

PC RESOLUTION NO. 25-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COMMERCE, CALIFORNIA RECOMMENDING THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 25-01, ZONE CHANGE NO. 25-01 AND ZONING ORDINANCE TEXT AMENDMENT NO. 25-03 TO IMPLEMENT THE HOUSING ELEMENT REZONING EFFORTS FOR THE 2021-2029 PLANNING PERIOD BY AMENDING THE GENERAL PLAN LAND USE DESIGNATION MAP AND THE ZONING MAP AND THE ZONING ORDINANCE WITH A NEW MIXED-USE OVERLAY AND RELATED AMENDMENTS

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

WHEREAS, on September 10, 2024, the 2021-2029 General Plan Housing Element was adopted by the Commerce City Council, which was subsequently amended on November 12, 2024; and

WHEREAS, on November 20, 2024, the California Department of Housing and Community Development (HCD) sent the City of Commerce a letter indicating that while the 2021-2029 Housing Element met the statutory requirements of State Housing Element law (Government Code Section 65580 et seq), because the City did not adopt a compliant housing element within one year of the statutory deadline, the Housing Element cannot be found in compliance until promised rezones are completed pursuant to Government Code sections 65583, subdivision (c)(1)(A) and 65583.2, subdivision (c); and

WHEREAS, the implementation of the Housing Element rezoning efforts for the 2021-2029 planning period requires amendments to the Commerce Municipal Code ("CMC"), General Plan Land Use Designation Map and Zoning Map; and

WHEREAS, the candidate sites identified to be rezoned to accommodate shortfall housing need will meet the requirements of Government Code §65583.2, including but not limited to a minimum density of 20 units per acre and zoned to allow ownership and rental housing by right in which at least 20 percent of the units are affordable to lower income households; and

WHEREAS, the City initiated the proposed Zoning Ordinance Text Amendment and Zone Change pursuant to Commerce Municipal Code ("CMC") Section 19.39.280 and the General Plan Amendment pursuant to CMC Section 19.39.340; and

WHEREAS, this Zoning Ordinance Text Amendment, Zone Change, and General Plan Amendment were reviewed by the Director of Community Development, in part, for consistency with the General Plan, and conformity with the CMC; and

WHEREAS, pursuant to and in accordance with provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq., (herein referenced to as “CEQA”)), the State of California Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code of Regs. Section 15000, et seq., (herein referred to as the “CEQA Guidelines”)), the City is the “lead agency” for the preparation and consideration of environmental documents for “projects”, as the term is defined in Section 15378 of the CEQA Guidelines; and

WHEREAS, it was determined that proposed Zoning Ordinance Text Amendment, Zone Change, and General Plan Amendment ensure the City has the necessary regulations to protect the public, health, and safety; and

WHEREAS, the proposed Zoning Ordinance Text Amendment, Zone Change, and General Plan Amendment is consistent with the City of Commerce General Plan, as it *is an implementation measure of the 2021-2029 Housing Element and is therefore directly consistent* with the General Plan through the establishment of a mixed use overlay zone designed to protect the public health, safety, and welfare by regulating and controlling the size, location, design, quality, construction, and maintenance, use of mixed use developments in the City of Commerce; and

WHEREAS, if adequately regulated, mixed use development will contribute to the economic vitality of the City by adding new commercial businesses offering additional goods and services within the City and providing additional housing options to City; and

WHEREAS, on August 28, 2025, notices were sent to property owners within a 300-foot radius from the subject sites, and the notice was published in the Los Cerritos News, specifying the date, time, and location of the public hearing for Zoning Ordinance Text Amendment No. 25-03, Zone Change No. 25-01, and General Plan Amendment No. 25-01, pursuant to California Government Code Section 65854; and

WHEREAS, on September 17, 2025 the Planning Commission held a public hearing to receive oral and written testimony relative to Zoning Ordinance Text Amendment No. 25-03, Zone Change No. 25-01, and General Plan Amendment No. 25-01; and

WHEREAS, the Planning Commission, after due inspection, investigation, and study made by itself and on its behalf, and after due consideration of all evidence and reports offered at said hearing with respect to the proposed General Plan Amendment, Zone Change, and Zoning Ordinance Text Amendment, does find that all other legal prerequisites to the adoption of this Resolution have occurred.

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

Section 1. The Planning Commission hereby recommends that the City Council find that the adoption of this proposed Zoning Ordinance Text Amendment, Zone Change, and General Plan Amendment are not subject to the California Environmental Quality Act

(Public Resources Code §§ 21000, 21080.085, et seq. “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the “CEQA Guidelines”). The City reviewed the environmental impacts of the proposed Zoning Ordinance Text Amendment, Zone Change, and General Plan Amendment. Potential impacts from implementation of the Zoning Ordinance Text Amendment, Zone Change, and General Plan Amendment were previously analyzed and mitigated by the City of Commerce General Plan Environmental Impact Report (SCH No. 2001101128). An Initial Study/Addendum to the Final Environmental Impact Report for the project has been prepared pursuant to the CEQA and no subsequent environmental review is required in accordance with Public Resources Code Section 21166 and State CEQA Guidelines Section 15162. Additionally, pursuant to Assembly Bill 130 (Public Resources Code § 21080.66), the Housing Element rezoning effort is statutorily exempt from CEQA.

