

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE,
CALIFORNIA APPROVING GENERAL PLAN AMENDMENT NO. 25-01,
AMENDING THE GENERAL PLAN LAND USE DESIGNATION MAP TO
DESIGNATE CERTAIN PROPERTIES TO MIXED USE LAND USE
DESIGNATION**

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 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 General Plan Amendment pursuant to CMC Section 19.39.340; and

WHEREAS, this General Plan Amendment was 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 General Plan Amendment ensures the City has the necessary regulations to protect the public, health, and safety; and

WHEREAS, the proposed Zoning Ordinance Text Amendment and Zone Change 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 _____, 2025, a duly noticed public hearing of the City of Commerce Planning Commission was held and the Planning Commission recommended that the City of Commerce City Council adopt this Ordinance; and

WHEREAS, on _____, 544 notices were sent to property owners within a 500-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 General Plan Amendment No. 25-01, pursuant to California Government Code Section 65854; and

WHEREAS, on _____, 2025, the City Council of the City of Commerce held a duly notice public hearing; and

WHEREAS, the City Council, 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 does find that all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVE AND 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. They are incorporated herein as findings and a substantive part of this Resolution.

Section 2. The City Council hereby finds that the adoption of this proposed General Plan Amendment is 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 General Plan Amendment. Potential impacts from implementation of the 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 3. Pursuant to Section 19.39.370 of the CMC, the City Council makes 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 4. Based upon the above findings, the City Council hereby take the following actions: 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)); and 2) adopt this Resolution approving General Plan Amendment No. 25-01, including attached General Plan Amendment Map Nos. 1 and 2.

Section 5. The City Clerk shall certify the passage and adoption of this Resolution and it shall take effect on the date of its adoption.

PASSED, APPROVED AND ADOPTED this ____th day of _____ 2025.

Ivan Altamirano, Mayor

ATTEST:

Lena Shumway
City Clerk

Attachment 1 – Initial Study/Addendum to the General Plan EIR

Attachment 2 – Table of Existing and Proposed General Plan and Zoning for Housing Element Rezoning Sites

Attachment 3 – Proposed General Plan Land Use Maps