

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ADOPTING AN ORDINANCE ADDING CHAPTER 18.21, MERCURY SPECIFIC PLAN TO TITLE 18, ZONING, OF THE PICO RIVERA MUNICIPAL CODE DESIGNATED HEREIN AS ZONE CODE AMENDMENT NO. 187

WHEREAS, the Pico Rivera Municipal Code Zoning Ordinance was adopted as Ordinance No. 133, on November 2, 1960; and

WHEREAS, pursuant to police power, the City may enact and enforce laws within its City boundaries which promote the public health, morals, safety, or general welfare of the community and are not in conflict with general laws; and

WHEREAS, in order to encourage adequate property development, periodic revisions to the Pico Rivera Municipal Code are deemed essential and a public necessity to facilitate development; and

WHEREAS, per section 18.62.110, the Community and Economic Development Director has initiated the Zone Code Amendment; and

WHEREAS, certain updates must be made to Title 18, *Zoning*, of the Pico Rivera Zoning Ordinance to fully actualize the goals, policies and actions as described in the Pico Rivera General Plan updated in 2014; and

WHEREAS, per section 18.62.130 of the Pico Rivera Municipal Code, the Planning Commission shall make a recommendation to the City Council by a formal written resolution after the conclusion of a public hearing; and

WHEREAS, on November 21, 2022 the Planning Commission of the City of Pico Rivera conducted a public hearing on the matter of the amendment to the Pico Rivera Municipal Code at a legally noticed public hearing and voted 3-2 to recommend to the City Council approval of General Plan No. 57, Conditional Use Permit No. 746, Zone Code Amendment No. 187, Zone Reclassification No. 325, and adoption of the Mitigated Negative Declaration and Mitigation Monitoring Plan; and

WHEREAS, on January 12, 2023, a legal notice was published in the Los Cerritos Newspaper, a local newspaper of general circulation; and

WHEREAS, a public hearing notice was mailed to property owners within a 1,000 foot radius from the subject site; and

WHEREAS, the City Council has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing held on January 24, 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pico Rivera as follows:

SECTION 1. The City Council finds that the above recitals are true and correct and incorporates them as substantive part of its findings.

SECTION 2. Pursuant to provisions of the California Environmental Quality Act and CEQA Guidelines, Section 15063, and following an Initial Study and environmental assessment of possible adverse impacts, the project will not have a significant effect on the environment because of the inclusion of certain mitigation measures for which lessened potential adverse impacts to a level of less than significant. Therefore, a Mitigated Negative Declaration was prepared with mitigation measures and monitoring program in accordance with the provisions of CEQA. The Mitigated Negative Declaration and Mitigation Monitoring Program was adopted on January 24, 2023 pursuant to City Council Resolution No. _____ adopted concurrently herewith.

SECTION 3. Pursuant to Chapter 18.62, Article II, *Zoning Code Amendments*, of the Pico Rivera Municipal Code, the City Council of the City of Pico Rivera hereby approves the draft ordinance amending the Pico Rivera Municipal Code including Title 18, *Zoning*.

SECTION 4. Further, this Resolution with reports, findings and recommendations herein contained and the recommended draft ordinance attached hereto in this matter shall constitute a report of the City Council.

SECTION 5. The City Council finds that the adding Chapter 18.21, Mercury Specific Plan to Title 18, *Zoning*, of the Pico Rivera Municipal Code is consistent with and is necessary to the general purpose and provisions of the Zoning Code and General Plan for the following reasons and findings:

- a) The Pico Rivera Municipal Code codifies Specific Plan 301 and Specific Plan 400.4 for developments in the City and adding the Mercury Specific Plan is necessary for consistency within development standards as prescribed within the Mercury Specific Plan. The addition of the Mercury Specific Plan to the Municipal Code will clarify that a third Specific Plan has been adopted in the City's history since its incorporation on January 19, 1958.
- b) Chapter 18.21, *Mercury Specific Plan* has been added to provide standards for the orderly development that exceed the current maximums that are prescribed within the General Plan and Pico Rivera Municipal Code that facilitate the improvement and development of housing to make adequate provision for housing needs of the community. The development of the units will help to

meet the overall housing goals for the State which include making available decent housing and a suitable living environment for every Californian, partnering with the private sector in an effort to expand housing opportunities, and recognizing that local governments have the responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provisions for housing needs of all economic segments of the community.

- c) The proposed amendments are consistent with the spirit and integrity of the General Plan Policy 3.6-2 that encourages land development practices that reduce energy pollution and greenhouse gas emissions as the 255-unit mixed use development is within a central commercial corridor and is anticipated to lessen daily household trips due its proximity to key destinations. The subject site is also near bus transit Los Angeles County Metropolitan Authority (Metro) line 266 which travels along Rosemead Boulevard and Montebello 50 which travels along Washington Boulevard both having 30–35-minute bus intervals. Metro is exploring Washington Boulevard for the future extension of the Metro L (Gold Line) Eastside extension with a potential station stop at Rosemead Boulevard or terminus at Greenwood Avenue in the City of Montebello which is approximately 1.4 miles from the subject parcel.
- d) The proposed development is consistent with General Plan Policy 3.8-2 that promotes the use of vacant, underutilized and inefficient commercial uses for more economically productive purposes, including higher intensity mixed-use housing. The site operated between 1957 and 2018 as a bowling alley, banquet, hall night club and restaurant. The proposed use is consistent with the Policy 3.8-2 which will provide a higher intensity mixed-use development including 255 units and 4,785 square feet of commercial retail. The proposed development will also assist in meeting the General Plan’s Housing Element Regional Housing Needs Assessment by meeting the Above Moderate housing requirement. The Regional Housing Needs Assessment requires that the City plan for 430 Above Moderate Income housing units. The project includes the development of 255 Above Moderate-Income housing units.
- e)

SECTION 6. The City Council hereby approves the attached draft ordinance adopting Zoning Code Amendment No. 187.

SECTION 7. The City Clerk shall certify the adoption of this Resolution and hereafter the same shall be in full force and effect.

APPROVED AND PASSED this 24th day of January 2023.

Erik Lutz, Mayor

ATTEST:

APPROVED AS TO FORM:

Anna M. Jerome, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN: