cured.

(B) Costs of investigating and prosecuting this action, including expert fees, reasonable attorney's fees, and costs.

(C) Other relief deemed appropriate by the court, including equitable and injunctive relief.

(2) In determining the application of the remedies available under this section, the court shall consider whether there are any mitigating circumstances delaying the jurisdiction from coming into compliance with this section. The court may consider whether a city, county, or city and county is making a good faith effort to come into substantial compliance or is facing substantial undue hardships.

(j) Civil penalties collected pursuant to this section shall be paid to the office of the Attorney General. Upon appropriation by the Legislature, any civil penalties collected pursuant subdivision (i) shall be distributed by the Attorney General 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.

SEC. 9. Section 65098.3 of the Government Code is amended to read:

65098.3. (a) Anti-idling signs indicating a three-minute heavy-duty truck engine idling restriction shall be posted at logistics use developments along entrances to the site and at the truck loading bays.

(b) Signs shall be installed at all heavy-duty truck exit driveways directing truck drivers to the truck route as indicated in the truck routing plan, as described in Section 65098.4, and to the state highway system.

SEC. 10. Section 65098.4 of the Government Code is amended to read:

65098.4. (a) Prior to the issuance of a certificate of occupancy, a logistics use development operator shall establish and submit for approval to the planning director or equivalent position for the city, county, or city and county a truck routing plan to and from the state highway system based on the latest truck route map of the city, county, or city and county. The truck routing plan shall describe the operational characteristics of the logistic use and of the logistics use development operator, including, but not limited to, hours of operation, types of items to be stored within the building, and proposed truck routing to and from the logistics use development to designated truck routes that, to the greatest extent possible, avoid passing sensitive receptors. The truck routing plan shall include measures, such as signage and pavement markings, and queuing analysis for preventing truck queuing, circling, stopping, and parking on public streets. The logistics use development operator shall be responsible for communication of the truck routing plan internally and to external parties who may dispatch trucks to the facility.

(b) A revised truck routing plan shall be submitted to the planning director or equivalent position prior to a business license being issued by the city, county, or city and county for any new tenant of the property. The planning director or equivalent position shall have discretion to determine if changes to the truck routing plan are necessary, including, but not limited to, any

additional measures to alleviate truck routing and parking issues that may arise during the life of the logistics use development.

(c) This section 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.

SEC. 11. Section 65098.5 of the Government Code is amended to read:

65098.5. (a) A city, county, or city and county shall not approve development of a logistics use development that does not meet or exceed the standards outlined in this chapter.

(b) A city, county, or city and county shall not adopt or enforce any ordinance, standard, rule, or regulation to the extent that the ordinance, standard, rule, or regulation would prohibit or have the effect of physically precluding any physical feature of a logistics use development that is required by paragraphs (1) to (4), inclusive, of subdivision (a) of Section 65098, paragraphs (1) to (7), inclusive, of subdivision (g) of Section 65098, paragraphs (1), (4), and (6) of subdivision (a) of Section 65098.1, paragraphs (1), (4), and (6) of subdivision (b) of Section 65098.1, paragraphs (1), (4), and (6) of subdivision (c) of Section 65098.1, paragraphs (3) to (5), inclusive, and paragraph (7) of subdivision (d) of Section 65098.1, Section 65098.2, or Section 65098.2.5.

(c) This section shall not be construed to restrict the existing authority of a city, county, or city and county to do either of the following:

(1) Deny a logistics use development altogether.

(2) Adopt or enforce an ordinance, standard, rule, or regulation that prohibits or has the effect of physically precluding a new logistics use development or the expansion of a logistics use development on any parcel.

SEC. 12. Section 65098.6 of the Government Code is amended to read:

65098.6. A city, county, or city and county shall condition approval of a logistics use development on the following:

(a) Two-to-one replacement of any demolished housing unit that was occupied within the last 10 years, unless the housing unit was declared substandard by a building official, pursuant to Section 17920.3 of the Health and Safety Code, prior to purchase by the developer. For each housing unit demolished, regardless of market value of the unit, two units of affordable housing for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, that are deed-restricted shall be built within the jurisdiction. Funds from any fee imposed for the replacement of demolished housing units shall be placed in a housing-specific set-aside account and shall be used for housing within three years of collection.

(b) If residential dwellings are affected through purchase, the developer shall be required to provide any displaced tenant with an amount equivalent to 12 months' rent at the current rate.

(c) Nothing in this section shall be construed to limit or preclude the applicability of Article 2 (commencing with Section 66300.5) of Chapter 12 to logistics uses. A logistics use that is subject to Article 2 (commencing with Section 66300.5) of Chapter 12 shall first comply with that article.

Any additional replacement housing obligations or payments to displaced tenants that are not required pursuant to that article shall comply with this section.

SEC. 13. Section 65302.02 of the Government Code is amended to read:  
65302.02. (a) A county or city that is located in a warehouse concentration region, as defined in Section 65098, shall update its circulation element, as required by subdivision (b) of Section 65302, to do all of the following on or before January 1, 2026:

(1) Identify and establish specific travel routes for the transport of goods, materials, or freight for storage, transfer, or redistribution to safely accommodate additional truck traffic and avoid residential areas and sensitive receptors, as defined by Section 65098.

(2) Maximize the use of interstate or state divided highways as preferred routes for truck routes. The county or city shall also maximize use of arterial roads, major thoroughfares, and local roads that predominantly serve commercial, agricultural, or industrial uses when state or interstate highways are not utilized. Truck routes shall comply with the following:

(A) Major or minor collector streets and local roads that predominantly serve commercial, agricultural, or industrial uses shall be used for truck routes only when strictly necessary to reach existing industrial zones.

(B) Trucks shall be routed via transportation arteries that minimize exposure to sensitive receptors.

(b) On and after January 1, 2028, all proposed development of a logistics use development, as defined in subdivision (d) of Section 65098, shall be accessible via arterial roads, major thoroughfares, or local roads that predominantly serve commercial, agricultural, or industrial uses.

(c) The purpose of this section is to ensure that logistics use developments are sited in locations that minimize adverse impacts on residential communities and enhance transportation efficiency. This is achieved by restricting logistics use developments to roadways that are suited to handle the associated traffic and that predominantly serve commercial, agricultural, or industrial uses.

(d) For purposes of this section, local roads shall be considered to predominantly serve commercial, agricultural, or industrial uses if more than 50 percent of the properties fronting the road within 1,000 feet of the truck entrances and exits are designated for commercial, agricultural, or industrial use according to the local zoning ordinance.

(e) The county or city may consult with the Department of Transportation and the California Freight Advisory Committee for technical assistance.

(f) The county or city shall provide for posting of conspicuous signage to identify truck routes and additional signage for truck parking and appropriate locations for idling and parking.

(g) The county or city shall 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.

(h) The city or county shall provide opportunities for the involvement of citizens, California Native American Indian tribes, public agencies, public

utility companies, and civic, educational, and other community groups through public hearings and any other means the planning agency deems appropriate, consistent with Section 65351.

(i) The city or county shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the changes required pursuant to this section.

(j) (1) An action may be brought by the Attorney General against a jurisdiction that is in violation of this section. A city, county, or city and county found by a court to be in violation of this section shall be subject to any of the following:

(A) A civil penalty of up to fifty thousand dollars (\$50,000) every six months, accrued from the date of the violation until the violation is cured.

(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, including equitable and injunctive relief.

(2) In determining the application of the remedies available pursuant to this section, the court shall consider whether there are any mitigating circumstances delaying the jurisdiction from coming into compliance with this section. The court may consider whether a city, county, or city and county is making a good faith effort to come into substantial compliance or is facing substantial undue hardship.

(k) Civil penalties collected pursuant to this section shall be paid to the office of the Attorney General. Upon appropriation by the Legislature, any civil penalties collected pursuant to subdivision (j), shall be distributed by the Attorney General 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.

SEC. 14. Section 40458.5 of the Health and Safety Code is amended to read:

40458.5. (a) Subject to an appropriation for this express purpose, the South Coast Air Quality Management District shall, beginning on January 1, 2026, and until January 1, 2032, deploy mobile air monitoring systems within the Counties of Riverside and San Bernardino to collect air pollution measurements in communities that are near operational logistics use developments.

(b) Based on the amount of appropriated funds, the district may use a combination of new air monitoring data or other measurement data to evaluate pollutant concentrations at varying distances away from new logistics use projects.

(c) The South Coast Air Quality Management District shall submit its findings to the Legislature on or before January 1, 2033. On or before January 1, 2028, the South Coast Air Quality Management District shall submit an interim report to evaluate the impact of air pollution on sensitive receptors, as defined in Section 65098 of the Government Code, from logistics use development operations in the Counties of Riverside and San Bernardino, including relative pollution concentrations from logistics use

developments at varying distances from sensitive receptors. This report shall be used to assess the effectiveness of setbacks on public health.

(d) (1) The requirement for submitting a report imposed pursuant to subdivision (c) is inoperative on January 1, 2040, pursuant to Section 10231.5 of the Government Code.

(2) A report to be submitted pursuant to subdivision (c) shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 15. Section 40522.7 of the Health and Safety Code is amended to read:

40522.7. The South Coast Air Quality Management District shall establish a process for receiving community input on how any penalties assessed and collected for violations of the Warehouse Indirect Source Rule are spent. The South Coast Air Quality Management District shall ensure a wide range of community groups are included in the process and that groups represent the geographic areas where there are high numbers of warehouse facilities.

SEC. 16. Section 2429.9 is added to the Vehicle Code, immediately following Section 2429.7, to read:

2429.9. (a) On or before January 1, 2027, the Department of the California Highway Patrol shall make the following available to city and county law enforcement agencies subject to this section:

(1) At no charge, training on enforcement of laws related to commercial vehicles, as defined in Section 260 of the California Vehicle Code, including, but not limited to, truck route enforcement.

(2) Course completion certificates for city and county law enforcement personnel who have completed the training described in paragraph (1).

(b) All jurisdictions that are required to update a circulation element or to adopt an ordinance pursuant to Section 65098.1 of the Government Code shall have at least one enforcement officer that has received a completion certificate pursuant to paragraph (2) of subdivision (a) by the date upon which that circulation element is updated or ordinance is adopted.

(c) Nothing in this section shall be construed to require the department 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 the department has not made the training described in subdivision (a) available to law enforcement personnel at no charge.

SEC. 17. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

O

**Fehr & Peers**

**AB 98**

# Implementation

Guidance for Local Agencies

Prepared for:

**Western Riverside Council of Governments &  
San Bernardino County Transportation Authority**



Submitted on:

**September 10, 2025**

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# AB 98 Overview

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Assembly Bill 98 – Warehouse Standards (AB 98, 2024) legislation is intended to focus on three key components of warehouse developments – (1) warehouse development standards, such as locating loading areas and other truck-serving components away from sensitive receptors, (2) requirement for local agencies to update their circulation elements to incorporate a truck route map, that also needs to be available in a GIS format, identifying truck routes and locating them away from sensitive receptors, and (3) a requirement that, if a warehouse development displaces housing that the housing be replaced under specific requirements. Although all agencies must update their circulation elements before January 1, 2028, agencies within a defined “warehouse concentration region” must update their circulation elements by January 1, 2026, which leaves a very short timeframe for complying with the legislative requirements.

An overview of the legislative requirements is described in detail below:

## Development Standards

AB 98 prescribes various statewide warehouse design and build standards that go into effect on January 1, 2026. The legislation applies to any proposed new or expanded “logistics use” development, defined as:

*“a building in which cargo, goods, or products are moved or stored for later distribution to business or retail customers, or both, that does not predominantly serve retail customers for onsite purchases, and heavy-duty trucks are primarily involved in the movement of the cargo, goods, or products. “Logistics use” does not include any of the following:*

*(1) Facilities where food or household goods are sold directly to consumers and are accessible to the public.*

*(2) A building primarily served by rail to move cargo goods or product.*

*(3) (A) A Strategic Intermodal Facility.*

*(B) For purposes of this subdivision, “Strategic Intermodal Facility” means a project that satisfies all of the following requirements:*

*(i) Logistics facilities, including warehousing and transloading facilities, served by rail.*

*(ii) Intermodal freight transport services.*

*(iii) All facility structures and related rail operations are located within a single site footprint.”*

The law specifies standards for building and site design that go above and beyond the California Green Building Code. AB 98 in its entirety is provided as **Appendix A**.

## AB 98 Zoning Regulation Guidance

The following is a brief list of “things to know” about AB 98 ahead of updating a jurisdiction’s zoning regulations.

- AB 98 provides crucial definitions for “logistics uses” and “sensitive receptors.”
- AB 98 uses the threshold of 250,000 square feet to regulate logistics uses (i.e., logistics uses under and over 250,000 square feet are regulated differently).
- AB 98 is expected to be amended through subsequent legislation to clean up some of the ambiguous requirements, but that legislation is not anticipated to be adopted until late 2025.
- Special zoning regulations apply to jurisdictions within the “warehouse concentration region” defined by the legislation as follows:
  - Unincorporated Riverside County
  - Unincorporated San Bernardino County
  - City of Chino
  - City of Colton
  - City of Fontana
  - City of Jurupa Valley
  - City of Moreno Valley
  - City of Ontario
  - City of Perris
  - City of Rancho Cucamonga
  - City of Redlands
  - City of Rialto
  - City of Riverside
  - City of San Bernardino
- AB 98 only applies to logistic uses that have sensitive receptors within 900 feet of the loading bay.
- AB 98 does not apply to logistics use developments that are mixed-use developments that may create sensitive receptors on the site of the new logistics use development.
- AB 98 zoning regulations applies to all jurisdictions beginning January 1, 2026.

