ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 9.05 (INDUSTRIAL DISTRICTS) OF TITLE 9 (PLANNING AND ZONING) TO ADD SECTION 9.05.060 (LOGISTICS USE FACILITIES MITIGATION MEASURES)

WHEREAS, the City of Moreno Valley ("City") is a general law city and a municipal corporation of the State of California, and

WHEREAS, in 2019, the Moreno Valley City Council ("City Council") authorized staff to prepare a comprehensive update to the City's 2006 General Plan, which included adding two new State-mandated General Plan Elements and preparing various associated documents, including but not limited to a Climate Acton Plan; and

WHEREAS, in June 2021, the City Council approved and adopted the City's 2021 GPU and associated Zone Text and Zoning Atlas Amendments, along with a 2021 Climate Action Plan ("CAP") (collectively, "2021 GPU Project"), based on its concurrent approval and certification of a Final Program Environmental Impact Report, filed as State Clearinghouse No. 2020039022 ("2021 FEIR"); and

WHEREAS, on October 28, 2021, a Petition for Writ of Mandate was filed against the City by the Sierra Club in Riverside County Superior Court, challenging the validity of the 2021 CAP and the 2021 FEIR (*Sierra Club v. The City of Moreno Valley*, Case No. CVRI2103300) ("CEQA Case"); and

WHEREAS, on June 21, 2022, the California Attorney General intervened in the CEQA Case, and on July 11, 2022, filed a Petition for Writ of Mandate-in-Intervention against the City; and

WHEREAS, on March 5, 2024, the Court issued a Statement of Decision, followed by the issuance of a Judgment and Peremptory Writ of Mandate (Writ) (collectively, the "Court Ruling") on May 6, 2024; and

WHEREAS, the Court Ruling granted the petition, albeit the scope of the Court Ruling was limited to the issues of: 1) baseline (existing conditions analysis), 2) air quality, 3) climate change (GHG [greenhouse gas] emissions), and 4) energy use, and rejected and denied the Sierra Club's arguments regarding the issues of land use analysis and zoning; and

WHEREAS, the Court Ruling specifically identified that the 2021 GPU FEIR was deficient for the following reasons:

- **Baseline:** The baseline used in the 2021 GPU FEIR failed to describe the 2021 GPU Project's environmental impacts as they existed at the time that the notice of preparation of the 2021 GPU Draft EIR was published.
- **Air Quality:** The Air Quality section failed to compare the 2021 GPU Project's environmental impacts against existing conditions and instead compared them to assumed impacts under the 2006 General Plan, which the Court opined understated the impacts of the 2021 GPU Project;
- **Energy:** The Energy section failed to compare the 2021 GPU Project's environmental impacts against existing conditions and instead compared them to assumed impacts under the 2006 General Plan, which the Court opined understated the impacts of the 2021 GPU Project; and
- **GHG Emissions:** The GHG emissions section failed to include mitigation measures, relying instead on an inadequate 2021 CAP that the Court opined failed to comply with requirements of the CEQA Guidelines; and

WHEREAS, in response to the Court Ruling, in May 2024, the City Council set aside its 2021 GPU Project approvals and its prior certification of the 2021 GPU Final EIR, subject to keeping its October 2022 Housing Element intact and operative since the adoption of Resolution No. 2022-67 in October 2022, approving the City's current Housing Element, was not subject to any legal challenge by the Sierra Club or the California Attorney General; and

WHEREAS, on June 18, 2024, the City entered into a contract with Rincon Consultants, Inc., to assist the City with preparing a revised Climate Action Plan, to replace supersede the 2021 CAP, consistent with the Court Ruling ("2024 CAP"), and on July 3, 2024, the City entered into a contract with Kimley-Horn and Associates, Inc., to assist the City with preparing a revised General Plan Update, to replace and supersede the 2021 GPU, consistent with the Court Ruling ("2024 GPU") and to ensure consistency between the 2024 GPU and 2024 GPU's associated Zoning Text and Zoning Atlas Amendments; and

