

**ATTACHMENT A  
PLANNING COMMISSION RESOLUTION**

**RESOLUTION NO. PC 25-10**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
COMMERCE, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPT  
AN ORDINANCE AMENDING TITLE 19 (ZONING) OF THE COMMERCE  
MUNICIPAL CODE ("CMC") CHAPTER 19.07 TO AMEND THE  
ACCESSORY DWELLING UNIT ("ADU") PROVISIONS TO COMPLY  
WITH STATE LAW AND CEQA EXEMPTION SECTION 15303**

**WHEREAS**, the City of Commerce ("City") is a general law city, incorporated under the laws of the State of California; and

**WHEREAS**, the purpose of this Zoning Ordinance Text Amendment ("ZTA") No. 25-05 is to establish regulations to amend Title 19 (Zoning) of the Commerce Municipal Code ("CMC") to amend the Commerce Municipal Code Section 19.07.090 (Accessory Dwelling Units and Junior Accessory Dwelling Units) to comply with State Law related to Accessory Dwelling Units ("Ordinance"); and

**WHEREAS**, this Ordinance was reviewed by the Director of Community Development, in part, for consistency with the General Plan and conformity with the CMC; and

**WHEREAS**, on October 9, 2019, Governor Gavin Newsom signed Senate Bill ("SB") 13, Assembly Bill ("AB") 68, and AB 881 (collectively, the "Bills") into law, amending Government Code sections 65852.2 and 65852.22, and adding Health and Safety Code section 17980.12, and thereby enacting new Statewide requirements for accessory dwelling units ("ADUs") and junior accessory dwelling units (at times herein referred to as "Junior ADUs," and at others generally as "ADU").; and

**WHEREAS**, in 2024, Senate Bill 477 reorganized and recodified the State's ADU and JADU provisions into Government Code Sections 66310 through 66342, without substantive change; and

**WHEREAS**, in order to further comply with State law, it is necessary for the City to amend its Municipal Code so that its provisions conform to and align with the requirements of Government Code Sections 66310 through 66342, as may be amended from time to time;

**WHEREAS**, the Planning Commission held a public hearing on September 17, 2025, for the purpose of recommending that the City Council approve the subject Zoning Ordinance text amendment to replace sections 19.07.090 of the Commerce Municipal Code; and

**WHEREAS**, the Planning Commission has reviewed all facts concerning the subject request and has considered all evidence submitted at said public hearing.

**NOW, THEREFORE, THE PLANNING COMMISSION FOR THE CITY OF COMMERCE DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** The proposed zone ordinance text amendment is both categorically and statutorily exempt from the California Environmental Quality Act ("CEQA"). Under California Public Resources Code § 21080.17, CEQA does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law, and which also regulates junior ADUs ("JADUs"), as defined by § 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the state's ADU law. In addition to being statutorily exempt from CEQA, the proposed ordinance is also categorically exempt from CEQA under the Class 3 exemption set forth in state CEQA Guidelines §15303. The Class 3 exemption categorically exempts from CEQA, among other things, the construction and location of new, small structures and the conversion of existing small structures from one use to another. §15303 specifically lists the construction of appurtenant accessory structures and garages as examples of activity that expressly falls within this exemption. Here, the ordinance is categorically exempt under the Class 3 exemption because the ordinance regulates the conversion of existing structures into, and the new construction of, ADUs and JADUs, which are, by definition, structures that are accessory to a primary dwelling on the lot and which are limited in size.

**Section 2.** Pursuant to CMC Section 19.39.310, the City Council shall be required to make the following findings of fact before approving a change of zone or zoning ordinance text amendment:

- 1. That the proposed change of zone or zoning ordinance text amendment is consistent with the goals, policies, and objectives of the General Plan.** *The proposed text amendment is consistent with the City of Commerce General Plan, as it would help to further the following policies, goals and objectives of the Plan. The proposed amendment would not only provide for consistency with state law as it relates to accessory dwelling units and junior accessory dwelling units, but it would allow for the City to count these units towards the Regional Housing Needs Assessment numbers for the City as identified in the Housing Element and contribute to the housing shortage in the area in general.*
- 2. That the proposed change of zone or zoning ordinance text amendment will not adversely affect surrounding properties.** *The text amendment adopts state law by reference. State ADU law specifies the need for property owners to confirm compliance with building and fire regulations and required infrastructure prior to construction. Therefore, the proposed text amendment will ensure that there are no adverse impacts on surrounding properties.*

- 3. That the proposed change of zone or zoning ordinance text amendment promotes public health, safety, and general welfare and serves the goals and purposes of this Title 19.** *The text amendment will bring the City's ADU and Junior ADU regulations into compliance with state law thus, would promote public health, safety and general welfare and serves the goals of Title 19 of the CMC.*

**Section 3.** Based upon the above findings, the Planning Commission hereby recommends that the City Council of the City of Commerce adopt the proposed ZTA No. 25-05 contained in the proposed Ordinance, attached hereto as Attachment B and incorporated into this Resolution by reference.

**Section 4.** This Resolution takes effect on the date of its adoption and shall be transmitted by Planning Commission staff to the City Clerk for placement of the Ordinance on the City Council meeting agenda for consideration by the City Council.

I hereby certify that the foregoing recommendation and findings contained in this resolution were adopted by the Planning Commission at its regular meeting of September 17, 2025.

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Salvador Gutierrez,  
Planning Commission

ATTEST:

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Jessica Serrano,  
Planning Commission Secretary