The following information provides an overview of key updates that local agencies should make to their municipal codes. Please note, a detailed checklist and sample illustrations are provided as **Appendix B** and are intended to provide guidance to local agencies to ensure compliance and consistency with the design standards requirements of AB 98.

## Definitions

AB 98 provides definitions that should be incorporated into local zoning codes either by adding the definition or referencing the definition contained in California Government Code §65098(d). If the definition is added directly to the code, it is recommended that additional language state that Government Code supersedes the zoning code to avoid potential conflicts should subsequent legislation change the definition.

## Conflict and Implementation Checklist

AB 98 uses different square footages for regulating logistics uses, whereby logistics uses larger than 250,000 square feet are regulated differently. Local zoning codes that use square footage thresholds

other than 250,000 square feet will conflict with AB 98 standards. As such, it is recommended to remove any square footage threshold that is not consistent with the State’s defined 250,000 square feet threshold to ensure consistency with AB 98 requirements.

California Government Code §65098.6 requires a two-for-one replacement for any demolished residential housing unit that occurs to construct a logistics use. It also includes a requirement for relocation assistance to displaced residents. As such, local jurisdictions must amend their zoning codes to add these housing requirements or reference the noted Government Code.

Setbacks for truck loading “bays” are specifically defined in in AB 98. As such, a local agency’s zoning code may require the addition of a definition for Truck Loading Bay which is different than a Loading Dock. A loading bay refers to any space on a site where goods are loaded to/from a truck. A parking space on the edge of the site used for this purpose would be required to conform with the setback standards of 300–500 feet from sensitive receptors as defined in the legislation.

New buffer requirements for facilities that are planned within 900 feet of a sensitive receptor is now required per AB 98. The setback ranges from 50 to 100 feet. Planned facilities in the Warehouse Concentration Region require 100-foot buffers, as do sites over 250,000 square feet proposed on a site that is not zoned industrial. Local agencies should understand these nuances and incorporate the requirements into their zoning codes.

## Truck Route Requirements

The AB 98 truck route requirements described herein have been codified in Section 65098.2.7 and Section 65302.02. Excerpts from the legislation relevant to the implementation guidance provided in this document are provided below.

### **65098.2.7.**

*(a) The purpose of this section is to ensure that **logistics use developments**, beginning January 1, 2026, are sited in locations that minimize adverse impacts on residential communities and enhance transportation efficiency. This is achieved by restricting logistics use development to roadways that are suited to handle the associated traffic and that predominantly serve commercial uses.*

*(b) (1) Any new logistics use development shall be sited on roadways that meet the following classifications:*

*(A) Arterial roads.*

*(B) Collector roads.*

*(C) Major thoroughfares.*

*(D) Local roads that predominantly serve commercial uses.*

*(2) For purposes of this chapter, local roads shall be considered to predominantly serve commercial uses if more than 50 percent of the properties fronting the road within 1,000 feet are designed for commercial or industrial use according to the local zoning ordinance.*

(c) A waiver may be granted where siting on the designated roadways pursuant to subdivision (b) is impractical due to unique geographic, economic, or infrastructure-related reasons. The waiver shall be approved by the city, county, or city and county, provided that the applicant demonstrates all of the following:

- (1) There is no feasible alternative site that exists within the designated roadways.
- (2) A traffic analysis has been completed and submitted to the local approving authority.
- (3) The site is an existing industrial zone.
- (4) The proposed site will incorporate mitigations to minimize traffic and environmental impacts on residential areas to the greatest extent feasible.

### **65098.3.**

(a) Anti-idling signs indicating a three-minute heavy-duty truck engine idling restriction shall be posted at logistics use developments along entrances to the site and at the truck loading bays.

(b) Signs shall be installed at all heavy-duty truck exit driveways directing truck drivers to the truck route as indicated in the truck routing plan, as described in Section 65098.4, and in the state highway system.

### **65302.02.**

Pursuant to Section 65302, jurisdictions within the Warehouse Concentration Region must comply with the following by January 1, 2026, and all other agencies must comply by January 1, 2028:

(a) Identify and establish specific travel routes for the transport of goods, materials, or freight for storage, transfer, or redistribution to safely accommodate additional truck traffic and avoid residential areas and sensitive receptors, as defined by Section 65098.

(b) Maximize the use of interstate or state divided highways as preferred routes for truck routes. The county or city shall also **maximize use of arterial roads**, major thoroughfares, and predominantly commercially oriented local streets when state or interstate highways are not utilized. Truck routes shall comply with the following:

(1) **Major or minor collector streets and roads** that predominantly serve commercially oriented uses **shall be used for truck routes only when strictly necessary** to reach existing industrial zones.

(2) Trucks shall be routed via transportation **arteries that minimize exposure** to sensitive receptors.

(d) The county or city shall provide for posting of conspicuous signage to identify truck routes and additional signage for truck parking and appropriate idling facility locations.

(e) The county or city shall 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.

# General Plan Mobility/Circulation Element

The following section provides guidance on how to evaluate, identify, and incorporate AB 98-compliant truck routes into general plan circulation elements by the AB 98 implementation deadline.

## Truck Route Analysis & Identification

The United States Department of Transportation (USDOT) established truck size and weight standards pursuant to the 1982 Surface Transportation Assistance Act (STAA). The California Motor Vehicle Code also contains size and weight standards for “California Legal” trucks. STAA trucks are slightly longer and require more turning radius than California Legal trucks. In California, STAA routes must be approved by Caltrans, appropriately signed, and are strictly enforced. From a lay-person’s perspective, there is little difference between the two truck types. They are both seen as “big rigs”. Most of the trucks that are the focus of AB 98 are California Legal trucks, which are permitted on all roadways unless expressly prohibited by state or local regulations. AB 98 aims to limit where all heavy-duty trucks, including California Legal trucks, travel by requiring local agencies to designate, post signage, and enforce truck routes on local roadways.

The first step in designating truck routes is understanding where trucks are traveling in local communities, and why. The next step is to consider future land use and zoning that may require truck access. And the final step is to identify and implement the most direct, yet least impactful, local truck routes. If changes to the General Plan are necessary to reflect revised or new truck routes, a General Plan amendment will be required, which will trigger the California Environmental Quality Act (CEQA). The following steps are recommended for updating or establishing local truck routes.

### **STEP 1: CONFIRM EXISTING TRUCK ROUTES (IF NO TRUCK ROUTES EXISTS, SKIP TO STEPS 3 AND 4)**

This first step entails reviewing the general plan and/or researching local ordinances to identify existing truck routes. If the truck routes are contained in the General Plan, the jurisdiction need only confirm that the truck routes meet the AB 98 requirements (see Step 5). If the general plan does not contain designated truck routes, but truck routes were previously adopted by ordinance, a general plan amendment will be required to incorporate the truck routes, but the CEQA process may be more streamlined. For jurisdictions that do not have designated truck routes either in the general plan or by ordinance, a CEQA impact analysis may be required. It is recommended that local agencies consult the CEQA approach with a CEQA practitioner, CEQA legal counsel, and/or the agency’s attorney (City Attorney/County Council (or similar)).

### **STEP 2: LAND USE ANALYSIS**

This step entails a review of existing land uses to determine where truck-served uses are located, what roads provide direct access to those facilities, and the proximity of sensitive receptors to roads used to access truck-served facilities. The general plan land use map is a good place to start, particularly if its available in GIS and can be overlaid with existing truck routes (if designated), but in addition, some land uses defined as sensitive receptors by AB 98 occur in commercial districts, such as daycare facilities. These also need to be considered in the truck routing decision-making process.

### STEP 3: ROADWAY CLASSIFICATIONS OF EXISTING TRUCK ROUTES

A GIS map has been developed for SBCTA and WRCOG member agencies that compiles and documents existing truck routes in the SBCTA and WRCOG jurisdictional areas and can be accessed at:

<https://fehrandpeers.maps.arcgis.com/apps/mapviewer/index.html?webmap=3182123c01ec4416ab84a99856aaccc6>

In addition, the Caltrans Local Truck Routes web page provided the starting point for this GIS mapping effort:

<https://dot.ca.gov/programs/traffic-operations/legal-truck-access/local-truck-routes>.

Some of the information, particularly on the Caltrans' local truck routes webpage, is outdated. Local jurisdictions are encouraged to review the truck route data posted on the site and provide Caltrans with any necessary updates. Routes shown on the webpage were compared to current general plans and ordinances for each agency (as found on city websites) and incorporated into the WRCOG/SBCTA GIS truck route map.

AB 98 references roadway classifications. It is our understanding that the classifications refer to Caltrans road functional classifications, rather than general plan roadway classifications. For this reason, the WRCOG/SBCTA GIS truck route layer includes both local agency and Caltrans functional classifications. Where the classifications are the same, the map shows the truck route in blue. Where the classifications contrast, the truck route is shown in red. For local agency truck routes that are located on roadways with a local classification of arterial but Caltrans classification of collector or local, it is recommended that agencies initiate reclassification with Caltrans (see Step 4).

### STEP 4: RECLASSIFICATION OF ROADWAYS

The Federal Highway Administration (FHWA) identifies functional classification as a key criterion for identifying where to invest federal funds with priority given to arterials at the local level. Caltrans, in coordination with FHWA, has a process for local agencies to request reclassification of local roadways. The FHWA designation is based on existing lane miles and average annual daily traffic (AADT) volumes. This differs from local general plan roadway classifications. At the local level, general plans consider future land use and traffic projections. For this reason, roadway classifications at the local and federal levels may differ for a time until development occurs, traffic volumes increase, and a request for reclassification is approved.

AB 98 requires that a county or city ..."shall maximize interstate or state divided highways as preferred routes for truck routes. The county or city shall also maximize use of arterial roads..." For local agencies that have designated truck routes on locally designated arterials, and Caltrans shows it as a collector or local road, it is recommended that the city or county submit a request to Caltrans to reclassify the road by visiting the Caltrans Functional Classification webpage at:

<https://dot.ca.gov/programs/research-innovation-system-information/office-of-highway-system-information-performance/functional-classification>

### STEP 5: ALTERING OR CREATING A NEW TRUCK ROUTE

The next step in this process is to understand where trucks are traveling and if they are using designated truck routes or not. It is also important to understand how trucks travel throughout the

region so that neighboring jurisdictions can work together to identify preferred truck routes. For this exercise, Fehr & Peers utilized Geotab data collected from telematics devices in freight vehicles that monitor vehicle speeds, near-misses, hard-braking occurrences, etc. for the primary purpose of contacting emergency responders when a crash is detected. Unlike modeled datasets, Geotab is based on observed data to show where, when, and how freight moves through a roadway network both locally and regionally. Since Geotab only purchases data from manufacturers of heavy-duty trucks, it is a sample of the overall vehicle fleet, typically encapsulating between one and twenty-five percent of the total truck fleet operating on a roadway. Using Geotab data for a 60-day period (May and June 2024), two different dashboards were created, one for San Bernardino County and one for Riverside County. Links to the two dashboards are provided below:

San Bernardino County:

<https://www.arcgis.com/apps/dashboards/8120f0262a914c589f50fb0b81dbffde>

Riverside County:

<https://fehrandpeers.maps.arcgis.com/apps/dashboards/58a241e8e29f4e1695f91959893fd7c3>

The intent of this data is two-fold: (1) to confirm that trucks are currently utilizing designated truck routes, and (2) to identify how trucks are operating on non-truck routes. The latter is useful for investigating changes to existing truck routes or adding new truck routes.

Once a jurisdiction has reviewed the Geotab data, if changes to the truck route network are needed, Geotab can be used to assist with identifying where to collect traffic counts. For example, if a city currently has a designated truck route that is on a roadway fronted primarily by homes, schools, and other sensitive receptors, the truck route is shown in Geotab as red (carrying a significant amount of truck traffic). If there is a parallel route with fewer sensitive receptors that the city would like to use instead, the city should collect traffic counts on the existing and the proposed truck route. These counts will assist the city with analyzing potential effects of the truck route change, such as noise, vibration, air quality, and safety benefits to residents along the existing route, and potential impacts created by shifting trucks to the proposed route.

In addition to the environmental impacts identified above, the design and structural section of the roadways should also be considered. Heavy-duty trucks have a maximum weight limit of 80,000 pounds (40 tons). Truck routes should be designed to support this much heavier weight. In addition, California Legal trucks require a turning radius of 50 feet. Intersecting truck routes should be designed to accommodate this.

#### **STEP 6:**

The sixth and final step is preparing a matrix that combines the information gathered in the prior steps.

1. Locations of existing truck routes (if applicable) within and adjacent to the jurisdiction
2. General plan and Caltrans functional classifications of designated truck routes
3. Truck utilization of existing and/or proposed truck routes
4. Truck classification counts: it is recommended that counts be collected if:
  - a. Existing truck routes operate on routes fronted by more than 50% sensitive uses
  - b. Existing truck routes are being eliminated resulting in a potential shift of truck traffic to parallel roadways
  - c. New truck routes are being proposed

5. Designated truck route roadway design standards should be updated to accommodate heavy-duty trucks

For jurisdictions that have designated truck routes and can substantiate that the routes comply with AB 98, it is recommended that they document the following findings:

1. Truck routes are designated on arterials;
2. Designated truck routes provide the most direct access to truck-generating land uses;
3. Designated truck routes avoid sensitive receptors to the greatest extent feasible; and,
4. Trucks are utilizing the designated truck routes and avoiding use of non-truck routes.