WHEREAS, the contract with Kimley-Horn and Associates also required Kimley-Horn and Associates to assist the City with conducting the necessary environmental analysis of the 2024 GPU, 2024 CAP and 2024 GPU's associated Zoning Text and Zoning Atlas Amendment (collectively, the "2040 MoVal Project") pursuant to CEQA and the CEQA Guidelines, which resulted in the preparation of the 2024 Revised Draft Environmental Impact Report ("2024 RDEIR") that was circulated for the State mandated 45-day public review period, commencing July 14, 2025, through August 21, 2025, and which was sent to all required State and local agencies, interested parties, and those who commented on the Notice of Preparation, and was posted on the City's website; and

WHEREAS, on or about, September 29, 2024, the Governor signed Assembly Bill 98 ("AB 98"), which requires jurisdictions within the State's designated warehouse concentration regions, which includes the City of Moreno Valley, to update their Circulation Elements by January 1, 2026, to identify and establish designated truck routes for the movement of goods, with such routes avoiding residential areas and sensitive

receptors, maximize use of interstates, highways, and arterials, and include conspicuous signage for truck routes, truck parking, and truck idling restrictions; and

WHEREAS, AB 98 provides that "Sensitive receptors" include 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; and (6) hospitals, as defined in Section 128700 of the Health and Safety Code; and

WHEREAS, on October 7, 2025, the California Attorney General's Office ("AGO") submitted comments to the City regarding the 2024 CAP, which they later acknowledged that the City adequately addressed; and

WHEREAS, the AGO also submitted comments to the City regarding the Revised Final Environmental Impact Report ("RFEIR") raising concerns regarding the RFEIR's air quality impacts and recommended the following mitigation measures for air quality impacts be applied to all warehouse projects developed under the 2024 GPU:

- Setbacks: All warehouse projects developed under the 2024 GPU shall be located at least 1,000 feet from sensitive receptors.

- Wall: All logistics use facility projects shall include a solid wall and/or a landscaped berm of at least 15 feet in height, separating the project and nearby sensitive receptors.

- Tree Cover: All logistic facility projects shall ensure that the project parking lots have at least 35 percent of the tree shade cover within 15 years of commencement of operations

- Construction Equipment and Generators: All warehouse projects developed under the 2024 GPU shall utilize zero emission construction equipment and charging infrastructure for that equipment. When zero emission options are infeasible, the facility may only utilize equipment certified under California Air Resources Board (CARB) Tier 4 and use of low-polluting fuels (e.g., low NO_X diesel). Diesel generators shall be used only in cases of emergencies, limiting idling to 3 minutes, and prohibiting grading on day where the air quality index was over 100.

- Air Filtration Abatement Fund: The City shall create an abatement fund for subsidizing air filtration and/or HVAC systems for residents within 1,000 feet of

any warehouse or truck route, thereby abating air quality impacts for the most impacted sensitive receptors. The City may choose to administer abatement fund or designate tits administration to a third party which will require an additional 10 percent administrative fee. All warehouse projects developed under the 2024 GPU shall pay a one-time fee of $1,500 for each daily truck trip the warehouse project is estimated to induce.

- Heavy-Duty Truck Minimum Model Year: All warehouse projects developed under the 2024 GPU shall utilize trucks with a minimum 2014 model year by 2027.

- Truck Charging Infrastructure: All warehouse projects developed under the 2024 GPU shall be equipped with electric vehicle (EV)-ready conduits at each truck door or parking spot to support an EV charger and at least 50% of these shall be installed fast chargers.

- Transportation Refrigeration Units ("TRUs"): All warehouse projects developed under the 2024 GPU, which are to be used for refrigerated storage, shall have TRU plug-in installed at all dock doors.

- Passenger Vehicle Charging Infrastructure: All warehouse projects developed under the 2024 GPU, shall have at least 25% of passenger car parking spots EV-ready, with at least 15% of passenger car parking spots equipped with Level 2 chargers.

- Yard Equipment: All warehouse projects developed under the 2024 GPU shall use 100% ZEV for forklifts, yard trucks, and other on-site equipment.

- Idling Limits: All warehouse projects developed under the 2024 GPU shall have signage noting a 3-minute idling limit and include the SCAQMD complaint line to submit idling complaints.

