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# PLANNING COMMISSION

## CITY OF INDUSTRY

SPECIAL MEETING AGENDA  
MARCH 26, 2024  
11:30 A.M.



CHAIR JACOB CORTEZ  
VICE CHAIR ANDRIA WELCH  
COMMISSIONER RHONDA CONTRERAS  
COMMISSIONER SANDRA DIVERS  
COMMISSIONER ROY HABER

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*Location: City Council Chambers, 15651 Mayor Dave Way, City of Industry, California*

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### **Addressing the Commission:**

< **Agenda Items:** *Members of the public may address the Commission on any matter listed on the Agenda. Anyone wishing to speak to the Commission is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed form should be submitted to the City Clerk prior to the Agenda item being called and prior to the individual being heard by the Commission.*

**Public Comments (Agenda Items Only):** *During public comments, if you wish to address the Planning Commission during this Special Meeting, under Government Code Section 54954.3(a), you may only address the legislative body concerning any item that has been described in the notice for the Special Meeting. In order to conduct a timely meeting, there will be a three-minute time limit per person for the Public Comments portion of the Agenda*

*At the time of publication, no Commissioners intend to take part in the special meeting remotely under the provisions of AB 2449. Should that change between the time of publication and the start of the meeting, a live webcasting of the meeting will be accessible via the link, meeting ID, and meeting passcode listed below. Whenever possible, an announcement will be made at the start of the meeting via the live webcast to confirm whether or not a Commissioner will join remotely. If they will not be joining remotely, then the live webcast will terminate after the announcement.*

[www.microsoft.com/microsoft-teams/join-a-meeting](http://www.microsoft.com/microsoft-teams/join-a-meeting)

Meeting ID: 232 049 627 040

Meeting Passcode: UCCsCi

**Or call in (audio only)**

+1 657-204-3264, United States

Phone Conference ID: 780 238 376#

### **Americans with Disabilities Act:**

< *In compliance with the ADA, if you need special assistance to participate in any City meeting (including assisted listening devices), please contact the City Clerk's Office (626) 333-2211. Notification of at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.*

1. Call to Order
2. Flag Salute
3. AB 2449 Vote on Emergency Circumstances (if necessary)
4. Roll Call
5. Presentation - Planning Commission Milestone Recognition

6. **PUBLIC HEARING ITEMS**

6.1 Consideration of Resolution No. PC 2024-07, Rescinding Resolution No. PC 2024-02, and Recommending that the City Council Adopt Zoning Code Amendment No. 24-02, Amending Chapter 17.08 (Definitions), Chapter 17.18 (Institutional Zone), Chapter 17.22 (Housing Overlay Zone), and Chapter 17.26 (Recreation and Open Space Zone), of Title 17 (Zoning) of the City of Industry Municipal Code, to Implement the City's 2021-2029 Housing Element, and Adopt a Notice of Exemption Regarding Same, and Making Findings In Support Thereof

*RECOMMENDED ACTION:*

*Adopt Resolution No. PC 2024-07*

7. **CITY MANAGER REPORTS**

8. **AB 1234 REPORTS**

9. **COMMISSIONER COMMUNICATIONS**

10. Adjournment. Next regular meeting will be held on Tuesday, April 9, 2024, at 11:30 a.m.

*PLANNING COMMISSION*

ITEM NO. 6.1



# CITY OF INDUSTRY

## MEMORANDUM

**TO:** Planning Commission  
**FROM:** Joshua Nelson, City Manager  
**STAFF:** Bing Hyun, Assistant City Manager  
**DATE:** 03/26/2024  
**SUBJECT:** Consideration of Resolution No. PC 2024-07, Rescinding Resolution No. PC 2024-02, and Recommending that the City Council Adopt Zoning Code Amendment No. 24-02, Amending Chapter 17.08 (Definitions), Chapter 17.18 (Institutional Zone), Chapter 17.22 (Housing Overlay Zone), and Chapter 17.26 (Recreation and Open Space Zone), of Title 17 (Zoning) of the City of Industry Municipal Code, to Implement the City's 2021-2029 Housing Element, and Adopt a Notice of Exemption Regarding Same, and Making Findings In Support Thereof

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### Project Background:

On February 27, 2024, the Planning Commission adopted Resolution No. PC 2024-02, recommending the City Council adopt Zoning Code Amendment No. 24-02. Since the meeting, inconsistencies between the proposed zoning code amendment and program tasks listed in the City's Housing Element were identified. To ensure the proposed amendment precisely implements the programs of the City's certified Housing Element, Staff is now presenting a revised Zoning Code Amendment No. 24-02 for the Planning Commission's consideration. Specifically, the following revisions were made: in 17.26.020 (Uses permitted) in Chapter 17.26 (Recreation and Open Space Zone), the rescinded amendment added manufactured housing, mobile homes, single-room occupancy housing, employee housing, and accessory dwelling units as uses subject to the issuance of a conditional use permit. The revised zoning code amendment amends subsection 17.26.020 (Uses permitted) to add employee housing as permitted by-right, only in conjunction with conversion of existing housing units, and accessory dwelling units are permitted by-right.

### Discussion:

The City's Housing Element identified 15 housing programs with multiple objectives to be completed during the 2021-2029 cycle. The City will accomplish five of those objectives by amending the City's Code to define and permit by-right, employee housing serving six or fewer residents, manufactured housing, mobile homes, single-room occupancy housing, supportive housing, low-barrier navigation centers, and transitional housing uses; permit accessory dwelling units and junior accessory dwelling units in the zones identified in the Housing Element, and amend the Code for emergency homeless shelters, supportive housing, and low barrier navigation centers in accordance with state law.

The proposed ordinance amends Chapter 17.08 (Definitions), Chapter 17.18 (Institutional Zone), Chapter 17.22 (Housing Overlay Zone), and Chapter 17.26 (Recreation and Open Space Zone), of Title 17 (Zoning), to define and permit employee housing, low-barrier navigation centers, supportive housing, and emergency shelters by-right within the Recreational and Open Space ("ROS") Zone and Housing Overlay Zone ("HOZ"), respectively, and update the emergency homeless shelter regulations in the Institutional Zone ("INST").

## Staff Analysis:

Staff recommends that the Planning Commission adopt Resolution No. PC 2024-07, rescinding Resolution No. PC 2024-02, and recommending that the City Council adopt Zoning Code Amendment No. 24-02, amending Title 17 (Zoning) of the City's Code, to amend Chapter 17.08 (Definitions), Chapter 17.18 (Institutional Zone), Chapter 17.22 (Housing Overlay Zone), and Chapter 17.26 (Recreation and Open Space Zone), to implement the City's 2021-2029 Housing Element, and notice of exemption regarding same. Adoption of the proposed ordinance facilitates the City's compliance with State laws, and is consistent with the City's General Plan based on the findings below.

a. The proposed ordinance is in conformity with the goals and policies of the City's General Plan because Program 2 of the 2021-2029 Housing Element provides that the City "[d]efine and permit employee housing serving 6 or fewer residents as a by-right use in accordance with Health and Safety Code §§17021.5 and 17021.6 in the ROS Zone and HOZ", "[d]efine and permit manufactured/mobile homes and single-room occupancy as by-right uses in accordance with the Government Code § 65852.3 and § 65583(c)(2) in the HOZ", "permit accessory dwelling units by-right on any lot that allows single- or multifamily housing in accordance with Gov't Code § 65852.2(a) in the ROS and HOZ", and "[d]efine & permit low-barrier navigation centers and supportive housing as by-right uses in zones allowing multifamily and mixed uses (Gov't Codes 65650 and Â§ 65660 et seq.)" Additionally, Program 10 of the 2021-2029 Housing Element commits the City to "[a]mend [the City's] Municipal Code for emergency shelter parking, supportive housing, and low barrier navigation centers in accordance with state law." The purpose of the proposed Zoning Code Amendment No. 24-02 is to define and permit employee housing serving six or few residents, manufactured housing, mobile homes, and single room occupancy housing, low-barrier navigation centers, and supportive housing; permit accessory dwelling units and junior dwelling units; and update emergency homeless shelter regulations in the City's Code, thereby implementing five specific objectives of the City's General Plan.

b. The adoption of the ordinance is consistent with the City's Zoning Code because the purpose of adopting the ordinance is to comply with State laws. Additionally, pursuant to Section 17.22.010 of the City's Code, "the intent and purpose of the Housing Overlay Zone (hereinafter "HOZ") [is] to facilitate housing development consistent with the City's adopted housing element and ensure that housing will be compatible with surrounding land uses", the proposed regulations will implement Programs 2 and 10 of the adopted housing element. The proposed ordinance facilitates employee housing serving six or fewer residents, permits manufactured housing, mobile homes, single-room occupancy housing, accessory dwelling units, low-barrier navigation centers, and supportive housing, and updates emergency homeless shelter regulations in accordance with State law and, therefore, "will carry out the purposes of the planning law of the state".

c. The proposed Zoning Code amendment is not detrimental to the public health, safety or general welfare, as it is a simple text amendment, and does not propose any specific development project.

## Environmental Analysis:

In accordance with the provisions of the California Environmental Quality Act ("CEQA"), (Cal. Pub. Resources Code §§21000 et seq.), a review was performed. The proposed zoning code amendment is exempt from CEQA pursuant to the general rule in Section 15061(b)(3) of the CEQA Guidelines (Chapter 3, of Title 14, of the California Code of Regulations) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed ordinance does not contemplate any specific project requiring discretionary review. Any future project that requires discretionary review will be analyzed at the appropriate time in accordance with any applicable CEQA requirements. This amendment enacts a procedure as required by state law and does not change the density or intensity or otherwise have other effects on the environment. The proposed ordinance is not for any specific project and therefore will not impact any environmental resource or hazardous or critical concern, will not create cumulative impacts, or impacts to scenic

highways, hazardous waste sites, or historical resources.

**Public Hearing:**

The required Public Hearing Notice was published in the San Gabriel Valley Tribune on March 16, 2024, and was posted at City Hall, Fire Station 118, City Hall, Council Chambers, affected properties, and the City's webpage on March 16, 2024, and was also mailed to service providers whose ability to provide facilities and services may be significantly affected on March 16, 2024.

**Fiscal Impact:**

There is no fiscal impact associated with this agenda report.

**Recommendation:**

Based on the analysis provided with this Staff report, Staff recommends that the Planning Commission adopt Resolution No. PC 2024-07, rescinding Resolution No. PC 2024-02, and recommending that the City Council adopt Zoning Code Amendment No. 24-02, amending Title 17 (Zoning) of the City of Industry Municipal Code, to amend Chapter 17.08 (Definitions), Chapter 17.18 (Institutional Zone), Chapter 17.22 (Housing Overlay Zone), and Chapter 17.26 (Recreation and Open Space Zone), to implement the City's 2021-2029 Housing Element, and adopt a Notice of Exemption regarding same, and making findings in support thereof.

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**Attachments**

A. Resolution No. PC 2024-07

## RESOLUTION NO. PC 2024-07

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RESCINDING RESOLUTION NO. PC 2024-02, AND RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING CODE AMENDMENT NO. 24-02, AMENDING CHAPTER 17.08 (DEFINITIONS), CHAPTER 17.18 (INSTITUTIONAL ZONE), CHAPTER 17.22 (HOUSING OVERLAY ZONE), AND CHAPTER 17.26 (RECREATION AND OPEN SPACE ZONE), OF TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE, TO IMPLEMENT THE CITY'S 2021-2029 HOUSING ELEMENT, AND ADOPT A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF**

### RECITALS

**WHEREAS**, State housing laws, including the Employee Housing Act (California Health and Safety Code Section 17000 et seq.), and low barrier navigation center (California Government Code Section 65660 et seq.), supportive housing (California Government Code Section 65650 et seq.), manufactured housing and mobile homes (California Government Code Section 65852.3), impose an affirmative duty on local governments to allow use by right in their land use and zoning regulations and practices when necessary; and

**WHEREAS**, the California Department of Housing and Community Development ("HCD") directs cities to amend their municipal codes with respect to zoning regulations in light of aforementioned laws and a city's affirmative duty to comply with various state laws; and

**WHEREAS**, Program 2 of the 2021-2029 Housing Element commits the City to define and permit employee housing serving six or fewer residents as a by-right use in accordance with Health and Safety Code §§17021.5 and 17021.6, in the Recreation and Open Space ("ROS") Zone and Housing Overlay Zone ("HOZ"); define and permit manufactured and mobile homes and single-room occupancy as by-right uses in accordance with the Government Code § 65852.3 and § 65583(c)(1) in the HOZ; permit accessory dwelling units by-right on any lot that allows single- or multifamily housing in accordance with Government Code § 65852.2(a) in the ROS and HOZ; and define and permit low-barrier navigation centers and supportive housing as by-right uses in zones allowing multifamily and mixed uses in accordance with Government Codes § 65650 et seq. and § 65660 et seq. Additionally, Program 10 of the 2021-2029 Housing Element commits the City to amend the Code to permit emergency homeless shelter parking, supportive housing, and low barrier navigation centers in accordance with State law; and

**WHEREAS**, the City intends to comply with State laws and the adopted Housing Element by amending its Code to define and permit employee housing, manufactured housing, mobile homes, and single room occupancy housing, low-barrier navigation centers, and supportive housing; permit accessory dwelling units and junior accessory dwelling units; and update emergency homeless shelter regulations in accordance with State law; and

**WHEREAS**, the proposed ordinance is consistent with the goals and objectives of the City's General Plan because Program 2 (Zoning Code Amendments) and Program 10 (Homeless Services) of the 2021-2029 Housing Element commit the City to define and permit employee housing, manufactured housing, mobile homes, and single room occupancy housing, low-barrier

navigation centers, and supportive housing; permit accessory dwelling units and junior dwelling units; and update emergency homeless shelter regulations in accordance with State law; and

**WHEREAS**, based on Staff's review and assessment, the proposed Ordinance is exempt from the California Environmental Quality Act ("CEQA", Public Resources Code § 21000 et seq.) pursuant to the general rule in Section 15061(b)(3) of the CEQA Guidelines (Chapter 3, of Title 14, of the California Code of Regulations) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed amendment does not contemplate any specific project requiring discretionary review. Any future project that requires discretionary review will be analyzed at the appropriate time in accordance with any applicable CEQA requirements; and

**WHEREAS**, on February 27, 2024, the Planning Commission conducted a duly noticed public hearing on a previous version of this Zoning Code Amendment, and adopted Resolution No. PC 2024-02, recommending that the City Council adopt an ordinance amending the Zoning Code. Since the Planning Commission's adoption of Resolution No. PC 2024-02, Staff has determined that there were inconsistencies between the previously proposed Zoning Code Amendment and program tasks listed in the City's Housing Element. It is therefore necessary to bring a revised Zoning Code Amendment to the Planning Commission for its consideration; and

**WHEREAS**, on March 16, 2024, notice of the Planning Commission's March 26, 2024, public hearing on Resolution No. PC 2024-07 was published in the San Gabriel Valley Tribune, in compliance with the City's Municipal Code and Government Code Section 65090; and

**WHEREAS**, on March 16, 2024, notice of the Planning Commission's March 26, 2024, public hearing on Resolution No. PC 2024-07 was posted at City Hall, the City's Council Chambers, Fire Station 118, affected properties, and on the City's website; and was also mailed to service providers whose ability to provide facilities and services may be significantly affected on March 16, 2024; and

**WHEREAS**, on March 26, 2024, the Planning Commission of the City of Industry conducted a duly noticed public hearing to consider the proposed Zoning Code Amendment No. 24-07, and considered all testimony written and oral; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF INDUSTRY HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:**

**SECTION 1:** The Planning Commission finds that all of the facts set forth in the Recitals above are true and correct and are incorporated herein by reference.

**SECTION 2:** The Planning Commission hereby rescinds Resolution No. PC 2024-02 in its entirety.

**SECTION 3:** Based upon substantial evidence presented to the Planning Commission during the March 26, 2024 public hearing, including public testimony and written and oral staff reports, and which includes without limitation, CEQA, the CEQA Guidelines, and any documents provided by the public to the Planning Commission at the March 26, 2024 public hearing, the Planning Commission finds as follows:



The proposed Municipal Code amendment has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). The Planning Commission has determined that the text amendment does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that adoption of the ordinance has no possibility of having a significant effect on the environment. The proposed amendment does not contemplate any specific project requiring discretionary review. Any future project that requires discretionary review will be analyzed at the appropriate time in accordance with any applicable CEQA requirements. This amendment enacts a procedure as required by state law and does not change the density or intensity or allowed uses or have other effects on the environment. Based on the foregoing, the Planning Commission recommends that the City Council adopt a Notice of Exemption for the proposed Zoning Code amendment.

**SECTION 3:** Based upon substantial evidence presented to the Planning Commission during the March 26, 2024 public hearing, including public testimony and written and oral staff reports, and which includes without limitation, CEQA, the CEQA Guidelines, and the City's Code, and any documents provided by the public to the Planning Commission at the March 26, 2024 public hearing, the Planning Commission finds as follows:

- a. The proposed ordinance is in conformity with the goals and policies of the City's General Plan because Program 2 of the 2021-2029 Housing Element provides that the City "[d]efine and permit employee housing serving 6 or fewer residents as a by-right use in accordance with Health and Safety Code §§17021.5 and 17021.6 in the ROS Zone and HOZ", "[d]efine and permit manufactured/mobile homes and single-room occupancy as by-right uses in accordance with the Government Code § 65852.3 and § 65583(c)(2) in the HOZ", "permit accessory dwelling units by-right on any lot that allows single- or multifamily housing in accordance with Gov't Code § 65852.2(a) in the ROS and HOZ", and "[d]efine & permit low-barrier navigation centers and supportive housing as by-right uses in zones allowing multifamily and mixed uses (Gov't Codes 65650 and § 65660 et seq.)". Additionally, Program 10 of the 2021-2029 Housing Element commits the City to "[a]mend [the City's] Municipal Code for emergency shelter parking, supportive housing, and low barrier navigation centers in accordance with state law." The purpose of the proposed Zoning Code Amendment is to define and permit employee housing serving six or few residents, manufactured housing, mobile homes, and single room occupancy housing, low-barrier navigation centers, and supportive housing; permit accessory dwelling units and junior dwelling units; and update emergency homeless shelter regulations in the City's Code, thereby implementing five specific objectives of the City's General Plan.
- b. The adoption of the ordinance is consistent with the City's Zoning Code because the purpose of adopting the ordinance is to comply with State laws. Additionally, pursuant to Section 17.22.010 of the City's Code, "the intent and purpose of the Housing Overlay Zone (hereinafter "HOZ") [is] to facilitate housing development consistent with the City's adopted housing element and ensure that housing will be compatible with surrounding land uses", the proposed regulations will implement Programs 2 and 10 of the adopted housing element. The proposed ordinance facilitates employee housing serving 6 or fewer residents, permit manufactured housing, mobile homes, single-room occupancy housing, accessory dwelling units, low-barrier navigation centers, and supportive housing, and updates emergency homeless shelter regulations in accordance with State law and, therefore, "will carry out the purposes of the planning law of the state".

- c. The proposed Zoning Code amendment is not detrimental to the public health, safety or general welfare, as it is a simple text amendment, and does not propose any specific development project.

**SECTION 4:** Based on the foregoing findings, the Planning Commission of the City of Industry recommends that the City Council adopt an ordinance amending Title 17 (Zoning) of the City's Code, to amend Chapter 17.08 (Definitions), Chapter 17.18 (Institutional Zone), Chapter 17.22 (Housing Overlay Zone), and Chapter 17.26 (Recreation and Open Space Zone), to Implement the City's Housing Element, and making findings in support thereof, attached hereto as Exhibit A.

**SECTION 5:** The provisions of this Resolution are severable and if any provision, clause, sentence, word, or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words, or parts thereof of the Resolution of their applicability to other persons or circumstances.

**SECTION 6:** The Planning Commission Secretary shall certify to the adoption of this Resolution and the same shall be in full force and effect.

**PASSED, APPROVED, AND ADOPTED** by the Planning Commission of the City of Industry at a special meeting held on March 26, 2024, by the following vote:

**AYES:            COMMISSIONERS:**  
**NOES:            COMMISSIONERS:**  
**ABSTAIN:        COMMISSIONERS:**  
**ABSENT:         COMMISSIONERS:**

\_\_\_\_\_  
**Jacob Cortez, Chairman**

**ATTEST:**

\_\_\_\_\_  
**Julie Gutierrez-Robles, Secretary**

## **EXHIBIT A**

ZONING CODE AMENDMENT NO. 24-02, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA AMENDING TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE, TO AMEND CHAPTER 17.08 (DEFINITIONS), CHAPTER 17.18 (INSTITUTIONAL ZONE), CHAPTER 17.22 (HOUSING OVERLAY ZONE), CHAPTER 17.26 (RECREATION AND OPEN SPACE ZONE), AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME

## ORDINANCE NO. 830

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE, TO AMEND CHAPTER 17.08 (DEFINITIONS), CHAPTER 17.18 (INSTITUTIONAL ZONE), CHAPTER 17.22 (HOUSING OVERLAY ZONE), AND CHAPTER 17.26 (RECREATION AND OPEN SPACE ZONE), TO IMPLEMENT THE CITY'S 2021-2029 HOUSING ELEMENT, AND ADOPT A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF**

### RECITALS

**WHEREAS**, State housing laws, including the Employee Housing Act (California Health and Safety Code Section 17000 *et seq.*), low barrier navigation center (California Government Code Section 65660 *et seq.*), supportive housing (California Government Code Section 65650 *et seq.*), manufactured housing and mobile homes (California Government Code Section 65852.3), impose an affirmative duty on local governments to allow use by right in their land use and zoning regulations and practices when necessary; and

**WHEREAS**, the California Department of Housing and Community Development ("HCD") encourages cities to amend their municipal codes with respect to zoning regulations in light of aforementioned laws and a city's affirmative duty to comply with various state housing laws; and

**WHEREAS**, Program 2 of the 2021-2029 Housing Element commits the City to define and permit employee housing serving six or fewer residents as a by-right use in accordance with Health and Safety Code §§ 17021.5 and 17021.6 in the Recreation and Open Space Zone ("ROS") and Housing Overlay Zone ("HOZ"); define and permit manufactured and mobile homes and single-room occupancy as by-right uses in accordance with the Government Code § 65852.3 and § 65583(c)(2) in the HOZ; permit accessory dwelling units by-right on any lot that allows single- or multifamily housing per Government Code § 65852.2(a) in the ROS Zone and HOZ; and define and permit low-barrier navigation centers and supportive housing as by-right uses in zones allowing multifamily and mixed uses in accordance with the Government Codes § 65650 *et seq.* and § 65660 *et seq.* Additionally, Program 10 of the 2021-2029 Housing Element commits the City to amend the Code to permit emergency homeless shelter parking, supportive housing, and low barrier navigation centers in accordance with State law; and

**WHEREAS**, the City intends to comply with State laws and the adopted Housing Element by amending its Code to define and permit employee housing, manufactured housing, mobile homes, and single room occupancy housing, low-barrier navigation centers, and supportive housing; permit accessory dwelling units and junior dwelling units; and update emergency homeless shelter regulations in accordance with State law; and

**WHEREAS**, the proposed ordinance is consistent with the goals and objectives of the City's General Plan because Program 2 (Zoning Code Amendments) and Program 10 (Homeless Services) of the 2021-2029 Housing Element commit the City to define and permit employee housing, manufactured housing, mobile homes, and single room occupancy housing, low-barrier navigation centers, and supportive housing; permit accessory dwelling units and junior accessory dwelling units; and update emergency homeless shelter regulations in accordance with State law; and

**WHEREAS**, based on Staff's review and assessment, the proposed Ordinance is exempt from the California Environmental Quality Act ("CEQA", Public Resources Code § 21000 et seq.) pursuant to the general rule in Section 15061(b)(3) of the CEQA Guidelines (Chapter 3, of Title 14, of the California Code of Regulations) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed amendment does not contemplate any specific project requiring discretionary review. Any future project that requires discretionary review will be analyzed at the appropriate time in accordance with any applicable CEQA requirements; and

**WHEREAS**, on March 16, 2024, notice of the Planning Commission's March 26, 2024 public hearing on the amendment was published in the San Gabriel Valley Tribune, and was posted City Hall, City's Council Chambers, Fire Station 118, affected properties, and on the City's website; was also mailed to the property owners of the affected properties; and was also mailed to service providers whose ability to provide facilities and services may be significantly affected; and

**WHEREAS**, on March 26, 2024, the Planning Commission of the City of Industry conducted a duly noticed public hearing on Zoning Code Amendment No. ZA 24-02, and considered all testimony written and oral, and adopted Resolution No. PC 2024-07, recommending the City Council adopt the Ordinance; and

**WHEREAS**, on [DATE], notice of the City Council's [DATE], public hearing on Ordinance No. 830 was published in the San Gabriel Valley Tribune, in compliance with the City's Municipal Code and Government Code Section 65090; and

**WHEREAS**, on [DATE], notice of the City Council's [DATE], public hearing on Ordinance No. 830 was posted at City Hall, the City's Council Chambers, Fire Station 118, affected properties, and on the City's website; and was also mailed to the property owners of the affected properties; and was also mailed to service providers whose ability to provide facilities and services may be significantly affected; and

**WHEREAS**, on [DATE], the City Council of the City of Industry conducted a duly noticed public hearing on Ordinance No. 830, and considered all testimony written and oral; and

**WHEREAS**, all legal prerequisites to the adoption of this Ordinance have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. Findings.**

The City Council finds that based upon substantial evidence presented to the City Council during the [DATE] public hearing, including public testimony and oral staff reports, that all of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

**SECTION 2. CEQA Findings.**

Based upon substantial evidence presented to the City Council during the [DATE] public hearing, including public testimony and written and oral staff reports, and which includes without limitation, CEQA, the CEQA Guidelines, and any documents provided by the public to the City Council at the [DATE] public hearing, the City Council finds as follows:

The proposed Municipal Code amendment has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) (“CEQA”). The City Council has determined that the text amendment does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that adoption of the ordinance has no possibility of having a significant effect on the environment. The proposed amendment does not contemplate any specific project requiring discretionary review. Any future project that requires discretionary review will be analyzed at the appropriate time in accordance with any applicable CEQA requirements. This amendment enacts a procedure as required by state law and does not change the density or intensity or have other effects on the environment. Based on the foregoing, the City Council approves and adopts the Notice of Exemption. The City Council further directs Staff to file the Notice of Exemption, as authorized by law.