Tables 1 and 2 below provide examples for collecting and analyzing information to assist with confirming, changing, or creating new truck routes.

**Table 1. Roadway Characteristics (Example)**

Truck Route Segment	GP Functional Classification	Caltrans Functional Classification	Distance to State Highway or Interstate	Connects to Truck Route in Adjacent Jurisdiction	Pavement designed for trucks	Turning radius of intersecting truck route	Truck Volumes	GP Functional Classification
Main St from A to B	Arterial	Collector	0.5 miles	Yes	Yes	50 feet	1,200	Arterial

**Table 2. Land Use and Active Transportation Characteristics (Example)**

Truck Route Segment	Percentage of Sensitive Receptors fronting segment	Provides direct access to truck-generating land uses	Fronted by or only access to Logistics Use	Class II Bike Lane	Bicycle Volumes	Transit Corridor with stops	Sidewalks	Pedestrian Volumes
Main St from A to B	30%	Yes	Yes	No	0	No	Yes	10

# Appendix A. AB 98

## Assembly Bill No. 98<sup>1</sup>

### CHAPTER 931

An act to add Section 65302.02 to, and to add Chapter 2.8 (commencing with Section 65098) to Division 1 of Title 7 of, the Government Code, and to add Sections 40458.5 and 40522.7 to the Health and Safety Code, relating to land use.

[ Approved by Governor September 29, 2024. Filed with Secretary of State September 29, 2024. ]

### LEGISLATIVE COUNSEL'S DIGEST

AB 98, Juan Carrillo. Planning and zoning: logistics use: truck routes.

(1) Existing law, the Planning and Zoning Law, sets forth various requirements relating to the review of development project permit applications and the issuance of development permits for specified classes of development projects.

This bill, beginning January 1, 2026, would prescribe various statewide warehouse design and build standards for any proposed new or expanded logistics use developments, as specified, including, among other things, standards for building design and location, parking, truck loading bays, landscaping buffers, entry gates, and signage. The bill would except from those design and build standards certain existing logistics use developments, proposed expansions of a logistics use development, and property currently in a local entitlement process to become a logistics use, under prescribed conditions. The bill would require a facility operator, prior to the issuance of a certificate of occupancy, to establish and submit for approval by a city, county, or city and county a truck routing plan to and from the state highway system based on the latest truck route map of the city, county, or city and county, as prescribed. The bill would require a facility operator to enforce the plan. The bill would provide for the revision of the plan in specified circumstances.

The bill would prohibit a city, county, or city and county from approving development of a logistics use that does not meet or exceed the standards outlined in the bill. The bill would require a city, county, or city and county to condition approval of a logistics use on 2-to-1 replacement of any demolished housing unit that was occupied within the last 10 years unless the housing unit was declared substandard by a building official, as specified, and payments to displaced tenants if residential dwellings are affected through purchase, as prescribed. The bill would define terms for these purposes.

(2) The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and specified land outside its boundaries that includes, among other specified mandatory elements, a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan. Existing law requires, upon

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<sup>1</sup> Assembly Bill 98 accessed online on September 4, 2025 at:  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202320240AB98](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB98)

any substantive revision of the circulation element, that the legislative body modify the element to address specified additional issues.

This bill would require a county or city, by January 1, 2028, except as provided, to update its circulation element, as prescribed, including identifying and establishing specific travel routes for the transport of goods, materials, or freight for storage, transfer, or redistribution to safely accommodate additional truck traffic and avoid residential areas and concentrations of sensitive receptors, as defined. The bill would establish specific standards for truck routes. The bill would require a county or city to provide for posting of conspicuous signage to identify truck routes and additional signage for truck parking and appropriate idling facility locations. The bill would require a county or city to make truck routes publicly available and share maps of the truck routes with warehouse operators, fleet operators, and truck drivers. The bill would authorize the Attorney General to enforce these provisions, as provided, including by imposition of a fine of up to \$50,000 every 6 months if the required updates have not been made.

(3) Existing law provides for the creation of the South Coast Air Quality Management District in those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino included within the area of the South Coast Air Basin, as specified. Existing law provides that the south coast district is governed by a board consisting of 13 members and requires the district to adopt rules and regulations to carry out the south coast district air quality management plan that are not in conflict with state and federal laws and rules and regulations.

This bill would require the south coast district to establish a process for receiving community input on how any penalties assessed and collected for violation of the Warehouse Indirect Source Rule are spent, as specified. The bill would require the south coast district, subject to an appropriation for this express purpose, to, beginning on January 1, 2026, and until January 1, 2032, deploy mobile air monitoring systems within the Counties of Riverside and San Bernardino to collect air pollution measurements in communities that are near operational logistics use developments. The bill would require the south coast district to use the data collected to conduct an air modeling analysis to evaluate the impact of air pollution on sensitive receptors from logistics use development operations and to submit its findings to the Legislature on or before January 1, 2033. The bill would also require the district to submit an interim report to the Legislature on or before January 1, 2028, to evaluate the impact of air pollution on sensitive receptors, as defined, from logistics use development operations in the Counties of Riverside and San Bernardino, as provided.

(4) By modifying the duties of local agencies with regard to the approval of logistics use development and requiring the revision of the circulation element of a general plan, the bill would impose a state-mandated local program.

(5) The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Digest Key

Bill Text

The people of the State of California do enact as follows:

**SECTION 1.**

Chapter 2.8 (commencing with Section 65098) is added to Division 1 of Title 7 of the Government Code, to read:

**CHAPTER 2.8. Warehouse Design and Build Standards**

**65098.**

As used in this chapter:

(a) "21st century warehouse" means a logistics use that meets all of the following:

(1) Complies with or exceeds all requirements of the most current building energy efficiency standards specified in Part 6 (commencing with Section 100) of Title 24 of the California Code of Regulations and the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations), including, but not limited to, the following requirements related to:

(A) Photovoltaic system installation and associated battery storage.

(B) Cool roofing.

(C) Medium- and heavy-duty vehicle charging readiness.

(D) Light-duty electric vehicle charging readiness and installed charging stations.

(2) Has skylights in at least 1 percent of the roof area, or equivalent LED efficient lighting.

(3) Provides conduits and electrical hookups at all loading bays serving cold storage. Idling or use of auxiliary truck engine power to power climate control equipment shall be prohibited if the truck is capable of plugging in at the loading bay.

(4) Ensures that any heating, ventilation, and air-conditioning is high-efficiency.

(5) (A) Ensures that all classes of forklifts used on site, pursuant to State Air Resources Board's Zero-Emission Forklifts regulation, as drafted, shall be zero-emission by January 1, 2030, to the extent operationally feasible, commercially off-the shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(6) (A) Ensures that equipment used on site utilizing small off-road engines shall be zero-emission, to the extent operationally feasible, commercially off-the shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(C) Should any equipment used on site utilizing small off-road engines be contracted out, the logistics use facility shall preferentially contract for services utilizing zero-emission small off-road engines.

(b) "Expansion of an existing logistics use" means the expansion of an existing logistics use by 20 percent or more of the existing square footage. Office space shall not be included as part of the existing square footage or in the square footage for the 20-percent expansion threshold.

(c) "Heavy-duty truck" means a class 7 or class 8 truck. As used in this subdivision:

(1) "Class 7 truck" means a truck with a gross vehicle weight rating of 26,001 to 33,000 pounds.

(2) "Class 8 truck" means a truck with a gross vehicle weight rating of greater than 33,000 pounds.

(d) "Logistics use" means a building in which cargo, goods, or products are moved or stored for later distribution to business or retail customers, or both, that does not predominantly serve retail customers for onsite purchases, and heavy-duty trucks are primarily involved in the movement of the cargo, goods, or products. "Logistics use" does not include any of the following:

(1) Facilities where food or household goods are sold directly to consumers and are accessible to the public.

(2) A building primarily served by rail to move cargo goods or product.

(3) (A) A Strategic Intermodal Facility.

(B) For purposes of this subdivision, "Strategic Intermodal Facility" means a project that satisfies all of the following requirements:

(i) Logistics facilities, including warehousing and transloading facilities, served by rail.

(ii) Intermodal freight transport services.

(iii) All facility structures and related rail operations are located within a single site footprint.

(e) "Sensitive receptor" means one or more of the following:

(1) A residence, including, but not limited to, a private home, apartment, condominium unit, group home, dormitory unit, or retirement home.

(2) A school, including, but not limited to, a preschool, prekindergarten, or school maintaining kindergarten or any of grades 1 to 12, inclusive.

(3) A daycare facility, including, but not limited to, in-home daycare.

(4) Publicly owned parks, playgrounds, and recreational areas or facilities primarily used by children, unless the development of the park and recreation areas are included as a condition of approval for the development of a logistics use.

(5) Nursing homes, long-term care facilities, hospices, convalescent facilities, or similar live-in housing.

(6) Hospitals, as defined in Section 128700 of the Health and Safety Code.

(f) "Small off-road engines" means spark-ignition engines rated at or below 19 kilowatts.

(g) "Tier 1 21st century warehouse" means a logistics use that meets all of the following:

(1) Complies with or exceeds all requirements of the most current building energy efficiency standards specified in Part 6 (commencing with Section 100) of Title 24 of the California Code of Regulations and the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations), including, but not limited to, the following requirements related to:

(A) (i) Photovoltaic system installation and associated battery storage.

(ii) For purposes of the photovoltaic system installation requirement in clause (i), all warehouse square footage should be considered conditioned space.

(B) Cool roofing.

(C) Medium- and heavy-duty vehicle charging readiness.

(D) Light-duty electric vehicle charging readiness and installed charging stations.

(2) Has skylights in at least one percent of the roof area, or equivalent LED efficient lighting.

(3) Has a microgrid-ready switchgear system capable of supporting distributed energy resources.

(4) Is advanced smart metering ready.

(5) Has a minimum of 50 percent of all passenger vehicle parking spaces preinstalled with conduit and all necessary physical infrastructure to support future charging of electric vehicles.

(6) Has a minimum of 10 percent of all passenger vehicle parking spaces installed with electric vehicle charging stations.

(7) Provides conduits and electrical hookups at all loading bays serving cold storage. Idling or use of auxiliary truck engine power to power climate control equipment shall be prohibited if the truck is capable of plugging in at the loading bay.

(8) Ensures that any heating, ventilation, and air-conditioning is high-efficiency.

(9) (A) Ensures that all classes of forklifts used on site, pursuant to State Air Resources Board's Zero-Emission Forklifts regulation, as drafted, shall be zero-emission by January 1, 2028, to the extent operationally feasible, commercially off-the shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(10) (A) Ensures that equipment used on site utilizing small off-road engines shall be zero-emission, to the extent operationally feasible, commercially off-the shelf available, and adequate power available on site.

(B) (i) If not operationally feasible, commercially off-the shelf available, or if there is inadequate power available on site, the cleanest technology commercially available shall be used.

(ii) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

(C) Should any equipment used on site utilizing small off-road engines be contracted out, the logistics use facility shall preferentially contract for services utilizing zero-emission small off-road engines.

(h) "Warehouse concentration region" 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.

#### **65098.1.**

(a) Commencing January 1, 2026, any proposed new or expanded logistics use development 250,000 square feet or more where the loading bay is within 900 feet of a sensitive receptor that is utilizing a site zoned for industrial use or any site where an application was submitted to the jurisdiction by September 30, 2024, to rezone as industrial and the rezone to industrial was ultimately approved shall comply with all of the following:

(1) Include all Tier 1 21st century warehouse design elements described in subdivision (g) of Section 65098.

(2) Orient truck loading bays on the opposite side of the logistics use development away from sensitive receptors, to the extent feasible.

(3) Locate truck loading bays a minimum of 300 feet from the property line of the nearest sensitive receptor to the nearest truck loading bay opening using a direct straight-line method.

(4) Have a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses.

(5) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the building that are directly adjacent to a sensitive receptor property line.

(6) Include buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(b) Commencing January 1, 2026, except as provided for in subdivision (c), any proposed new or expanded logistics use development that is on land that is not zoned industrial, whether developed or undeveloped, or land that needs to be rezoned, where the loading bay is within 900 feet of a sensitive receptor, shall comply with all of the following:

(1) If the logistics use development is 250,000 square feet or more it shall include all Tier 1 21st century warehouse design elements described in subdivision (g) of Section 65098. If the logistics use

development is less than 250,000 square feet it shall include all 21st century warehouse design elements described in subdivision (a) of Section 65098.

(2) Orient truck loading bays on the opposite side of the logistics use development away from sensitive receptors, to the extent feasible.

(3) Locate truck loading bays a minimum of 500 feet from the property line of the nearest sensitive receptor to the nearest truck loading bay opening using a direct straight-line method.

(4) Have a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses.

(5) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the building that are directly adjacent to a sensitive receptor property line.

(6) Include buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(c) Commencing January 1, 2026, any proposed new or expanded logistics use development that is on land that is not zoned industrial, whether developed or undeveloped, or land that needs to be rezoned, and is located in the warehouse concentration region, shall comply with all of the following:

(1) If the logistics use development is 250,000 square feet or more it shall include all Tier 1 21st century warehouse design elements described in subdivision (g) of Section 65098. If the logistics use development is less than 250,000 square feet it shall include all 21st century warehouse design elements described in subdivision (a) of Section 65098.

(2) Orient truck loading bays on the opposite side of the logistics use development away from sensitive receptors, to the extent feasible.

(3) Locate truck loading bays a minimum of 500 feet from the property line of the nearest sensitive receptor to the nearest truck loading bay opening using a direct straight-line method.

(4) Have a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses.

(5) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the building that are directly adjacent to a sensitive receptor property line.

(6) Include buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(d) Commencing January 1, 2026, any proposed new or expanded logistics use development less than 250,000 square feet where the loading bay is within 900 feet of a sensitive receptor that is utilizing a site zoned for industrial use or any site where an application was submitted to the jurisdiction by September 30, 2024, to rezone as industrial and the rezone to industrial was ultimately approved shall comply with all of the following:

(1) Orient truck loading bays on the opposite side of the logistics use development away from sensitive receptors, to the extent feasible.

(2) Locate truck entry, exit, and internal circulation away from sensitive receptors. Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the building that are directly adjacent to a sensitive receptor property line.

(3) Include buffering and screening to mitigate for light and noise, as described in Section 65098.2.

(4) Complies with or exceeds all requirements of the most current building energy efficiency standards specified in Part 6 (commencing with Section 100) of Title 24 of the California Code of Regulations and the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations), including, but not limited to, the following requirements related to:

(A) Photovoltaic system installation and associated battery storage.

(B) Cool roofing.

(C) Medium- and heavy-duty vehicle charging readiness.

(D) Light-duty electric vehicle charging readiness and installed charging stations.

(5) Provides conduits at loading bays equal to one truck per every loading bay serving cold storage. Idling or use of auxiliary truck engine power to power climate control equipment shall be prohibited if the truck is capable of plugging in at the loading bay.

(6) Ensures that any heating, ventilation, and air-conditioning is high-efficiency.

(7) Have a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses.

(e) (1) Except as provided in paragraph (2), on or before January 1, 2028, a city, county, or city and county shall update its circulation element to include truck routes, as specified in Section 65302.02.

(2) On or before January 1, 2026, all cities and counties in the warehouse concentration region shall update its circulation element to include truck routes, as specified in Section 65302.02.

#### **65098.1.5.**

(a) (1) Notwithstanding any other provision of law, any existing logistics use development in existence as of September 30, 2024, shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a new sensitive receptor is constructed, established, or permitted after the effective date of this chapter.

(2) Notwithstanding any other provision of law, if, by September 30, 2024, a proposed expansion of a logistics use development is in a local entitlement process, then the proposed expansion shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after the effective date of this chapter.

(3) Notwithstanding any other provision of law, if, by September 30, 2024, a property is currently in a local entitlement process to become a logistics use, then the proposed logistics use development shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph

(3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after the effective date of this chapter.

(b) (1) Any new logistics use developments that require the rezoning of land and must undergo a municipal entitlement process shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if the start of the entitlement process for the logistics use began before any sensitive receptor started its own entitlement or permitting process, unless the proposed sensitive receptor was an existing allowable use according to local zoning regulations.

(2) During a logistics use development's entitlement process for a new or expanded logistics use, if a new sensitive receptor is proposed or established within the distances required by paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, then those distance requirements shall not apply to the logistics use development so long as the logistics use development was not already subject to those requirements prior to the new sensitive receptor being proposed or established.

(c) This chapter shall not apply to any logistics projects that were subject to a commenced local entitlement process prior to September 30, 2024.

(d) The protection afforded by this section shall remain in effect from the time of the initial application submission through the completion of the entitlement process, including any necessary rezoning actions and through the development period. If no development activity occurs within five years of entitlement approvals, the protections shall be waived.

(e) This chapter shall not apply to a logistics project that received an approval by a local agency prior to the effective date of this chapter. For purposes of this subdivision, "approval" shall have the same meaning as set forth in subdivision (a) of Section 15352 of Chapter 3 of Division 6 of Title 14 of the California Code of Regulations.

## **65098.2.**

(a) Any new logistics use facility within 900 feet of a sensitive receptor shall have a buffer as follows:

(1) If the logistics use development is subject to the requirements of subdivision (a) or (d) of Section 65098.1, the buffer shall be 50 feet in width measured from the property line of all adjacent sensitive receptors that fully screen the project from the sensitive receptor.

(2) If the logistics use development is subject to either subdivision (b) or subdivision (c) of Section 65098.1, the buffer shall be 100 feet in width measured from the property line of all adjacent sensitive receptors that fully screen the project from the sensitive receptor.

(b) Buffer areas shall include a solid decorative wall, landscaped berm and wall, or landscaped berm 10 feet or more in height, drought tolerant natural ground landscaping with proper irrigation, and solid-screen buffering trees as described in subdivision (c).

(c) Trees shall be used as part of a solid-screen buffering treatment and planted in two rows along the length of the property line adjacent to the sensitive receptor. Trees used for this purpose shall be evergreen, drought tolerant, to the extent feasible, composed of species with low biogenic emissions, of a minimum 36-inch box size at planting, and spaced at no greater distance than 40 feet on center. Palm trees shall not be utilized.

### **65098.2.5.**

The entry gates into the loading truck court for a new or expanded logistics use facility shall be positioned after a minimum of 50 feet of total available stacking depth inside the property line. The stacking depth shall be increased by 70 feet for every 20 loading bays beyond 50 loading bays, to the extent feasible.

### **65098.2.7.**

(a) The purpose of this section is to ensure that logistics use developments, beginning January 1, 2026, are sited in locations that minimize adverse impacts on residential communities and enhance transportation efficiency. This is achieved by restricting logistics use development to roadways that are suited to handle the associated traffic and that predominantly serve commercial uses.

(b) (1) Any new logistics use development shall be sited on roadways that meet the following classifications:

(A) Arterial roads.

(B) Collector roads.

(C) Major thoroughfares.

(D) Local roads that predominantly serve commercial uses.

(2) For purposes of this chapter, local roads shall be considered to predominantly serve commercial uses if more than 50 percent of the properties fronting the road within 1000 feet are designed for commercial or industrial use according to the local zoning ordinance.

(c) A waiver may be granted where siting on the designated roadways pursuant to subdivision (b) is impractical due to unique geographic, economic, or infrastructure-related reasons. The waiver shall be approved by the city, county, or city and county, provided that the applicant demonstrates all of the following:

(1) There is no feasible alternative site that exists within the designated roadways.

(2) A traffic analysis has been completed and submitted to the local approving authority.

(3) The site is an existing industrial zone.

(4) The proposed site will incorporate mitigations to minimize traffic and environmental impacts on residential areas to the greatest extent feasible.

### **65098.3.**

(a) Anti-idling signs indicating a three-minute heavy-duty truck engine idling restriction shall be posted at logistics use developments along entrances to the site and at the truck loading bays.

(b) Signs shall be installed at all heavy-duty truck exit driveways directing truck drivers to the truck route as indicated in the truck routing plan, as described in Section 65098.4, and in the state highway system.

### **65098.4.**

Prior to the issuance of a certificate of occupancy, a facility operator shall establish and submit for approval to the planning director or equivalent position for the city, county, or city and county a truck routing plan to and from the state highway system based on the latest truck route map of the city, county, or city and county. The truck routing plan shall describe the operational characteristics of the use of the facility operator, including, but not limited to, hours of operation, types of items to be stored within the building, and proposed truck routing to and from the facility to designated truck routes that, to the greatest extent possible, avoid passing sensitive receptors. The truck routing plan shall include measures, such as signage and pavement markings, queuing analysis, and enforcement, for preventing truck queuing, circling, stopping, and parking on public streets. The facility operator shall be responsible for enforcement of the truck routing plan. A revised truck routing plan shall be submitted to the planning director or equivalent position prior to a business license being issued by the city, county, or city and county for any new tenant of the property. The planning director or equivalent position shall have discretion to determine if changes to the truck routing plan are necessary, including, but not limited to, any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.

**65098.5.**

(a) A city, county, or city and county shall not approve development of a logistics use that does not meet or exceed the standards outlined in this chapter.

(b) This section shall not be construed to restrict the existing authority of a city, county, or city and county to deny a logistics use facility altogether.

**65098.6.**

A city, county, or city and county shall condition approval of a logistics use on the following:

(a) Two-to-one replacement of any demolished housing unit that was occupied within the last 10 years, unless the housing unit was declared substandard by a building official, pursuant to Section 17920.3 of the Health and Safety Code, prior to purchase by the developer. For each housing unit demolished, regardless of market value of the unit, two units of affordable housing for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, that are deed-restricted shall be built within the jurisdiction. Funds from any fee imposed for the replacement of demolished housing units shall be placed in a housing-specific set-aside account and shall be used for housing within three years of collection.

(b) If residential dwellings are affected through purchase, the developer shall be required to provide any displaced tenant with an amount equivalent to 12 months' rent at the current rate.

**65098.7.**

Nothing in this chapter shall be construed to supersede mitigation measures required by the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

**65098.8.**

The Legislature finds and declares that the movement and storage of freight and the impact of this activity on public health and communities across the state as set forth in this chapter is a matter of

statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this chapter applies to all cities, including charter cities.

#### **65098.9.**

The provisions of this chapter shall not apply to a logistics use development if it meets both of the following:

- (a) The logistics use development is a mixed-use development that may create sensitive receptors on the site of the new logistics use development.
- (b) There are no existing sensitive receptors within 900 feet of the loading bay.

#### **SEC. 2.**

Section 65302.02 is added to the Government Code, to read:

#### **65302.02.**

By January 1, 2028, except as provided for in subdivision (h), a county or city shall update its circulation element, as required by subdivision (b) of Section 65302, to do all of the following:

(a) Identify and establish specific travel routes for the transport of goods, materials, or freight for storage, transfer, or redistribution to safely accommodate additional truck traffic and avoid residential areas and sensitive receptors, as defined by Section 65098.

(b) Maximize the use of interstate or state divided highways as preferred routes for truck routes. The county or city shall also maximize use of arterial roads, major thoroughfares, and predominantly commercially oriented local streets when state or interstate highways are not utilized. Truck routes shall comply with the following:

- (1) Major or minor collector streets and roads that predominantly serve commercially oriented uses shall be used for truck routes only when strictly necessary to reach existing industrial zones.
- (2) Trucks shall be routed via transportation arteries that minimize exposure to sensitive receptors.
- (3) On and after January 1, 2028, all proposed development of a logistics use development, as defined in subdivision (d) of Section 65098, shall be accessible via arterial roads, major thoroughfares, or roads that predominantly serve commercially oriented uses.

(A) The purpose of this section is to ensure that logistics use developments are sited in locations that minimize adverse impacts on residential communities and enhance transportation efficiency. This is achieved by restricting logistics use developments to roadways that are suited to handle the associated traffic and that predominantly serve commercial uses.

(B) For purposes of this section, local roads shall be considered to predominantly serve commercial uses if more than 50 percent of the properties fronting the road within 1000 feet are designated for commercial or industrial use according to the local zoning ordinance.

(c) The county or city may consult with the Department of Transportation and the California Freight Advisory Committee for technical assistance.

(d) The county or city shall provide for posting of conspicuous signage to identify truck routes and additional signage for truck parking and appropriate idling facility locations.

(e) The county or city shall 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.

(f) The city or county shall provide opportunities for the involvement of citizens, California Native American Indian tribes, public agencies, public utility companies, and civic, educational, and other community groups through public hearings and any other means the planning agency deems appropriate, consistent with Section 65351.

(g) The city or county shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the changes required pursuant to this section.

(h) The warehouse concentration region, as defined in Section 65098, shall implement the provisions of this section by January 1, 2026.

(i) The Attorney General may enforce this section.

(1) The Attorney General may impose a fine against a jurisdiction that is in violation of this section of up to fifty thousand dollars (\$50,000) every six months if the required updates have not been made.

(2) Upon appropriation by the Legislature, any fines collected shall be distributed by the Attorney General and returned to the local air quality management district in which the fine was imposed and be used for the district's efforts to improve air quality.

### **SEC. 3.**

Section 40458.5 is added to the Health and Safety Code, to read:

#### **40458.5.**

(a) Subject to an appropriation for this express purpose, the south coast district shall, beginning on January 1, 2026, and until January 1, 2032, deploy mobile air monitoring systems within the Counties of Riverside and San Bernardino to collect air pollution measurements in communities that are near operational logistics use developments.

(b) The south coast district shall use the data collected pursuant to subdivision (a) to conduct an air modeling analysis to evaluate the impact of air pollution on sensitive receptors, as defined in Section 65098 of the Government Code, from logistics use development operations in the Counties of Riverside and San Bernardino, including relative pollution concentrations from logistics use developments at varying distances from sensitive receptors.

(c) The south coast district shall submit its findings to the Legislature on or before January 1, 2033. On or before January 1, 2028, the south coast district shall submit an interim report to evaluate the impact of air pollution on sensitive receptors, as defined in Section 65098 of the Government Code, from logistics use development operations in the Counties of Riverside and San Bernardino, including relative pollution concentrations from logistics use developments at varying distances from sensitive receptors. This report shall be used to assess the effectiveness of setbacks on public health.