- Construction Equipment and Operations: All warehouse projects developed under the 2024 GPU shall take steps to control construction emissions, including using zero emission construction equipment where feasible, and requiring facility operators to provide charging equipment for electric construction equipment to facilitate their use. However, where zero-emission equipment is infeasible, the facility shall use equipment certified to CARB Tier 4 and use of low-polluting fuels (e.g., low NO_X diesel). All construction equipment idling shall be limited to 3 minutes and all smaller equipment, including hand tools and power washers, shall be zero emission. In addition, grading operations shall be prohibited on days with an Air Quality Index greater than 100.

- Generators: All warehouse projects developed under the 2024 GPU shall be prohibited from using diesel except for emergencies.

- Worker Transit Programs: All warehouse projects developed under the 2024 GPU shall provide workers with secure bike storage facilities with outlets for e-bikes and on-site meals or lunch shuttle programs. Facilities shall also provide workers with transit route information and incentives to carpool, such as dedicated carpool parking spaces. Facilities over 400,000 square feet shall maintain a lounge for truck operators with amenities including restrooms, vending machines, and air conditioning to reduce the need for additional truck trips to find these services elsewhere.

- Worker Training Programs: All warehouse projects developed under the 2024 GPU shall implement training programs for managers and employees on efficient scheduling and load management to minimize truck queuing and idling; and

WHEREAS, the Moreno Valley City Attorney and California General's Office concurred that the purpose of the negotiations over the aforementioned mitigation measures, which exceed the basic development and operational standards of Assembly Bill 98 and Senate Bill 415, were for settling a dispute between the City and the California Attorney General's Office related to compliance with the Court Ruling's determinations related to air quality impacts.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES ORDAIN AS FOLLOWS:

Section 1. RECITALS

The above recitals are true and correct and are incorporated herein as though set forth at length herein.

Section 2. AUTHORITY

This Ordinance is adopted pursuant to the authority granted by Article XI, Section 7 of the Constitution of the State of California and California Government Code Section 37100, and it is not intended to be duplicative of state law or be preempted by state legislation.

Section 3. PURPOSE

The purpose of this Ordinance is to adopt and implement certain mitigation measures, that exceed the basic development and operational standards of Assembly Bill 98 and Senate Bill 415, negotiated with the California Attorney General's Office, to address air quality impacts of logistics use facilities developed under the 2024 General Plan Update, for purposes of settling a dispute between the City of Moreno Valley and the California Attorney General's Office regarding compliance with the Peremptory Writ of Mandate and Statement of Decision issued by Riverside County Superior Court in Case

No. CVRI2103300.

Section 4. LOGISTICS USE FACILITIES MITIGATION MEASURES CHAPTER

Chapter 9.05 (Industrial Districts) of Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code is hereby amended to add Section 9.09.060 (Logistics Use Facilities Mitigation Measures) as follows:

§ 9.05.060 Logistics Use Facilities Mitigation Measures

A. Purpose.

The purpose of this section is to implement certain mitigation measures, that exceed the basic development and operational standards of Assembly Bill 98 and Senate Bill 415, negotiated with the California Attorney General's Office, to address air quality impacts of logistics use facilities developed under the 2024 General Plan Update, for purposes of settling a dispute between the City of Moreno Valley and the California Attorney General's Office regarding compliance with the Peremptory Writ of Mandate and Statement of Decision issued by Riverside County Superior Court in Case No. CVRI2103300.

B. Definitions.

For the purpose of this section, unless the context clearly requires otherwise, the words and phrases used herein shall have the following meanings:

1. "Tier 1 21st century warehouse" means a logistics use facility that meets all of the following:

    a. 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:
        i. Photovoltaic system installation and associated battery storage.
            (1) For purposes of the photovoltaic system, all logistic use square footage should be considered conditioned space.
        ii. Cool roofing.
        iii. Medium- and heavy-duty vehicle charging readiness.
        iv. Light-duty electric vehicle charging readiness and installed charging stations.
    b. Has skylights in at least one percent of the roof area, or equivalent LED efficient lighting.

c. Has a microgrid-ready switchgear system capable of supporting distributed energy resources.

d. Is advanced smart metering ready.

e. 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.

f. Has a minimum of 10 percent of all passenger vehicle parking spaces installed with electric vehicle charging stations.

g. i. Provides conduits and electrical hookups at all loading bays serving cold storage.

ii. 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.

h. Ensures that any heating, ventilation, and air-conditioning is high-efficiency.

i. i. 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.

ii. (1) 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.

(2) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

j. i. 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.

ii. (1) 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.

(2) Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.

iii. 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.

2. **"Expansion"** means the expansion of an existing logistics use facility 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.

3. **"Heavy-duty truck"** means a class 7 or class 8 truck, as defined below:

a. "Class 7 truck" means a truck with a gross vehicle weight rating of 26,001 to 33,000 pounds.

b. "Class 8 truck" means a truck with a gross vehicle weight rating of greater than 33,000 pounds.

4. **"Logistics use development" or "logistics use facility"** means a building(s)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.

a. "Logistics use development" or "logistics use facility" does not include any of the following:

i. Facilities where food or household goods are sold directly to consumers and are accessible to the public.

ii. A building primarily served by rail to move cargo goods or product.

iii. A Strategic Intermodal Facility. For purposes of this chapter, "Strategic Intermodal Facility" means a project that satisfies all of the following requirements:

(1) Logistics facilities, including warehousing and transloading facilities, served by rail.

(2) Intermodal freight transport services.

(3) All facility structures and related rail operations are located within a single site footprint.

iv. A building that serves a primary agricultural use that is actively operated for a single period of 90 consecutive days or less each year.

5. **"Logistics Park"** means a logistics use facility that includes multiple logistic use facility buildings.

6. **"Sensitive receptor"** means one or more of the following:

a. A residence, including, but not limited to, a private home, apartment, condominium unit, group home, dormitory unit, or retirement home.

b. A school, including, but not limited to, a preschool, prekindergarten, or school maintaining kindergarten or any of grades 1 to 12, inclusive.

c. A daycare facility, including, but not limited to, in-home daycare.

d. Publicly owned parks, playgrounds, and recreational areas or facilities primarily used by children. For purposes of this chapter, 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)); and (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.

e. Nursing homes, long-term care facilities, hospices, convalescent facilities, or similar live-in housing.

f. Hospitals, as defined in Section 128700 of the Health and Safety Code.

7. **"Small off-road engines"** means spark-ignition engines rated at or below 19 kilowatts or 25 horsepower or less.

8. **"Stacking Depth"** means the length of on-site driveway or internal circulation space located between the property line and the entry point to a truck court or loading area that is designed to accommodate queued trucks.

9. **"Transportation Refrigeration Unit (TRU)"** means a self-contained refrigeration system mounted on or integrated into a truck, trailer, or container that is used to maintain temperature-controlled conditions for perishable goods during transport.

10. **"Transportation Refrigeration Unit (TRU) Plug-in"** means a permanently installed electrical outlet, connector, or interface located at a dock door and designed to supply electric power to a transportation refrigeration unit.

11. **"Trees with Low Biogenic Emissions"** means tree species that emit low levels of biogenic volatile organic compounds (BVOCs), including isoprene and monoterpenes, as identified in guidance, models, or reference lists published by the California Air Resources Board (CARB), the South Coast Air Quality Management District (SCAQMD), or other applicable air quality agencies, as such guidance may be amended from time to time.

12. "**Truck Loading Bay**" or "**Truck Bay"** means a designated area of a logistics facility designed for the loading or unloading of goods by trucks, including the dock door opening, associated loading dock, dock levelers, and the immediately adjacent maneuvering and staging area used by a truck while positioned at the dock.

E. **Applicability**

1. The provisions of this chapter shall not apply under the following circumstances
   a. A proposed logistics use facility that meets the following conditions:
      i. The proposed logistics use facility is a mixed-use development that proposes the development, construction or establishment of a sensitive receptor on the site of the proposed logistics use facility.
      ii. There are no existing sensitive receptors within 1,000 feet of any proposed truck loading bay within the proposed logistics use facility.
   b. The logistics use facility had a complete application submitted to the city for consideration on or prior to September 30, 2024.
   c. The city's approval of the logistics use facility occurred prior to October 3, 2025.
      i. 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.
   d. Nothing in this section 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).
2. New Sensitive Receptors
   a. i. Notwithstanding any other law, except as provided in California Government Code Section 65098.1.6, any existing logistics use facility 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 California Government Code Section 65098.1, as applicable, if a new sensitive receptor is constructed, established, or permitted after October 3, 2025.
      ii . Notwithstanding any other law, except as provided in California Government Code Section 65098.1.6, if by September 30, 2024, a proposed expansion of a logistics use facility 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 California Government Code Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after October 3, 2025.
      iii. Notwithstanding any other law, except as provided in California Government Code Section 65098.1.6, if by September 30, 2024, a property is currently in a local entitlement process to become a logistics use facility, then the proposed logistics use facility 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 California Government Code Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after October 3, 2025.
   b. i. Any proposed new logistics use facility that requires the rezoning of land and must undergo the city's land use development 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 California Government Code Section 65098.1, as applicable, if the start of the entitlement process for the logistics use facility 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.

ii. During a logistics use facility's entitlement process for a new or expanded logistics use facility, 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 California Government Code Section 65098.1, as applicable, then those distance requirements shall not apply to the logistics use facility so long as the logistics use facility 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.

F. Logistics Use Facility Development and Design Standards

1. General Requirements
   a. TABLE 9.XX.XXX Logistic Use Facility Development Standards provides the general requirements for all development of logistics use facilities regardless of size in the city.
   b. The industrial development standards of Title 9 shall apply to all logistics use facilities, unless otherwise specifically provided in this chapter.

TABLE 9.05.060

Logistic Use Facilities Development Standards

Category	Standard
Building Setbacks	Front setback – minimum 20 feet from logistics use facility property line
	Side setback – minimum 20 feet from logistics use facility property line
	Rear setback – minimum 20 feet from logistics use facility property line
	No dock doors or truck bay doors shall be located within 1,000 feet from any sensitive receptor.
Building Height	Building height and massing shall not exceed the maximum height limits of the applicable industrial zoning district and all applicable airport land use compatibility and federal aviation regulations.
Building Design Standards	Comply with or exceed 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

Category	Standard

	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:
	• Photovoltaic System
	  ○ Photovoltaic system installation and associated battery storage.
	  ○ For purposes of the photovoltaic system installation requirement, all logistics use facility square footage should be considered conditioned space.
	• Cool roofing
	• Medium- and heavy-duty vehicle charging readiness
	• Light-duty electric vehicle charging readiness and installed charging stations

	Skylights shall be provided in at least one percent of the roof area, or equivalent LED efficient lighting.
	Design and construct roofs to facilitate the maximum future installation of rooftop solar photovoltaic (PV) systems.
	Provide either (a) a secondary electrical room, (b) a primary electrical room sized 25% larger than required for building service needs, or (c) electrical gear installed at initial construction with 25% excess demand capacity.
	Provide a truck driver lounge with a minimum floor area of 400 square feet, equipped with restroom facilities, seating, vending machines, and air conditioning, and increase the lounge area by 50 square feet for each additional 100,000 square feet of building area, up to a maximum of 1,000 square feet.
	Provide on-site meals or a lunch shuttle to nearest area with at least one restaurant or fast-food place for workers in the logistic facility.
	High-efficiency heating, ventilation, and air-conditioning systems shall be utilized.
	LEED Silver or equivalent performance.
Buffers (Sensitive Receptor)	Any new logistics use facility within 1,000 feet of a sensitive receptor shall have a buffer that is a minimum of 100 feet in width measured from the property line of any adjacent sensitive receptor.
	Buffer areas shall include a solid wall and/or a landscaped berm of at least 15 feet in height, that includes drought tolerant natural ground landscaping with proper irrigation, and solid-screen buffering trees and may include other hardscape, access, and passenger vehicle parking improvements.
	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 a 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.
	Orient truck loading bays on the side of the logistics use facility that is furthest away from the nearest sensitive receptor, to the extent feasible.
Location (Roadways)[(1)]	Any new logistics use facility shall be sited on roadways that meet the following classifications: • Arterial roads. • Collector roads. • Major thoroughfares. • Local roads that predominantly serve commercial, agricultural, or industrial uses. 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 parcels fronting the road within 1,000 feet of the site's truck entrances and exits are

Category	Standard
	designated for commercial, agricultural, or industrial use according to the local zoning ordinance.
Site Access and Circulation	Provide a separate entrance to the logistics use facility 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.
	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 facility that are directly adjacent to a sensitive receptor property line.
Landscape Design Standards	Landscaped front setback
	Minimum 35% tree shade for parking lots reserved for the parking of traditional passenger vehicles (15-Year establishment period from issuance of first Certificate of Occupancy; Demonstrated in Plan Check Submittal)
Passenger Vehicle Charging Infrastructure	All passenger vehicle charging infrastructure shall be installed in compliance with 2025 California Green Building Code Sections A5.106.5.3 Electric Vehicle (EV) Charging. [N][(2)]; A5.106.5.3.3 Tier 2[(3)]; and Section A5.106.5.3.4 Tier 2 Electric Vehicle Charging Stations (EVCS)—Power Allocation Method[(4)]. In no case shall less than 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. In no case shall less than a minimum of 15 percent of all passenger vehicle parking spaces installed with electric vehicle charging stations.
Truck Charging Infrastructure	All logistics use facilities shall be equipped with EV-ready conduits for each truck door or parking space with at least 50 percent of those installed with fast chargers.
Transportation Refrigeration Units (TRU)	All logistics use facility projects shall provide fully functional TRU plug-ins or similar electrical hookups at all truck loading bays / dock doors. 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.
Operational Emission Controls	The logistics use facility operator shall ensure all classes of forklifts used on site shall be zero-emission by January 1, 2028, to the extent operationally feasible, commercially off-the-shelf available, and adequate power available on site. • 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. • Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.
	The logistics use facility operator shall ensure 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. • 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. • Cost shall not be a factor in determining operational feasibility pursuant to this subparagraph.
	The logistics use facility operator shall ensure that any equipment used on site utilizing small off-road engines by contractors also conforms to the same standards.

Category	Standard
	All trucks stored on-site as part of a facility's fleet shall have a model year of 2014 or newer by 2027.
	Provide employee transit route information and designate a minimum of fifty percent (50%) of the total on-site parking spaces for any combination of zero-emission vehicles, fuel-efficient vehicles, and carpool/vanpool vehicles.
Operational Health Risk Assessment (HRA)	Conduct an operational Health Risk Assessment (HRA) for projects within 900 feet of a sensitive receptor when unmitigated emissions are expected to result in (a) carcinogenic risk ≥ 10 in one million for the Maximally Exposed Individual, exceed SCAQMD cumulative cancer risk thresholds, or (b) non-carcinogenic hazard index ≥ 1.0.
Bicycle Parking	Provide bicycle parking equal to five percent of the required automobile parking spaces, with a minimum of two bicycle parking stalls. At least 50 percent of required bicycle parking spaces shall be equipped with electrical outlets suitable for electric bicycle charging.
Signage	Prior to the issuance of a certificate of occupancy, 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. Logistics use facility operators shall establish and submit for approval by the Community Development Director a truck routing plan to and from the state highway system based on the latest truck route map of the city. The truck routing plan shall describe the operational characteristics of the logistic use and of the logistics use 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 logistics use facility to designated truck routes that, to the greatest extent possible, avoid passing sensitive receptors. The truck routing plan shall include signage and pavement markings, and queuing analysis for preventing truck queuing, circling, stopping, and parking on public streets. The logistics use facility operator shall be responsible for communication of the truck routing plan internally and to external parties who may dispatch trucks to the logistics use facility.
	Mounted signage standards • Shall be bilingual (English and Spanish); • constructed of permanent, durable, weather-proof materials that are maintained in a condition that is legible; • Minimum 24″×36″; • 2″ letter height; and 1. Mounted 4–8 ft above finished grade.
	Anti-idling signs indicating a three-minute heavy-duty truck engine idling restriction shall be posted at logistics use facilities along entrances to the site and at the dock doors / truck loading bays. The signs should include the SCAQMD complaint line.
Training and Complaints	All logistics facilities should implement training programs for managers and employees on efficient scheduling and load management to minimize truck queuing and idling.
Abatement Fund(6)	Prior to issuance of the first certificate of occupancy, a logistics use facility project applicant shall pay a one-time air quality abatement fee of $1,500 for each estimated daily truck trip into a city-designated Heating, Ventilation, and Air Conditioning (HVAC) and Air Filtration Abatement Fund, which shall be used to subsidize air filtration and/or HVAC systems for any existing structures constituting or situated within a sensitive receptor located within 1,000 feet of the property line of the proposed logistics use facility or within 1,000 feet of a dedicated truck route.
Construction Emissions Controls	All construction equipment including smaller equipment (hand tools and power washers) shall be zero-emission if feasible and commercially available within the