**SECTION 3. Zoning Code Text Amendment Findings.**

Based upon substantial evidence presented to the City Council during the [DATE] public hearing, including public testimony and written and oral staff reports, and which includes without limitation, CEQA, the CEQA Guidelines, and the City’s Code, and any documents provided by the public to the City Council at the [DATE], public hearing, the City Council finds as follows:

- a. The proposed ordinance is in conformity with the goals and policies of the City’s General Plan because Program 2 of the 2021-2029 Housing Element provides that the City “[d]efine and permit employee housing serving 6 or fewer residents as a by-right use in accordance with Health and Safety Code §§17021.5 and 17021.6 in the ROS Zone and HOZ”, “[d]efine and permit manufactured/mobile homes and single-room occupancy as by-right uses in accordance with the Government Code § 65852.3 and § 65583(c)(2) in the HOZ”, “permit accessory dwelling units by-right on any lot that allows single- or multifamily housing in accordance with Gov’t Code § 65852.2(a) in the ROS and HOZ”, and “[d]efine

& permit low-barrier navigation centers and supportive housing as by-right uses in zones allowing multifamily and mixed uses (Gov't Codes 65650 and § 65660 et seq.). Additionally, Program 10 of the 2021-2029 Housing Element commits the City to “[a]mend [the City’s] Municipal Code for emergency shelter parking, supportive housing, and low barrier navigation centers in accordance with state law.” The purpose of the proposed Zoning Code Amendment No. 24-02 is to define and permit employee housing serving six or few residents, manufactured housing, mobile homes, and single room occupancy housing, low-barrier navigation centers, and supportive housing; permit accessory dwelling units and junior dwelling units; and update emergency homeless shelter regulations in the City’s Code, thereby implementing five specific objectives of the City’s General Plan.

- b. The adoption of the ordinance is consistent with the City’s Zoning Code because the purpose of adopting the ordinance is to comply with State laws. Additionally, pursuant to Section 17.22.010 of the City’s Code, “the intent and purpose of the Housing Overlay Zone (hereinafter “HOZ”) [is] to facilitate housing development consistent with the City’s adopted housing element and ensure that housing will be compatible with surrounding land uses”, the proposed regulations will implement Programs 2 and 10 of the adopted housing element. The proposed ordinance facilitates employee housing serving six or fewer residents, permits manufactured housing, mobile homes, single-room occupancy housing, accessory dwelling units, low-barrier navigation centers, and supportive housing, and updates emergency homeless shelter regulations in accordance with State law and, therefore, “will carry out the purposes of the planning law of the state”.
- c. The proposed Zoning Code amendment is not detrimental to the public health, safety or general welfare, as it is a simple text amendment, and does not propose any specific development project.

**SECTION 4. Municipal Code Amendment.**

Section 17.08.083 (Emergency homeless shelter), Section 17.08.084 (Employee housing), Section 17.08.096 (Low-barrier navigation center), Section 17.08.097 (Manufactured housing), Section 17.08.099 (Mobile home), and Section 17.08.141 (Single Room Occupancy Unit) are hereby added to Chapter 17.08 (Definitions), of Title 17 (Zoning) of the City of Industry Municipal Code, to read in their entirety as follows:

**17.08.083    Emergency homeless shelter.**

“Emergency homeless shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. For purposes of this Chapter, “Emergency shelter” shall include other interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care.

**17.08.084    Employee housing.**

“Employee housing” means housing provided for six or fewer employees and meets the requirements of Health and Safety Code Section 17008.

**17.08.096 Low-barrier navigation center.**

“Low-barrier navigation center” means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

**17.08.097 Manufactured housing.**

“Manufactured housing” means a structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. “Manufactured home” includes any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C., Sec. 5401, and following).

**17.08.099 Mobile home.**

“Mobile home” means a structure that was constructed prior to June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected onsite, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. “Mobilehome” includes any structure that meets all the requirements of this paragraph and complies with the state standards for mobilehomes in effect at the time of construction. “Mobilehome” does not include a commercial modular, as defined in state of California Health and Safety Code Section 18001.8, factory-built housing, as defined in state of California Health and Safety Code Section 19971, a manufactured home, as defined in state of California Health and Safety Code Section 18007, a multifamily manufactured home, as defined in state of California Health and Safety Code Section 18008.7, or a recreational vehicle, as defined in state of California Health and Safety Code Section 18010.

**17.08.141 Single Room Occupancy Housing.**

“Single Room Occupancy Housing” means an efficiency unit with a minimum floor area of one hundred fifty (150) square feet and a maximum floor area of four hundred (400) square feet located in a residential hotel, as that term is defined in accordance with California Health and Safety Code Section 50519, that is offered for occupancy by tenants for at least thirty consecutive days.



**SECTION 5. Municipal Code Amendment.**

Section 17.08.152 (Supportive housing) of Chapter 17.08 (Definitions), of Title 17 (Zoning) of the City of Industry Municipal Code, is hereby amended to read in its entirety as follows:

**17.08.152 Supportive housing.**

“Supportive housing” means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. The “target population” is as defined in Government Code Section 65582(i).

**SECTION 6. Municipal Code Amendment.**

Section 17.18.050 (Emergency homeless shelters) of Chapter 17.18 (Institutional Zone), of Title 17 (Zoning) of the City of Industry Municipal Code, is hereby amended to read in its entirety as follows:

17.18.050 Emergency homeless shelters.

In addition to the development standards noted in Section 17.18.040, emergency homeless shelters must comply with the following standards:

- A. No person may reside at an emergency homeless shelter for a period longer than six months in a three hundred sixty-five-day period.
- B. The facility may not contain more than five beds or serve more than five homeless persons at any one time.
- C. A management and security plan must be submitted to the planning director for review and approval along with the application.
- D. The following must be provided in each emergency homeless shelter:
  - 1. Adequate external lighting for security purposes. The lighting must be stationary, directed away from adjacent properties and public rights-of-way, and positioned to maximize security at entries, parking areas, and common areas.
  - 2. On-site client intake and waiting area in a location not adjacent to the public right-of-way, fully screened from public view, and a minimum area of five square feet per bed.
  - 3. On-site parking must be provided at the ratio of one space per staff member, plus one space for every six beds.

**SECTION 7. Municipal Code Amendment.**

Subsection 17.22.030.B (Permitted uses) of Chapter 17.22 (Housing Overlay Zone) of Title 17 (Zoning) of the City of Industry Municipal Code, is hereby amended to read in its entirety as follows:

- B. The following uses are permitted by right:
1. Accessory dwelling units and junior accessory dwelling units;
  2. Employee housing;
  3. Licensed residential care facilities serving seven or more clients;
  4. Low-barrier navigation centers that meets the requirements of Government Code Sections 65660 et seq.
  5. Supportive housing that meets the requirements of Government Code Section 65650 et seq.;
  6. Manufactured housing that is certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sections 5401 et seq.) and is on a foundation system, pursuant to Health and Safety Code Section 18551;
  7. Mobile homes;
  8. Multi-family dwellings;
  9. Single-family dwellings;
  10. Single-room occupancy housing that includes multiple single room dwelling units, where each unit is for occupancy by one individual and contains food preparation or sanitary facilities, or both;
  11. Transitional housing.

**SECTION 8. Municipal Code Amendment.**

Subsection 17.22.040 (Application) of Chapter 17.22 (Housing Overlay Zone) of Title 17 (Zoning) of the City of Industry Municipal Code, is hereby amended to read in its entirety as follows:

A. Procedure. A proposed development or improvement for occupancy by any of the uses listed in Section 17.22.030(B) shall be subject to an administrative design review process unless otherwise exempt. A proposed development or improvement that complies with the requirements of this chapter is permitted by right and shall be approved by the planning director, or their authorized designee.

B. Form of Application. An application for a proposed development or improvement shall be completed on a form provided by the planning department.

C. Review Procedures. Additional application review procedure requirements for specified development types are as follows:

1. Accessory dwelling units and junior accessory dwelling units shall be reviewed consistent with the provisions in Section 17.80.020.
2. Low-barrier navigation centers shall be reviewed consistent with Government Code Section 65664.
3. Supportive housing shall be reviewed consistent with Government Code Section 65653(b).

**SECTION 9. Municipal Code Amendment.**

Subsections 17.26.020.F and 17.26.020.G (Uses permitted) are hereby added to Chapter 17.26 (Recreation and Open Space Zone), of Title 17 (Zoning) of the City of Industry Municipal Code, to read in their entirety as follows:

F. Employee housing is permitted by-right, only in conjunction with conversion of an existing housing unit, as set forth in Section 17.26.020.E.

G. Accessory dwelling units are permitted by-right.

**SECTION 10. Clerical Errors.**

The City Council directs the City Clerk to correct any clerical errors found in this Chapter, including, but not limited to, typographical errors, irregular numbering, and incorrect section references.

**SECTION 11. Severability.**

Should any section, subsection, clause, or provisions of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity of unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid, unenforceable, or unconstitutional.

**SECTION 12. Effective Date.**

In accordance with California Government Code § 36937, this Ordinance shall take effect and be in force thirty (30) days from passage and adoption.

**SECTION 13. Publication.**

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this ordinance to be published and posted as required by law.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Industry, California, at a regular meeting held on [DATE], by the following vote:

**AYES: COUNCIL MEMBERS**

**NOES: COUNCIL MEMBERS**

**ABSTAIN: COUNCIL MEMBERS**

**ABSENT: COUNCIL MEMBERS**

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**Cory C. Moss, Mayor**

**ATTEST:**

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**Julie Gutierrez-Robles, City Clerk**