(d) (1) The requirement for submitting a report imposed pursuant to subdivision (c) is inoperative on January 1, 2040, pursuant to Section 10231.5 of the Government Code.

(2) A report to be submitted pursuant to subdivision (c) shall be submitted in compliance with Section 9795 of the Government Code.

#### **SEC. 4.**

Section 40522.7 is added to the Health and Safety Code, to read:

#### **40522.7.**

The south coast district shall establish a process for receiving community input on how any penalties assessed and collected for violations of the Warehouse Indirect Source Rule are spent. The south coast district shall ensure a wide range of community groups are included in the process and that groups represent the geographic areas where there are high numbers of warehouse facilities.

#### **SEC. 5.**

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

# Appendix B. Southern California Association of Governments (SCAG) Geotab Technical Guidance

# Overview

Geotab's Altitude platform is a roadway analytics tool built using data from telematics devices in freight vehicles. Unlike modeled datasets, Geotab is based on observed data to show where, when, and how freight moves through a roadway network both locally and regionally. Geotab data is a sample of the overall vehicle fleet, typically encapsulating 1-25%. Geotab can be used to guide truck route planning efforts by efficiently providing big data based on real-world activity at a low cost. This guide is intended to help agency staff determine the most appropriate data needs for their projects and understand the necessary inputs when making a request.

## How the Geotab Subscription Works

Geotab data is accessible through SCAG's regional subscription by submitting a request through the [Streetlight Online Request](#) form. Analyses are typically delivered within 1-3 weeks of a submittal. The standard Geotab subscription determines access to three main components of the platform:





- Geography – Which counties, cities, or other geographic zones can be analyzed.
- Time Period – What months of data are able to be accessed.
- Analysis Types – Which specific analytics tools and queries are available, including the ability to filter analyses by vehicle weight class (e.g., Class 1-8 or Light-, Medium, and Heavy-Duty Trucks) and vehicle type (e.g., Truck, Multi-Purpose Vehicles, Bus, etc.).

The SCAG Geotab subscription offers access to all analysis types and all geography types within the SCAG region, with data ranging from January 1<sup>st</sup>, 2022, to December 31<sup>st</sup>, 2024.

## Analysis Capabilities

The core analytical capabilities fall into four major modules for truck route planning: Traffic Analysis, Origin/Destination (O/D), Regional Travel Metrics, and Stop Analytics (Table 1). Each offers various analysis tools that can provide a variety of outputs as needed. The full catalogue of analysis requests available are detailed as "queryTypes" on the [Altitude API Guide](#). Additionally, for hands-on, self-guided tours of specific types of analyses, refer to the [Altitude Product Demo](#) page.

**Table 3. Geotab Analysis Modules**

Module	Description	Use Cases	Spatial Scale
<b>Traffic Analysis</b> 	Evaluates truck movement along corridors or within zones, with metrics on speed, travel times, and harsh driving events.	<ul style="list-style-type: none"> <li>Identify potential bottlenecks that could undermine truck route efficiency</li> <li>Compare corridor efficiency (travel time reliability, speed variability, total observations)</li> </ul>	Corridor / road segment scale
<b>Origin/Destination (O/D)</b> 	Analyzes freight demand and trip patterns between zones or generators, including route compliance and common O/D pairs.	<ul style="list-style-type: none"> <li>Assess route compliance according to designated truck routes between freight generators</li> <li>Determine top freight generating O/D pairs within an area to support routing decisions</li> <li>Determine trip distances and flows</li> </ul>	Area zones (e.g., Census Geographies, TAZs, City Boundaries) to regional
<b>Regional Travel Metrics</b> 	Provides regional freight demand/activity trends by industry, vehicle class, or geography. Includes counts and fuel economy.	<ul style="list-style-type: none"> <li>Identify high-demand freight corridors</li> <li>Quantify freight demand/generation</li> <li>Track freight trends over time</li> </ul>	Multi-corridor / multi-segment
<b>Stop Analysis</b> 	Identifies stop locations, durations, idling, and trip distances before/after stops. Highlights dwelling or parking patterns.	<ul style="list-style-type: none"> <li>Detect truck parking/idling hot spots</li> <li>Identify rest area coverage gaps</li> <li>Support enforcement/signage</li> </ul>	Point locations / clusters

*Note: Each analysis module allows for truck metrics to be pulled annually, seasonally, daily, and hourly.*

## Defining a Truck Trip

Unlike personal autos, trucks often operate as multi stop tours (pickups, deliveries, staging, fueling, breaks) that blur where one “trip” begins and ends. The right definition depends on your use case

(O/D analysis, truck parking demand analytics, capacity calculations, etc.). Table 2 provides a breakdown of common trip definitions.

**Table 2. Trip Definitions**

Trip Definition	Description
<b>Dwell-Threshold (stop-based) Segmentation</b>	End a trip when the device shows little/no movement for a set period and distance (e.g., <i>no movement &gt;5 m for ≥5 minutes; min trip length ≥3 minutes and ≥500 m</i> ). This is a widely used rule in commercial platforms; it's simple and scalable but can split long-haul legs at brief fuel/rest stops.
<b>Ignition / Hours of Service (HOS) Segmentation</b>	Bound trips with engine on/off or driver duty-status changes. This aligns with operational reality and curbs over-splitting, but availability varies by provider and policy. This rule is clear but it can ignore Less than Truck Loads (LTL) activities, where they have a short stop for delivery or pick up while the engine is on.
<b>Geofence-to-Geofence (facility-anchored) trips</b>	Define trips as movements between polygons (e.g., warehouse ↔ customer, yard ↔ port gate). This is powerful for OD analysis and trip generation, because it explicitly credits activity to known sites; however, it can miss mid-stream activity unless you model intermediary geofences (fuel, staging).
<b>Tour Linking (leg consolidation)</b>	Start with stop-based legs, then link adjacent legs into a single tour when intermediate stops are short (e.g., fueling) or “non-productive.” This preserves long-haul continuity and is feasible when persistent vehicle IDs exist (e.g., datasets where IDs remain stable over multiple days).

In platforms like Geotab, users have the flexibility to define the trip:

- **Single Trips** – defined when a vehicle starts moving until it stops with ignition turned off, idles for 3 minutes and 20 seconds, or is shifted to park for 30 seconds.
- **Chained Trips** – defined as connected consecutive trips, ignoring stops that are shorter than a defined threshold.

# Requesting Geotab Data

Prior to making a data request through the StreetLight Online Request form, users should follow these general preparation steps to ensure that they receive the most relevant and valuable data in a timely manner:

1. **Define the Planning Objective** – What question(s) should the analysis answer?
2. **Define the Analysis Type and Function** – Determine the most suitable analysis module by reviewing the available analysis modules described in Table 1. Once an analysis module is selected, review the list of query types that are available under that module as defined in the Altitude API Guide.
3. **Determine the Geography of the Analysis** – Determine the geographic scope for the analysis. The allowable geographic inputs include standard Census geographies (e.g., Census Tracts, Census Block Groups) and individual road segments. When requesting data at the segment level, filter your data by road type, as defined by OpenStreetMap (e.g., motorway, primary, secondary, trunk, tertiary). For more information on OpenStreetMap road types, visit the [OpenStreetMap Highway Wiki](#).
4. **Determine the Time of the Analysis** – Determine the temporal resolution of the analysis by specifying specific date, day, and time ranges. The output will be a sum of observations within the specified date, day, and time range.
  - a. **Date Range** – specify the Date From and Date To range (e.g., 2024-01-01 to 2024-01-31).
  - b. **Days** – isolate specific days of the week (e.g., individual days, weekdays, all days).
  - c. **Time Range** – specify the Time From and Time To range (e.g., 00:00:00 to 23:59:59)
5. **Apply Additional Filters** – Determine additional filters to narrow the data output. Additional filters to consider include vehicle class, road class, and industry.
6. **Consider Journey Definitions** – Geotab allows users to filter by journeys which are defined as single trips or consecutive chained trips. Refer to Table 2 for more specific trip definitions, and definitions of allowable trip definitions within the Geotab platform.

## Example Request – Origin/Destination

To request Origin–Destination data from one more zones within the SCAG region, as well as the observed counts by segments, and top routes between zones, use the following analysis parameters in your request:

1. **Planning Objective** – Produce an Origin–Destination matrix showing where Heavy–Duty Trucks trips travel to/from for the major logistics center south of Mission Boulevard in the City of Ontario. Additionally, identify the top routes between major O/D pairs.
2. **Define the Analysis Type and Function**
  - a. **Module** – Origin/Destination (O/D)
  - b. **Query Type** – Get Origin/Destination Matrix
3. **Determine the Geography of the Analysis**
  - a. **Origin Zones** – provide the Census Geographies (Census FIPS code) for all origin zones of interest.

- b. **Destination Zones** – provide the Census Geographies (Census FIPS code) for all destination zones of interest. Alternatively, specify all Census Geographies within the SCAG region to return a broader set of destinations.
- 4. **Determine the Time of the Analysis** – provide O/D for all of January, on weekdays, for the entire day.
  - a. **Date Range** – Time From: 2024-01-01, Time To: 2024-01-31
  - b. **Days** – Weekdays (Monday – Friday)
  - c. **Time Range** – All Day (00:00:00 to 23:59:59)
- 5. **Apply Additional Filters**
  - a. **Truck Classification** – Heavy-Duty Trucks

## Example Request – Segment-Level Observed Counts

To request segment-level observed counts for a specific area, city, or county, use the following analysis parameters in your request:

- 1. **Planning Objective** – Identify highly traveled roadway segments for Heavy-Duty truck trips that start or end within the City of Riverside.
- 2. **Define the Analysis Type and Function**
  - a. **Module** – Regional Travel Metrics
  - b. **Query Type** – Get Observed Counts
- 3. **Determine the Geography of the Analysis**
  - a. **Zone(s)** – City of Riverside (FIPS Code 06065).
  - b. **Road Type(s)** – Motorway, primary, secondary, tertiary
- 4. **Determine the Time of the Analysis** – provide O/D for all of January, on weekdays, for the entire day.
  - a. **Date Range** – Time From: 2024-01-01, Time To: 2024-01-31
  - b. **Days** – All Days (Monday – Sunday)
  - c. **Time Range** – All Day (00:00:00 to 23:59:59)
- 5. **Apply Additional Filters**
  - a. **Truck Classification** – Heavy-Duty Trucks

# Interpreting and Visualizing Geotab Data

Truck movement data from Geotab is often highly detailed and dense data. This section provides a generalized process for interpreting, summarizing, and visualizing Geotab data in a digestible way that supports effective decision-making.

## Understanding the Output

Regardless of the format, every dataset output will include a combination of one or more of the following depending on the analysis: spatial features, temporal characteristics, and vehicle or trip characteristics. To understand what is needed out of the output, users should consider the following basic methods of data aggregation and relate it back to the planning objective.

**Geographic Aggregation** – Outputs can be aggregated by spatial categories, such as by corridor, census tracts, or road class. Geographic aggregation can answer questions such as:

- Which roads have the highest truck usage or longest stop durations?
- Where are trucks speeding the most?

**Temporal Aggregation** – Outputs can be aggregated by month, day of week, or even hour of day. Temporal aggregation can answer questions such as:

- When are industrial areas most active?
- How does truck activity vary month-by-month?

**Vehicle or Trip Aggregation** – Outputs can be aggregated by vehicle or trip categories, such as vehicle class and industry to answer questions such as:

- How long do heavy-duty trucks travel on City roads compared to medium-duty trucks?
- How do top routes for heavy-duty trucks differ compared to medium-duty trucks between two major freight generators?

Understanding these aggregations and looking at them as a whole can reveal hidden patterns and answer advanced questions supporting truck route planning decisions, such as:

- On truck routes near sensitive receptors, where do trucks tend to speed during off-peak hours?
- Where are the hot spots for long-duration stops near sensitive receptors and when do they occur?

## Visualizing the Data

The results gleaned from aggregating the data needs to be visualized to be digestible and compelling to stakeholders. Visualizations should answer the planning objectives or questions. Most visualizations will either be maps or charts.

### Maps

Maps are the most intuitive way to reveal spatial patterns, hot spots, and illustrate how truck behavior interacts with land use and infrastructure. There are a variety of map types that can be used to

illustrate Geotab outputs. **Roadway-based line maps** are best for portraying volumes or speed values. By symbolizing with graduated colors or line-widths, users can identify heavily used corridors and speed bottlenecks. **Heat maps or hot spot maps** are best suited for portraying stop or idling related metrics, identifying significant staging areas or gaps in truck parking. **Interactive web maps or dashboards** can relay multiple metrics of truck behavior, consolidating relevant information to one location for stakeholders. Figure 1 and Figure 2 below showcase segment-level heavy-duty truck sample observations.