Category	Standard
	State of California. If it is not feasible to utilize zero-emission construction equipment, or such equipment is not commercially available within the State of California, all such construction equipment shall meet the Environmental Protection Agency's (EPA) Tier 4 Final standards.
	The idling of all construction equipment and construction-related vehicles shall be limited to 3 minutes.
	Grading and earthmoving activities shall be prohibited on days when the Air Quality Index (AQI) is 100 or greater.
	Diesel generators shall not be used or operated during construction except in emergencies or where no feasible alternative power source exists.

Notes:

(1) A waiver may be granted where siting on the designated roadways 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:

- There is no feasible alternative site that exists within the designated roadways.
- A traffic analysis has been completed and submitted to the local approving authority.
- The site is an existing industrial zone or an existing industrial or agricultural zone for an agricultural-related logistics use project.
- The proposed site will incorporate mitigations to minimize traffic and environmental impacts on residential areas to the greatest extent feasible.

(2) A5.106.5.3 Electric Vehicle (EV) Charging. [N]
Construction shall comply with Section A5.106.5.3.1 Tier 1 or A5.106.5.3.3 Tier 2, and in accordance with regulations in the *California Building Code* and the *California Electrical Code*.

(3) A5.106.5.3.3 Tier 2
Comply with Section 5.106.5.3.1 EV capable spaces, Section 5.106.5.3.2 Electric vehicle charging stations and associated Table A5.106.5.3.3, or Section A5.106.5.3.4 Electric vehicle charging stations (EVCS)—power allocation method and associated Table A5.106.5.3.4.
Refer to Section 5.106.5.3.2 for the permitted use of Level 2 or Direct Current Fast Charger (DCFC) to create EVCS. Refer to Section 5.106.3.2.1 for the allowed use of DCFC to comply with both EV capable spaces and Level 2 EVSE. Refer to Section 5.106.5.3.3 for the allowed use of Automatic Load Management System (ALMS).

TABLE A5.106.5.3.3 - TIER 2 EV CAPABLE SPACES AND EVCS

TOTAL NUMBER OF ACTUAL PARKING SPACES	NUMBER OF REQUIRED EV CAPABLE SPACES	OTHER THAN OFFICE AND RETAIL NUMBER OF REQUIRED EVCS[2, 3]	OFFICE AND RETAIL NUMBER OF REQUIRED EVCS[2, 3]
1—9	3	2	2
10—25	8	4	6
26—50	17	9	13
51—75	28	14	21
76—100	40	20	30
101—150	57	29	43
151—200	79	40	59
201 and over	45 percent of actual parking spaces[1]	50 percent of EV capable spaces[1]	75 percent of EV capable spaces[1]

1. Calculation for spaces shall be rounded up to the nearest whole number.
2. Each EVCS shall reduce the number of required EV capable spaces by the same number.
3. At least one Level 2 EVSE shall be provided.

(4) A5.106.5.3.4 Tier 2 Electric Vehicle Charging Stations (EVCS)—Power Allocation Method
The power allocation method may be used as an alternative to the requirements in Section 5.106.5.3.1, Section 5.106.5.3.2 and associated Table A5.106.5.3.3. Use Table A5.106.5.3.4 to determine the total power in kVA required based on the total number of actual parking spaces.

Category	Standard

Power allocation method shall include the following:

1. Use any kVA combination of EV capable spaces, low power Level 2, Level 2 or DCFC EVSEs.
2. At least one Level 2 EVSE shall be provided.

