

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
COMMERCE, CALIFORNIA, IMPLEMENTING GREEN
BUILDING PRACTICES FOR CITY BUILDINGS**

WHEREAS, the City of Commerce (“City”) is dedicated to advancing energy efficiency, environmental protection, and economic growth; and

WHEREAS, the City recognizes the significant threat of global climate change; and

WHEREAS, California Assembly Bill (“AB”) 1279, among other things, established goals to reduce greenhouse gas (GHG) emissions to 40% below 1990 levels by 2030 and carbon neutrality by 2045; and

WHEREAS, the City is interested in adopting sustainable building practices that combat global climate change and help achieve the State’s environmental protection goals by significantly reducing greenhouse gas emissions through improved energy efficiency, lower embodied carbon in materials and water conservation; and

WHEREAS, green building practices aim to reduce environmental impact, lower energy consumption, and create healthier spaces for occupants by using environmentally friendly materials and construction methods; and

WHEREAS, the City is committed to assuming a leadership role in implementing green building practices in its own facilities by promoting the efficient use of energy and natural resources in the interest of the long-term protection and enhancement of our environment, our economy, and the health of our citizens and future generations; and

WHEREAS, the City foresees upcoming design and construction projects of new City-owned buildings which serve as opportunities to implement green building standards and act as a model for other construction projects in the City; and

WHEREAS, the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) is a voluntary, consensus-based, green building rating system for new and existing commercial and institutional buildings with various certification levels used to determine what constitutes sustainable building by national standards; and

WHEREAS, the City declares that it is in the best interest of the community that all newly constructed municipal buildings incorporate environmentally sustainable designs that are LEED certified.

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

Section 1. The City Council of the City of Commerce hereby finds and declares that the foregoing recitals are true and correct, and incorporates them herein as findings and as a substantive part of this Ordinance.

Section 2. Title 15 (Buildings and Construction), and more specifically, Section 15.12.040 (Green building practices for City buildings) of the Commerce Municipal Code is hereby added, to read as follows:

“15.12.040 – Green building practices for City buildings

(a) Definitions.

- (1) “Building” means a structure with a roof, excluding vehicles even though immobilized.
- (2) “Addition” means any construction that is attached to an existing building or facility, which increases the size or capacity of a building or facility in terms of site coverage, height, length, width, or gross floor area.
- (3) “City” means the City of Commerce.
- (4) “City building” means buildings that are located on properties owned by the City or Commerce successor agency.
- (5) “Commerce successor agency” means the responsible agency for overseeing the dissolution of the City’s former redevelopment agency.
- (6) “Gross floor area” means the total floor area of all floors in a building, measured from the exterior face of the outer walls.
- (7) “LEED” means United States Green Building Council’s Leadership in Energy and Environmental Design, which is a voluntary, consensus-based, green building rating system for new and existing commercial and institutional buildings with various certification levels used to determine what constitutes sustainable building by national standards.
- (8) “Remodel project” means a project involving significant alterations to an existing building to improve its functionality, aesthetics, or layout such as, structural changes, altering the floor plan by adding or removing existing walls, and rerouting or upgrading plumbing, HVAC systems or electrical systems.
- (9) “Site” means a specific location or a lot or parcel of land or combination of contiguous lots or parcels of land.

(b) Intent. It shall be the policy of the City to implement green building practices by financing, planning, designing, and constructing remodel projects, building additions and new construction of City buildings to be environmentally sustainable to the greatest extent possible.

(c) Applicability. This ordinance applies to:

- (1) Remodel projects to existing City buildings affecting an area with a gross floor area of 5,000 square feet or larger;

- (2) Building additions with a gross floor area of 5,000 square feet or larger to existing City buildings;
 - (3) Newly constructed City buildings with a gross floor area of 5,000 square feet or larger; and
 - (4) If there are remodel, building addition and/or new construction projects occurring at multiple buildings located at one site that cumulatively exceed these thresholds, this ordinance is applicable.
- (d) Requirement. Projects subject to this ordinance must incorporate environmentally sustainable designs that are LEED certified, with a rating of Certified, Silver, Gold or Platinum.
- (e) Exceptions.
- (1) Does not apply to regular maintenance and repairs of City buildings.
 - (2) Does not apply if the cost of achieving LEED certification makes the project cost prohibitive. Factors that impact feasibility and make an environmentally sustainable design cost prohibitive include: cost of construction, availability and cost of materials, and operating costs over the life cycle of the building being constructed, among others. The City Council must make a finding supported by evidence that achieving LEED certification makes the project cost prohibitive for this exception to apply.
- (f) Implementation. Staff responsible for overseeing the design and construction of remodel projects, building additions and newly constructed City buildings are hereby directed to use the most recent version of LEED certification standards as a benchmark to achieve maximum environmentally sustainable design. All buildings are encouraged to be designed to use higher LEED rating levels, if feasible.”

Section 3. Environmental Assessment. The City reviewed the environmental impacts of the proposed Ordinance pursuant to CEQA and the CEQA Guidelines. CEQA Guidelines §§ 15060(c)(2), 15061(b)(3), 15378, and 15308 exempt activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, activities where there is possibility that it may have a significant effect on the environment, activities that do not constitute a “project” as defined, and actions to protect the environment, respectively. This activity is for general policies and procedure-making intended to promote environmental sustainability and protect the environment. Any subsequent construction or development will be evaluated separately under the CEQA Guidelines. Accordingly, this Ordinance is exempt from further review.

Section 4. If any section, subsection, paragraph, sentence, clause, or phrase of this Chapter is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council declares that it would have adopted this Chapter, and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases, or portions be declared invalid or unconstitutional.

Section 5. Authorize the Mayor to execute this Ordinance for and on behalf of the City of Commerce.

Section 6. This Ordinance shall take full force and effect immediately upon adoption by the City Council.

Section 7. Effective Date. This Ordinance will become effective 30 days after adoption by the City Council and will remain effective unless repealed or superseded.

PASSED, APPROVED AND ADOPTED this _____, 2026.

Kevin Lainez, Mayor

ATTEST:

Pat Jacquez-Nares
Interim City Clerk