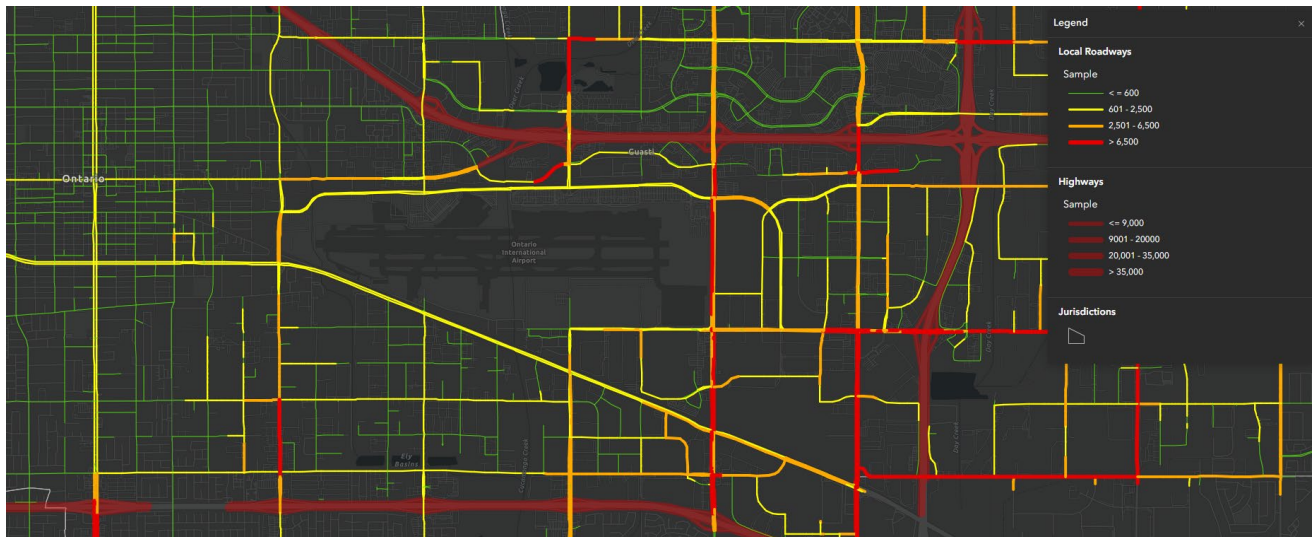


Figure 1. Heavy-duty truck sample observations in the City of Ontario

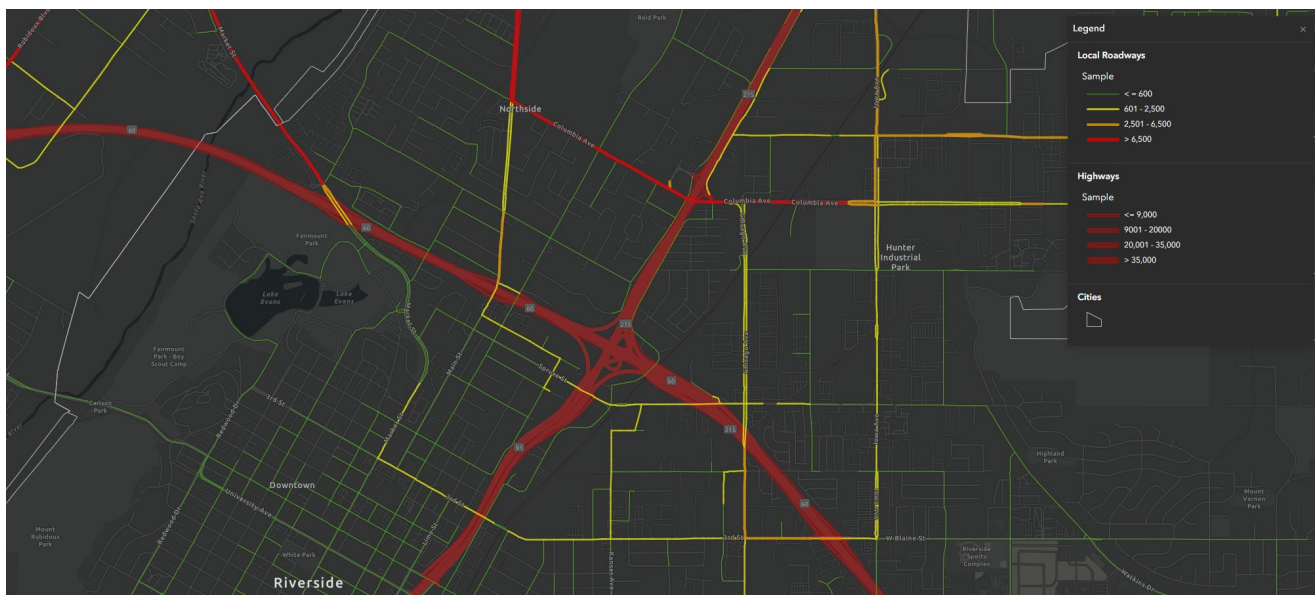


Figure 2. Heavy-duty truck sample observations in the City of Riverside

## Charts

Charts can also support visualizing temporal trends and zone or corridor comparisons. Charts often complement map-based visualizations by providing supporting metrics on truck behavior. **Line charts**

can highlighting hourly or daily patterns in truck volumes or speeds, revealing peak freight periods. **Bar charts** can be used to effectively rank corridors, OD pairs, or zones by metrics such as trip count or travel time. Stacked bar charts can break down truck activity by vehicle class or industry type. **Histograms or box plots** are useful for understanding variation and outliers in metrics like speed and stop duration on specific corridors. Charts are also able to be included on web maps and dashboards.

# Appendix C. Municipal Code Guidance

# AB 98 Zoning Guidance

May 2025

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# AB 98 Zoning Considerations

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## Things to Know About AB 98

The following is a brief list of “things to know” about AB 98 ahead of updating your jurisdiction’s zoning regulations. Some items will be reminders from the previous meeting.

- AB 98 provides crucial definitions for “logistics uses” and “sensitive receptors.”
- AB 98 uses the threshold of 250,000 square feet to regulate logistics uses (i.e., logistics uses under and over 250,000 square feet are regulated differently).
- AB 98 is expected to be amended.
- Special zoning regulations apply to jurisdictions within the warehouse concentration region. In the checklist, “warehouse concentration region” will be highlighted and bolded in **RED**. Warehouse concentration region includes:
  - Unincorporated Riverside County
  - Unincorporated San Bernardino County
  - City of Chino
  - City of Colton
  - City of Fontana
  - City of Jurupa Valley
  - City of Moreno Valley
  - City of Ontario
  - City of Perris
  - City of Rancho Cucamonga
  - City of Redlands
  - City of Rialto
  - City of Riverside
  - City of San Bernardino
- AB 98 only applies to logistics uses that have sensitive receptors within 900 feet of the loading bay.
- AB 98 does not apply to logistics use developments that are mixed-use developments that may create sensitive receptors on the site of the new logistics use development.
- AB 98 zoning regulations apply to all jurisdictions beginning January 1, 2026.

# AB 98 Conflict and Implementation Checklist

The checklist below is a to-do list for reviewing your jurisdiction’s zoning regulations in light of new standards under AB 98. **The goal of this checklist is to ensure local zoning regulations do not conflict with AB 98 and to implement or refer to AB 98 regulations.**

## AB 98 CONFLICT AND IMPLEMENTATION CHECKLIST

### Define “logistics use” per the definition under AB 98.

The AB 98 definition of “logistics use” is found below and in California Government Code §65098(d).

“Logistics use” means a building in which cargo, goods, or products are moved or stored for later distribution to business or retail customers, or both, that does not predominantly serve retail customers for onsite purchases, and heavy-duty trucks are primarily involved in the movement of the cargo, goods, or products. “Logistics use” does not include any of the following:

- (1) Facilities where food or household goods are sold directly to consumers and are accessible to the public.
- (2) A building primarily served by rail to move cargo goods or product.
- (3) (A) A Strategic Intermodal Facility.  
(B) For purposes of this subdivision, “Strategic Intermodal Facility” means a project that satisfies all of the following requirements:
  - i. Logistics facilities, including warehousing and transloading facilities, served by rail.
  - ii. Intermodal freight transport services.

Complete one of the following as appropriate:

- **Add** AB 98 definition for “logistics uses” in your local zoning regulations / **Edit** existing zoning code definition of “logistics uses” to match AB 98; OR
- Add **reference** stating that “logistics use” is defined in accordance with AB 98 (California Government Code §65098(d)).

*Note: This definition may change in the future. If you choose to add the definition directly to the zoning code, it may be best to add that the Government Code definition supersedes.*

## AB 98 CONFLICT AND IMPLEMENTATION CHECKLIST



### Define “sensitive receptor” per the definition under AB 98.

The AB 98 definition of “sensitive receptor” is found below and in California Government Code §65098(e).

“Sensitive receptor” means one or more of the following:

- (1) A residence, including, but not limited to, a private home, apartment, condominium unit, group home, dormitory unit, or retirement home.
- (2) A school, including, but not limited to, a preschool, prekindergarten, or school maintaining kindergarten or any of grades 1 to 12, inclusive.
- (3) A daycare facility, including, but not limited to, in-home daycare.
- (4) Publicly owned parks, playgrounds, and recreational areas or facilities primarily used by children, unless the development of the park and recreation areas are included as a condition of approval for the development of a logistics use.
- (5) Nursing homes, long-term care facilities, hospices, convalescent facilities, or similar live-in housing.
- (6) Hospitals, as defined in Section 128700 of the Health and Safety Code.

Edit Zoning Code definition to match AB 98 or ensure logistics uses are regulated using the AB 98 definition of “sensitive receptor.”

Complete one of the following as appropriate:

- **Add** AB 98 definition for “sensitive receptor” in your local zoning regulations / **Edit** existing zoning code definition of “sensitive receptor” to match AB 98; OR
- Add **reference** stating that “sensitive receptor” is defined in accordance with AB 98 (California Government Code §65098(e)).

*Note: This definition may change in the future. If you choose to add the definition directly to the zoning code, it may be best to add that the Government Code definition supersedes.*

## AB 98 CONFLICT AND IMPLEMENTATION CHECKLIST

### **Ensure local regulations create no conflict in regulating logistics uses based on square footage.**

AB 98 regulates logistics uses larger or smaller than 250,000 square feet differently. Because of this, local zoning that regulate logistics uses by a square footage threshold other than 250,000 square feet will conflict with AB 98 standards and cause complications in implementation. Jurisdictions must ensure that these regulations do not conflict with AB 98.

It may be easier to remove any square footage threshold that is not 250,000 square feet.

### **Require 2-to-1 replacement housing and/or rental assistance when appropriate.**

Local jurisdictions must condition approval of logistics uses on the following:

- 2-to-1 replacement of any demolished housing unit that was occupied within the last 10 years<sup>1</sup> prior to purchase by the developer.
  - For each housing unit demolished (regardless of market value of the unit) 2 units of affordable housing for persons and families of low or moderate income <sup>2</sup> that are deed-restricted shall be built within the jurisdiction.
  - Funds from any fee imposed for the replacement of demolished housing units shall be placed in a housing-specific set-aside account and shall be used for housing within three years of collection.
- If residential dwellings are affected through purchase, the developer shall be required to provide any displaced tenant with an amount equivalent to 12 months' rent at the current rate.

<sup>1</sup> Unless the housing unit was declared substandard by a building official, pursuant to Section 17920.3 of the Health and Safety Code

<sup>2</sup> As defined in Section 50093 of the Health and Safety Code.

Complete one of the following as appropriate:

- **Add** this AB 98 housing replacement/assistance requirement / **Edit** existing zoning code housing replacement/assistance requirement; OR
- Add **reference** to this housing replacement/assistance requirement (California Government Code §65098.6).

## AB 98 CONFLICT AND IMPLEMENTATION CHECKLIST

### Set back truck loading bays per AB 98.

Truck loading bays must be set back 300-500 feet from sensitive receptors depending on size and zoning. You can decide to add these if you do not currently have any in your zoning regulations. Otherwise, simply add a reference to AB 98.

**All logistics uses must orient truck loading bays on the opposite side of the logistics use development away from sensitive receptors to the extent feasible.** In addition, the following regulations apply:

Truck Loading Bay Location Restrictions			
Logistics Use Type	Site Type (Zone)	Truck Loading Bay Location	Reference
250,000 square feet or more	Site zoned for industrial use (or recently rezoned industrial) <sup>1</sup>	Min 300 ft from property line of nearest sensitive receptor to the nearest truck loading bay opening (using a direct straight-line method)	CA Gov't Code §65098.1(a)
	Site not zoned industrial / needs to be rezoned	Min 500 ft from property line of nearest sensitive receptor to the nearest truck loading bay opening (using a direct straight-line method)	CA Gov't Code §65098.1(b)
<b>All sizes in WAREHOUSE CONCENTRATION REGION</b>	Site not zoned industrial / needs to be rezoned	Min 500 ft from property line of nearest sensitive receptor to the nearest truck loading bay opening (using a direct straight-line method)	CA Gov't Code §65098.1(c)
Less than 250,000 square feet	Site zoned for industrial use (or recently rezoned industrial) <sup>1</sup>	n/a	CA Gov't Code §65098.1(d)

<sup>1</sup> Any site where an application to rezone to industrial was submitted to the jurisdiction by September 30, 2024. Only relevant for rezones that were ultimately approved.

Complete one of the following as appropriate:

- **Add** these truck loading bay location restrictions to your local zoning regulations / **Edit** existing zoning code truck loading bay location restrictions; OR
- Add **reference** to these requirements (see California Government Code references above).