TABLE A5.106.5.3.4 - TIER 2 EVCS—POWER ALLOCATION METHOD

TOTAL NUMBER OF ACTUAL PARKING SPACES	MINIMUM TOTAL kVA @ 6.6 kVA	OTHER THAN OFFICE AND RETAIL TOTAL kVA REQUIRED IN ANY COMBINATION OF EV CAPABLE[3, 4], LOW POWER LEVEL 2, LEVEL 2[1, 2], OR DCFC	OFFICE AND RETAIL TOTAL kVA REQUIRED IN ANY COMBINATION OF EV CAPABLE[3, 4], LOW POWER LEVEL 2[1, 2], OR DCFC
1—9	19.8	19.8	19.8
10—25	52.8	52.8	52.8
26—50	112.2	112.2	112.2
51—75	184.8	184.8	184.8
76—100	264.0	264	264
101—150	376.2	376.2	376.2
151—200	521.4	521.4	521.4
201 and over	45 percent of actual parking spaces × 6.6	Total required kVA = P × .45 × 6.6 Where P = Parking spaces in facility	Total required kVA = P × .45 × 6.6 Where P = Parking spaces in facility

1. Level 2 EVSE @ 6.6 kVA minimum.
2. At least one Level 2 EVSE shall be provided.
3. Maximum allowed kVA to be utilized for EV capable spaces is 75 percent.
4. If EV capable spaces are utilized, they shall meet the requirements of Section 5.106.5.3.1 EV capable spaces.
5. For office and retail buildings the maximum allowed kVA to be utilized for EV capable spaces is 25 percent.

(5) A revised truck routing plan shall be submitted to the community development director or designee prior to a business license being issued by the city for any new tenant of the logistics use facility . The community development 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.

(6) The City reserves the right to have the Abatement Fund administered by a third party of its choosing. If the City elects to have the Abatement Fund administered by a third party, the City reserves the right to establish an administrative fee pursuant to all applicable laws governing the establishment of such a fee.

2. Replacement Housing Obligations

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 logistics use facility 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 city. 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 of any land for the development of a logistics use facility, the developer shall 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 use facilities. A logistics use facility 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.

3. Architectural Design Standards
   a. These standards are applied to all logistics use facilities irrespective of the distance from sensitive receptors or unlaying zones
      - Building façades exceeding 200 feet in continuous length shall include façade articulation at intervals not exceeding 100 feet, achieved through wall plane offsets of at least two (2) feet, architectural reveals, or material changes.
      - Primary building façades facing public streets shall include a minimum 15 percent façade modulation, measured as variations in plane, depth, or material. This calculation shall be provided as a part of plan check package.
      - Metal wall panels shall be factory-finished and non-reflective, with a minimum low-gloss finish
      - Primary façades (street-facing or receptor-facing) shall incorporate at least two exterior materials, excluding trim.
      - Unfinished concrete tilt-up panels are prohibited on façades facing public streets or sensitive receptors unless treated with architectural scoring, integral color, or applied finishes.
      - Highly reflective or mirrored surfaces are prohibited on exterior walls and roofs.
      - Mechanical equipment located on roofs shall be fully screened from view from public streets and sensitive receptors by parapets or architectural screens equal to or greater than the height of the equipment.
      - Loading docks, truck courts, and service areas shall not be located on façades facing public streets or sensitive receptors unless fully screened by required buffers, walls, or buildings.
      - Dock doors visible from public streets shall be recessed or screened using architectural elements or landscape screening.
      - Primary pedestrian building entries shall be clearly defined using a minimum of two architectural features, such as canopies, awnings, recessed entries, or contrasting materials.
      - Office components shall be visually distinct from warehouse portions through changes in height, materials, or façade articulation.

b. Building-mounted lighting shall be full cut-off fixtures and shielded to prevent light spillovers onto adjacent properties and sensitive

Section 5. SEVERABILITY

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 6. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Municipal Code as heretofore adopted by the City of Moreno Valley that are in conflict with the provisions of this Ordinance are hereby repealed.

Section 7. EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after the date of its second reading.

Section 8. CERTIFICATION

That the City Clerk shall certify to the passage and adoption of this Ordinance, enter the same in the book for original ordinances of the City, and make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this Ordinance is passed and adopted.

APPROVED AND ADOPTED this ___ day of ____ 2026.

_____
Ulises Cabrera, Mayor
City of Moreno Valley

ATTEST:

_____
M. Patricia Rodriguez, City Clerk

APPROVED AS TO FORM:

_____
Steven B. Quintanilla, City Attorney