



CITY OF COMMERCE AGENDA REPORT

TO: Honorable City Council

Item No. _____

FROM: City Manager

SUBJECT: ADOPTION AND WAIVING OF THE SECOND READING OF ORDINANCE NO. 827 OF THE CITY COUNCIL OF THE CITY OF COMMERCE ENACTING ZONING ORDINANCE TEXT AMENDMENT ("ZTA") NO. 25-01 AMENDING TITLE 19 (ZONING) OF THE COMMERCE MUNICIPAL CODE TO ESTABLISH ARTIFICIAL TURF REGULATIONS FOR ALL ZONES CITYWIDE AND IN THE PUBLIC RIGHT-OF-WAY.

MEETING DATE: November 25, 2025

RECOMMENDATION:

It is recommended that the City Council consider adopting and waiving the Second Reading of Ordinance No. 827 (Attachment "1") enacting Zoning Ordinance Text Amendment ("ZTA") No. 25-01 amending the Commerce Municipal Code ("CMC") establishing artificial turf regulations for all zones Citywide and in the public right-of-way; and adopting Categorical Exemption under the provisions of the California Environmental Quality Act (Public Resources Code §§ 21000, 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)).

BACKGROUND:

On October 14, 2025, the City Council held a public hearing to consider ZTA No. 25-01 allowing artificial turf throughout all zones and public right-of-way areas in the City (see attached staff report, without attachments, dated October 14, 2025). During the public hearing, the City Council posed several questions:

- Why does the Commerce Municipal Code not allow artificial turf?
- If the City approves artificial turf in parkways within public sidewalks, will the City be liable if individuals get hurt from trip hazards caused by artificial turf?

At that meeting, the City Council continued the public hearing to the City Council meeting of October 28, 2025, and directed staff to further investigate City Council's questions.

The following provides responses to the questions posed by City Council:

1. **QUESTION: Why does the Commerce Municipal Code not allow artificial turf?**

ANSWER: City staff researched City archives to investigate whether the City had previously considered artificial turf regulations. The results showed that this was never contemplated by the City. The Commerce Municipal Code is silent regarding artificial turf and it is unpermitted because it does not meet the definition of ground cover which includes turf, shrubs, vines, or similar live plant materials.

The State's prior legislation regarding artificial turf has driven changes to municipal codes to either ban or allow artificial turf. Few cities allowed artificial turf prior to 2015 when the State made it illegal to ban artificial turf (Assembly Bill 1164). After 2015, many cities began adding artificial turf regulations to control how artificial turf looks and to protect public health, safety and welfare. In 2023, the State reversed its position on artificial turf and restored cities' authority to ban artificial turf (Senate Bill 676).

2. **QUESTION: If the City approves artificial turf in parkways within public sidewalks, will the City be liable if individuals get hurt from trip hazards caused by artificial turf?**

ANSWER: The City is ultimately responsible for maintaining the public right-of-way regardless of whether the improvements are made by the City or private individuals. Therefore, the City may be liable for failure to maintain the public right-of-way in regard to artificial turf in addition to concrete, grass, street furniture or any other improvements that require maintenance.

As a safeguard for the City, the originally proposed Ordinance requires that property owners installing artificial turf execute a release of liability by the permittee for cases where public utilities, the City and their contractors damage artificial turf within the parkway while conducting repairs or construction in the public right-of-way. An amendment was made to Section 19.230.150(I)(3) of the proposed Ordinance to release the City of any liability related to approval of artificial turf by private individuals. The amended language reads as follows (the language in bold red represents added language):

*Release of liability. A property owner installing artificial turf within a landscaped parkway must sign a form approved by the City: **1) releasing public utilities, the City and their contractors from any damage they may cause to artificial turf while conducting repairs or construction in the public right-of-way; and 2) indemnifying and holding the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of artificial turf in the public right-of-way except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of artificial turf in the public right-of-way, the Permittee agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of***

this section “the City” includes the City of Commerce’s elected officials, appointed officials, officers, and employees.

In addition to this, the City’s Code Enforcement Division will be responsible for identifying any potential maintenance issues in the public right-of-way, including poorly maintained artificial turf, and working with property owners to correct these issues. Should the property owner fail to make the necessary corrections within a reasonable timeframe, the City may have to intervene to address the issues and may also seek to bill the property owner for the repairs.

FISCAL IMPACT

This activity can be carried out without additional impact on the current operating budget.

ALTERNATIVES:

1. Approve recommendation;
2. Reject recommendation; or
3. Provide staff with further direction.

RELATIONSHIP TO STRATEGIC GOALS:

This agenda item relates to the 2016 Strategic Plan:

Community Quality of Life

Guiding Principle 4, Support and evaluate community services, programs and events that promote healthy and quality lifestyles for our residents. Enhance public safety and social services through innovative programs that meet the needs of the residential and business communities.

Recommended by: Jessica Serrano, Director of Community Development
Approved as to form: Noel Tapia, City Attorney
Respectfully submitted: Ernie Hernandez, City Manager

ATTACHMENTS:

1. Ordinance No. _____
2. Notice of Categorical Exemption
3. Staff report dated, October 14, 2025 (without attachments)