## AB 98 CONFLICT AND IMPLEMENTATION CHECKLIST



### Regulate truck entrance, exit, and internal circulation location as appropriate.

Truck entrances, exits, and internal circulation are regulated depending on size and zoning. The following regulations apply:

Truck Entrance, Exit, and Internal Circulation Requirements			
Logistics Use Type	Land Type	Location Requirements	Reference
250,000 square feet or more	Site zoned for industrial use (or recently rezoned industrial) <sup>1</sup>	Require entry gates into the loading truck court to be positioned after a min of 50 feet of total available stacking depth inside the property line <sup>2</sup>	CA Gov't Code §65098.1(a) & §65098.2.5
	Site not zoned industrial / needs to be rezoned	Require a separate entrance for heavy-duty trucks <sup>3</sup>	CA Gov't Code §65098.1(b) & §65098.2.5
<b>All sizes in WAREHOUSE CONCENTRATION REGION</b>	Site not zoned industrial / needs to be rezoned	Locate entry, exit, and internal circulation away from sensitive receptors  Heavy-duty diesel truck drive aisles shall be prohibited from being used on sides of the building that are directly adjacent to a sensitive receptor property line	CA Gov't Code §65098.1(c) & §65098.2.5
Less than 250,000 square feet	Site zoned for industrial use (or recently rezoned industrial) <sup>1</sup>		CA Gov't Code §65098.1(d) & §65098.2.5

<sup>1</sup> Any site where an application to rezone to industrial was submitted to the jurisdiction by September 30, 2024. Only relevant for rezones that were ultimately approved.

<sup>2</sup> The stacking depth shall be increased by 70 feet for every 20 loading bays beyond 50 loading bays, to the extent feasible.

<sup>3</sup> Accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses.

Complete one of the following as appropriate:

- **Add** these truck entrance, exit, and internal circulation location restrictions to your local zoning regulations / **Edit** existing zoning code truck entrance, exit, and internal circulation location restrictions; OR
- Add **reference** to these requirements (see California Government Code references above).

## AB 98 CONFLICT AND IMPLEMENTATION CHECKLIST



### Require buffers for new logistics uses within 900 feet of a sensitive receptor.

AB 98 requires buffers for any new facility within 900 feet of a sensitive receptor as follows:

Logistics Use Buffers				
Logistics Use Type	Land Type	General Buffer Requirement	Special Buffer Requirement, Min Width	Reference
250,000 square feet or more	Site zoned for industrial use (or recently rezoned industrial) <sup>1</sup>	Buffer area shall include: <ul style="list-style-type: none"> <li>• A solid decorative wall, landscaped berm and wall, or landscaped berm 10 feet or more in height;</li> <li>• Drought tolerant natural ground landscaping with proper irrigation, and</li> <li>• Solid-screen buffering trees <sup>1</sup></li> </ul>	50 feet <sup>1</sup>	CA Gov't Code §65098.2
	Site not zoned industrial / needs to be rezoned		100 feet <sup>1</sup>	
<b>All sizes in WAREHOUSE CONCENTRATION REGION</b>	Site not zoned industrial / needs to be rezoned		100 feet <sup>1</sup>	
Less than 250,000 square feet	Site zoned for industrial use (or recently rezoned industrial) <sup>1</sup>		50 feet <sup>1</sup>	

<sup>1</sup> Trees shall be used as part of a solid-screen buffering treatment and planted in two rows along the length of the property line adjacent to the sensitive receptor. Trees used for this purpose shall be evergreen, drought tolerant, to the extent feasible, composed of species with low biogenic emissions, of a minimum 36-inch box size at planting, and spaced at no greater distance than 40 feet on center. Palm trees shall not be utilized.

<sup>2</sup> Measured from the property line of all adjacent sensitive receptors that fully screen the project from the sensitive receptor.

Complete one of the following as appropriate:

- **Add** these buffer requirements to your local zoning regulations / **Edit** existing zoning code buffer requirements; OR
- Add **reference** to these buffer requirements (see California Government Code references above).

## AB 98 CONFLICT AND IMPLEMENTATION CHECKLIST



### **Require 10% of passenger vehicle spaces for large logistics uses to be installed with electric vehicle stations.**

AB 98 requires that every “Tier 1 21<sup>st</sup> Century warehouse” must have a minimum of “10 percent of all passenger vehicle parking spaces installed with electric vehicle stations.”

This requirement is contained in the definition of Tier 1 21<sup>st</sup> Century Warehouse.<sup>1</sup> This term, as a general rule of thumb, means a logistics use that is 250,000 square feet or larger.

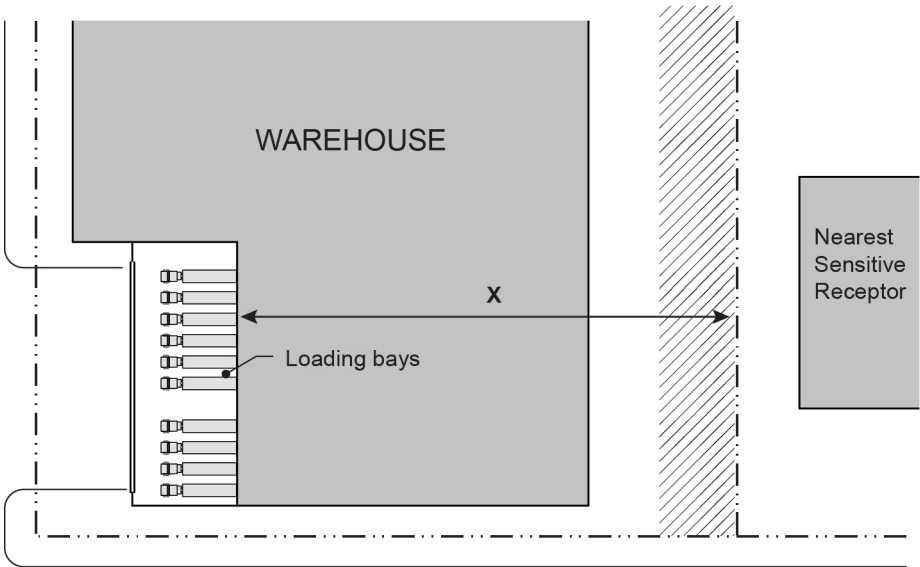
<sup>1</sup> *California Government Code §65098(g)(6).*

Complete one of the following as appropriate:

- **Add** this EV charging station requirement for all logistics uses 250,000 square feet or more / **Edit** any existing zoning code EV charging stations requirements that conflict with AB 98; OR
- Add **reference** to these EV charging station requirements (see California Government Code references\ above).

# Graphic 1

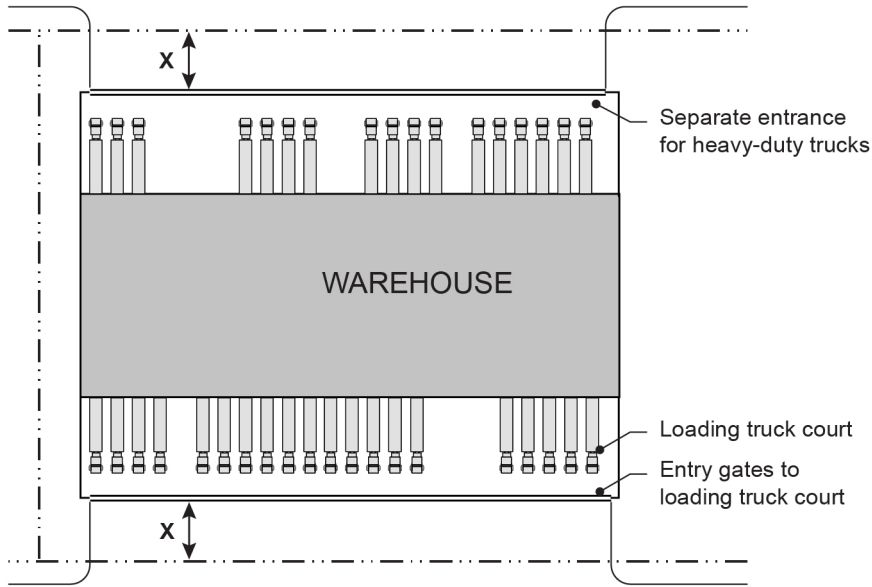
## Setbacks for Truck Loading Bays



**X** = Min. 300 ft where warehouse is  $\geq 250,000$  sq ft and zoned for industrial use;  
 Min. 500 ft where warehouse site is  $\geq 250,000$  sq ft and not zoned for industrial use *or* is any size and located in the Warehouse Concentration Region

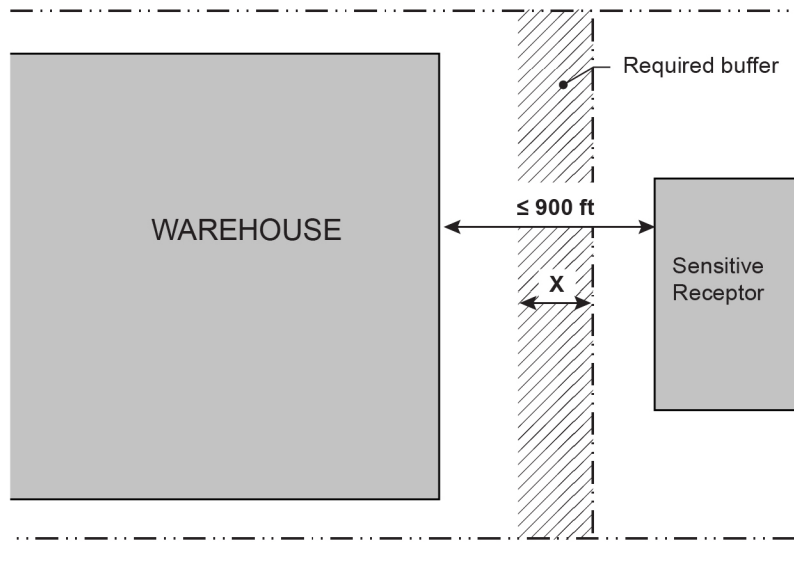
# Graphic 2

## Entry Gate Location (Cross Docking Example)



**X** = Min. 50 ft for <70 loading bays;  
 Min. 120 ft for 70-89 loading bays;  
 Min. 190 ft for 90-109 loading bays; etc.

### Graphic 3 Buffering from Sensitive Receptors



**X** = Min. 100 ft where warehouse is  $\geq 250,000$  sq ft and not zoned for industrial use or is any size and located in the Warehouse Concentration Region;  
Min. 50 ft in all other cases

## AB 98 Clean-Up Update (SB 415)

### Compliance Pathways for SBCTA/SBCOG Member Agencies

The following table outlines the new truck routing compliance requirements under SB 415 of 2025, the clean-up bill related to AB 98 of 2024, as applied to SBCTA member agencies. For additional detail on how SB 415 updated statewide warehousing/logistics law, please refer to the full AB 98 Clean-Up Update included with this attachment.

Tier	Definition	Member Agencies	Compliance Path	Compliance Timeline
<b>Warehouse Concentration Region (WCR)</b>	Jurisdictions listed in Gov. Code § 65098(h).	<ul style="list-style-type: none"> <li>San Bernardino County (Unincorporated areas)</li> <li>Chino</li> <li>Colton</li> <li>Fontana</li> <li>Ontario</li> <li>Rancho Cucamonga</li> <li>Redlands</li> <li>Rialto</li> <li>City of San Bernardino</li> </ul>	General Plan	January 1, 2026
<b>Large Jurisdictions (Not in WCR)</b>	>50,000 population cities / >100,000 unincorporated population counties	<ul style="list-style-type: none"> <li>Apple Valley</li> <li>Chino Hills</li> <li>Hesperia</li> <li>Highland</li> <li>Upland</li> <li>Victorville</li> <li>Yucaipa</li> </ul>	Ordinance	January 1, 2028
<b>Small Jurisdictions (Not in WCR)</b>	≤50,000 population (cities) / ≤100,000 (counties, unincorporated pop. only)	<ul style="list-style-type: none"> <li>Adelanto</li> <li>Barstow</li> <li>Big Bear Lake</li> <li>Grand Terrace</li> <li>Loma Linda</li> <li>Montclair</li> <li>Needles</li> <li>Twentynine Palms</li> <li>Yucca Valley</li> </ul>	Ordinance	January 1, 2030

# AB 98 Clean-Up Update (SB 415, 2025)

## SB 415 Signed into law on October 3, 2025

Assembly Bill 735 (Carrillo)<sup>1</sup> and Senate Bill (SB) 415 (Reyes)<sup>2</sup> were introduced early in the 2025 California legislative session as companion measures to address the clean-up commitments and implementation challenges that followed passage of AB 98 (2024). The two bills moved together through the session with nearly identical provisions, shaped by negotiations with local governments, environmental justice advocates, industry stakeholders, and the Attorney General's office. SB 415 ultimately became the vehicle for the final clean-up package. Governor Newsom signed SB 415 into law on October 3, 2025, with most provisions taking effect January 1, 2026.

### Key Changes Enacted by SB 415

- Truck-Routing Ordinance Outside WCR:** Jurisdictions outside the Warehouse Concentration Region (WCR) must adopt a truck-routing **ordinance** by Jan 1, 2028 (or Jan 1, 2030 for smaller cities and counties) instead of updating their circulation element (Gov. Code § 65098.2.8(a)–(b)). See new compliance pathways and timelines below and the attachment for how member agencies are impacted.