Section 2. Pursuant to Section 19.39.370 of the CMC, the Planning Commission recommends that the City Council make the following findings of fact regarding the General Plan Amendment:

- A. **That the proposed amendment is in the public interest, and that there will be a community benefit resulting from the amendment.** *The proposed amendment is mandated by State Housing Law, as the City is required to implement the Housing Element rezoning efforts for the 2021-2029 planning period. The General Plan Amendment implements Housing Element policy, providing housing opportunities for diverse households and facilitating the development of housing for all income levels, including very low-, low-, moderate-, and above moderate-income levels, on sites identified as viable for redevelopment.*
- B. **That the proposed amendment is consistent with the other goals, policies, and objectives of the general plan.** *The proposed amendment is an implementation measure of the 2021-2029 Housing Element. The General Plan Amendment creates consistency between the adopted 2021-2029 Housing Element and the Land Use Element, by applying a mixed-use General Plan land use designation to sites identified in the Housing Element to allow for residential development. The proposed General Plan Land Use Amendment is consistent with all other provisions of the General Plan.*
- C. **That the proposed amendment will not conflict with provisions of the zoning ordinance or subdivision regulations.** *The proposed amendment is an implementation measure of the 2021-2029 Housing Element. The 2021-2029 Housing Element required rezoning of sites to allow for additional residential development. The Zone Change and concurrent General Plan Amendment create consistency between the adopted 2021-2029 Housing Element, the General Plan Land Use Element, and the Zoning Ordinance. The proposed amendment will be implemented in the Zoning Ordinance via a new zoning overlay, the Mixed-Use Overlay zone. The proposed amendment will not conflict with provisions of the zoning ordinance or subdivision regulations.*

- D. In the event that the proposed amendment is a change to the land use policy map, that the amendment will not adversely affect surrounding properties.** *The proposed amendment is mandated by State Housing Law and the City is required to implement the Housing Element rezoning efforts for the 2021-2029 planning period. The proposed amendment will provide adequate housing sites and assist in the development of affordable housing. The proposed amendment will not be detrimental to surrounding properties because it will only consist of amendments to the General Plan Land Use Map. No developments are proposed as part of the Housing Element rezoning efforts. Furthermore, each future proposal on any of these sites will require a separate City review process. Any future proposed residential developments would be required to comply with applicable development regulations of the Zoning Ordinance, including those addressing minimizing potential effects on existing adjacent properties.*

Section 3. Pursuant to Section 19.39.310 of the CMC, the Planning Commission recommends that the City Council make the following findings of fact regarding the Zoning Ordinance Text Amendment and Zone Change:

- A. 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 amendment is an implementation measure of the 2021-2029 Housing Element and is therefore directly consistent. The Zone Change creates consistency between the adopted 2021-2029 Housing Element and the Land Use Element, in conjunction with the proposed General Plan Amendment, by allowing housing on sites identified in the Housing Element. The Zoning Text Amendment creates a new Mixed-Use Zoning Overlay to which the Zone Change applies. Other Zoning Text Amendments are related to the new Mixed-Use Zoning Overlay and are direct implementation actions associated with the 2021-2029 Housing Element.*
- B. That the proposed change of zone or zoning ordinance text amendment will not adversely affect surrounding properties.** *The proposed amendment is mandated by State Housing Law and the City is required to implement the Housing Element rezoning efforts for the 2021-2029 planning period. The proposed Zoning Ordinance Text Amendment and Zone Change will provide adequate housing sites and assist in the development of affordable housing. The proposed amendment will not be detrimental to surrounding properties because it will only consist of amendments to the Zoning Map. No developments are proposed as part of the Housing Element rezoning efforts. Furthermore, each future proposal on any of these sites will require a separate City review process. Any future proposed residential developments would be required to comply with applicable development regulations of the Zoning Ordinance, including those addressing minimizing potential effects on existing adjacent properties.*
- C. 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 Zoning Ordinance Text Amendment and Zone Change promote public health, safety, and general welfare of adjacent properties and the City as a whole by providing housing opportunities for diverse households, facilitating the development of housing for all income levels, including very low-, low-, moderate-, and above moderate-income levels for the 2021-2029 planning period, and affirmatively furthering fair housing. The Housing Element Update identifies housing goals and policies to address the City's fair share of the regional housing needs. The Zoning Ordinance Text Amendment and Zone Change implement these policies, providing opportunities for affordable housing on sites identified as viable for redevelopment in the Housing Element.*

Section 4. Based upon the above findings, the Planning Commission hereby recommends that the City Council of the City of Commerce: 1) adopt the General Plan EIR Addendum and a Categorical Exemption under the provisions of the California Environmental Quality Act (Public Resources Code §§ 21000, 21080.085, et seq. "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the "CEQA Guidelines") (CEQA Guidelines § 15060(c)(2), § 15378(b)(5) § 15301 § 15303 and § 15061(b)(3)); 2) adopt a resolution for General Plan Amendment No. 25-01 attached hereto as Exhibit A; and 3) adopt an ordinance for Zoning Ordinance Text Amendment No. 25-03 and Zone Change No. 25-01 attached hereto as Exhibit B.

Section 5. This Resolution takes effect on the date of its adoption and shall be transmitted by Planning Commission staff to the City Clerk for placement 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 meeting on September 17, 2025.

Salvador Gutierrez, Chairperson
Planning Commission

ATTEST:

Jessica Serrano, Secretary