Tier	Definition	Compliance Path	Compliance Timeline
<b>Warehouse Concentration Region (WCR)</b>	Jurisdictions listed in Gov. Code § 65098(h).	General Plan	January 1, 2026
<b>Large Jurisdictions (Not in WCR)</b>	>50,000 population (cities) / >100,000 population (counties, unincorporated pop. only)	Ordinance	January 1, 2028
<b>Small Jurisdictions (Not in WCR)</b>	≤50,000 population (cities) / ≤100,000 (counties, unincorporated pop. only)	Ordinance	January 1, 2030

- Off-Ramp for Non-Warehouse Jurisdictions:** Jurisdictions with no logistics-use developments as of Jan 1, 2025, are not required to adopt an ordinance unless they later approve a qualifying project. Once approved, they have two years to adopt a compliant ordinance (Gov. Code § 65098.2.8(h)).

<sup>1</sup> Bill text: [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260AB735](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB735)

<sup>2</sup> Bill text: [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260SB415](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB415)

## Key Changes Enacted by SB 415 (Continued)

- **Safe Harbor on Enforcement:** Civil penalties of up to \$50,000 every six months may still be imposed, but courts must now consider good-faith efforts and undue hardship before penalties are applied. Civil penalty proceeds are directed to local air districts (Gov. Code § 65098.2.8(i)-(j)); § 65302.02(j)-(k)).
- **Required Officer Training Subject to Funding:** Upon allocation of funding, the California Highway Patrol (CHP) must provide truck-route enforcement training to local agencies by Jan 1, 2027. Each jurisdiction must have at least one trained officer in place by the date its ordinance or circulation element is adopted if the program is available (Veh. Code § 2429.9(a)-(c)).
- **Clarifications and Clean-Up:** SB 415 clarifies previously unclear definitions and provisions, including the definitions of “logistics use development” (Gov. Code § 65098(d)) and “sensitive receptor” (§ 65098(e)).
- Affirms compatibility with the Housing Crisis Act (§ 65098.6(c)).

## What Remains Unchanged

Core provisions of AB 98 remain largely unchanged, including:

- **Circulation element updates by Jan 1, 2026 for WCR jurisdictions** (Gov. Code § 65302.02).
- **Design and siting standards for new or expanded warehouses**, including:
  - 21st Century/Tier 1 warehouse standards (§ 65098(a), § 65098(g)).
  - Orientation & siting for loading bays (§ 65098.1(a)(2), (b)(2), (c)(2)).
  - Buffer and screening standards (§ 65098.2(a)-(c)).
  - Truck gate stacking depth (§ 65098.2.5).
  - Roadway siting requirements (§ 65098.2.7).
- **Housing replacement requirements** (§ 65098.6(a)-(c)).
- **Anti-idling signage** (§ 65098.3) **and truck routing plan requirements** (§ 65098.4).

## Implementation Timeline

- **Jan 1, 2026:** Most AB 98/SB 415 provisions take effect, including the deadline for WCR circulation element updates, new warehouse design/siting standards, anti-idling and routing signage, and AQMD monitoring.
- **Jan 1, 2027:** CHP must make truck-route enforcement training available statewide.
- **Jan 1, 2028 / 2030:** Non-WCR jurisdictions must adopt truck-routing ordinances (2030 applies to smaller cities/counties as defined).
- **2028 / 2033:** South Coast AQMD must submit interim (2028) and final (2033) air quality monitoring reports.

## **Attachment**

Included with this update is a compliance pathways chart summarizing how SB 415's provisions apply specifically to San Bernardino County Transportation Authority member agencies.



### **Questions on this update?**

Please contact Taylor Libolt Varner at (909) 639-1857 or via email at [tvarner@amplifycommunities.com](mailto:tvarner@amplifycommunities.com).

### **Disclaimer**

*This memo is provided for informational purposes only and does not constitute legal advice. Stakeholders should consult legal counsel for project- or jurisdiction-specific guidance.*



# AGENDA REPORT

MEETING DATE: February 24, 2026

TITLE: 2025-26 Mid-Year and Year-End Budget Review

PRESENTED BY: Konrad Bolowich, City Manager

RECOMMENDATION: **APPROVE ADDITIONAL EXPENDITURES OF \$887,777 FOR FY2025-26.**

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## **2030 VISION STATEMENT:**

This staff report supports City Council Goal #1, "Ensure Our Fiscal Viability," through the continuous monitoring of revenue receipts and expenditure disbursements against approved budget appropriations.

## **BACKGROUND:**

The purpose of the Mid-Year Budget Review is to provide the City Council with the following information:

1. Budget-to-actual results through the first half of the fiscal year;
2. Projections for a balanced budget at fiscal year-end; and
3. Any proposed budget adjustments/recommendations for consideration, if any.

The Mid-Year Budget Review for Fiscal Year (FY) 2025-26 focuses on the City's General Fund.

## **DISCUSSION:**

### **FY 2025-26 as of December 31, 2025**

#### Operating Revenues

As of December 31, 2025, which represents 50% of the fiscal year, the General Fund operating revenues received were \$3,874,928, or 44.5% of the approved budget of \$8,710,104. There is a timing difference for revenues such as property taxes and sales tax. Property tax is received in two large sums in December and the other in April. Sales tax payments are two months behind.

#### Operating Expenditures

As of December 31, 2025, which represents 50% of the fiscal year, the General Fund operating expenditures were \$3,978,689, which represents 43.8% of the approved expenditures of \$9,075,851. This figure includes expenditures that were carried over from the prior fiscal year of \$173,351.

### **FY 2025-26 Year-end Projections**

Projected Revenues

For this fiscal year, total revenues are projected at \$9,969,384. This shows a surplus result of \$1,259,280 against the annual budget of \$8,710,104. The resulting increase is primarily from the following:

1. Property Tax: Increased \$1.29M
2. Sales Tax: Decreased \$227,000.
3. Increases and decreases in various revenues make up the difference.

As a result of all the variances listed above, the net result is an increase in General Fund revenues resulting in a projected surplus of \$1.26M.

Projected Expenditures

Expenditures at June 30<sup>th</sup> are projected at \$9,963,628 which includes \$173,351 of carryover expenditures from FY2024-25. If expenditures continue at the same rate, then year-end expenditures will be \$9,075,851. City staff is proposing additional expenditures of \$887,777 in year-end expenses to bring expenditures to \$9,963,628 vs. approved expenditures of \$9,075,851. This overage is due in large part to law enforcement, improvements at the senior center, city hall and miscellaneous capital expenditures.

Below is the projected 2025-26 year-end revenue and expense statement for the General Fund.

Table 1

<b>City of Grand Terrace</b>						
<b>FY 2025-26 General Fund Financial Report</b>						
<b>Year-end Projection</b>						
		<u>Approved Budget</u>	<u>Dec YTD Actuals</u>	<u>Year-end Projection</u>	<u>2024-25 Actuals</u>	<u>Year-end vs. Appr Budget</u>
<b>REVENUES</b>						
Property Tax		5,190,000	2,247,450	6,478,224	5,187,316	1,288,224
Franchise Fees		675,000	158,386	708,466	737,287	33,466
Sales Tax		1,600,000	445,483	1,372,683	1,365,441	(227,317)
License, Fees & Permits		505,320	261,972	470,389	606,029	(34,931)
Charges for Services		132,500	29,239	47,914	101,065	(84,586)
Fines & Forfeitures		41,000	12,149	21,591	59,664	(19,409)
Miscellaneous		33,624	12,695	12,696	53,326	(20,928)
Use of Money &		72,660	200,463	331,830	257,018	259,170

Property		<u>Approved Budget</u>	<u>Dec YTD Actuals</u>	<u>Year-end Projection</u>	<u>2024-25 Actuals</u>	<u>Year-end vs. Appr Budget</u>
Intergovernmental Rev/Grants		58,500	25,291	43,791	74,017	(14,709)
Proceeds from Sale of Property		0	0	0	1,325	0
Transfers In			0	0	69,717	0
Waste Water Receipts		<u>401,500</u>	<u>481,800</u>	<u>481,800</u>	<u>401,500</u>	<u>80,300</u>
<b>OPERATING REVENUES</b>		<b><u>8,710,104</u></b>	<b><u>3,874,928</u></b>	<b><u>9,969,384</u></b>	<b><u>8,913,705</u></b>	<b><u>1,259,280</u></b>
<b>EXPENDITURES</b>						
City Council	10-110	110,522	52,019	109,088	117,661	1,434
City Manager						
City Manager	10-120	800,291	336,844	881,948	716,938	(81,657)
Information Tech.	10-380	125,425	79,703	134,853	129,404	(9,428)
Senior Citizens Prgm	10-805	71,116	43,431	83,732	81,997	(12,616)
Emergency Oper.	10-808	<u>18,000</u>	4,281	33,206	<u>44,236</u>	<u>(15,206)</u>
		<u>1,014,832</u>	<u>464,259</u>	<u>1,133,739</u>	<u>972,575</u>	<u>(118,907)</u>
City Clerk						
City Clerk	10-125	307,618	152,552	303,264	346,428	4,354
Hist. & Cult. Comm.	10-804	<u>2,000</u>	<u>649</u>	<u>1,849</u>	<u>1,414</u>	<u>151</u>
		<u>309,618</u>	<u>153,201</u>	<u>305,113</u>	<u>347,842</u>	<u>4,505</u>
City Attorney	10-160	207,500	105,888	294,888	219,259	(87,388)
Finance	10-140	838,726	276,838	759,139	666,855	79,587

		<u>Approved Budget</u>	<u>Dec YTD Actuals</u>	<u>Year-end Projection</u>	<u>2024-25 Actuals</u>	<u>Year-end vs. Appr Budget</u>
Planning & Dev.						
Building & Safety	10-172	381,278	178,673	343,040	343,819	38,238
Code Enforcement	10-185	324,081	139,200	307,669	268,500	16,412
Enforcement Prgm	10-187	45,450	26,120	57,473	53,151	(12,023)
Community Dev.	10-370	408,340	167,898	426,346	602,336	(18,006)
Planning Comm.	10-801	<u>9,175</u>	<u>428</u>	<u>10,268</u>	<u>1,996</u>	<u>(1,093)</u>
		<u>1,168,324</u>	<u>512,319</u>	<u>1,144,796</u>	<u>1,269,802</u>	<u>23,528</u>
Public Works						
Public Works	10-175	780,070	314,610	805,610	1,003,020	(25,540)
Facilities Maint.	10-195	94,480	59,374	184,829	191,448	(90,349)
Parks Maint.	10-450	451,753	198,272	815,252	493,323	(363,499)
NPDES	10-625	81,400	67,931	73,431	69,961	7,969
Storm Drain Maint.	10-631	<u>129,774</u>	<u>42,158</u>	<u>108,723</u>	<u>89,327</u>	<u>21,051</u>
		<u>1,537,477</u>	<u>682,345</u>	<u>1,987,845</u>	<u>1,847,079</u>	<u>(450,368)</u>
Law Enforcement	10-410	2,941,250	1,023,888	2,982,396	2,668,483	(41,146)
Non-Departmental						
Non-Departmental	10-190	1,091,400	707,932	1,087,117	1,001,429	4,283
Transfers Out	10-199	138,152	0	249,652	1,667,722	(111,500)
Overhead Alloc.	10-999	<u>(281,950)</u>	<u>0</u>	<u>(90,145)</u>	<u>(90,145)</u>	<u>(191,805)</u>
		<u>947,602</u>	<u>707,932</u>	<u>1,246,624</u>	<u>2,579,006</u>	<u>(299,022)</u>
<b>TOTAL</b>		<b><u>9,075,851</u></b>	<b><u>3,978,689</u></b>	<b><u>9,963,628</u></b>	<b><u>10,688,562</u></b>	<b><u>(887,777)</u></b>

<b>EXPENDITURES</b>						
		<u>Approved Budget</u>	<u>Dec YTD Actuals</u>	<u>Year-end Projection</u>	<u>2024-25 Actuals</u>	<u>Year-end vs. Appr Budget</u>
<b>REVENUE &amp; EXPENSE SUMMARY</b>						
REVENUES		8,710,104	3,874,928	9,969,384	8,913,705	1,259,280
FY24-25 C/O EXP		(173,351)	(173,351)	(173,351)		0
FY 25-26 EXP		<u>(8,902,500)</u>	<u>(3,805,338)</u>	<u>(9,790,277)</u>	<u>(10,688,562)</u>	<u>(887,777)</u>
<b>NET</b>		<b><u>(365,747)</u></b>	<b><u>(103,761)</u></b>	<b><u>5,756</u></b>	<b><u>(1,774,857)</u></b>	<b><u>371,503</u></b>

<b>REVENUE &amp; EXPENSE VARIANCE</b>		
REVENUE OVERAGE		1,259,280
LESS: EXPENDITURE OVERAGE		<u>(887,777)</u>
<b>NET</b>		<b><u>371,503</u></b>

<b>FUND BALANCE</b>	FY23-24	FY24-25	FY25-26
PRIOR YEAR ENDING FUND BAL	7,219,257	10,507,293	8,732,436
REVENUES	11,175,713	8,913,705	9,969,384
PY C/O EXPENDITURES		(676,209)	(173,351)
EXPENDITURES	(7,887,677)	(10,012,353)	(9,790,277)
FUND BAL	10,507,293	8,732,436	8,738,192

**ENVIRONMENTAL IMPACT:**

None.

**FISCAL IMPACT:**

The additional expenditures of \$887,777 would increase total projected expenditures for FY2025-26 to \$9,963,628 which is less than total projected revenue of \$9,969,384.