

**ATTACHMENT B
DRAFT PC RESOLUTION FOR
ZONING TEXT AMENDMENT NO. 25-02**

RESOLUTION NO. PC 26-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COMMERCE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING ZONING TEXT AMENDMENT NO. 25-02 AMENDING SECTION 19.31.100(2) OF THE COMMERCE MUNICIPAL CODE RELATED TO DISTANCE SEPARATION REQUIREMENTS FOR CERTAIN ALCOHOL-RELATED USES

WHEREAS, Jennifer Oden with Solomon, Saltsman & Jamieson (“Applicant”) submitted an application for Zoning Text Amendment (“ZTA”) No. 25-02 to amend Section 19.31.100(2) of the Commerce Municipal Code (“CMC”) related to distance separation requirements applicable to certain alcohol-related uses; and

WHEREAS, the proposed amendment text attached hereto as Exhibit “A” would amend Section 19.31.100(2) of the CMC to modify the language and applicability of the existing 500-foot distance separation requirement for certain alcohol-related uses located along designated commercial corridors, including Washington Boulevard and Atlantic Boulevard; and

WHEREAS, the proposed amendment is intended to provide flexibility in evaluating alcohol-related uses while maintaining discretionary review and project-specific analysis of compatibility and potential impacts through the Conditional Use Permit (“CUP”) process; and

WHEREAS, on May 28, 2026, the Planning Commission opened the public hearing and continued the matter to the next available Planning Commission meeting, which was held on July 15, 2026, due to the cancellation of the June 17th, 2026, meeting; and

WHEREAS, the continued public hearing was held before the City of Commerce Planning Commission on July 15, 2026, at which time all interested persons were given the opportunity to be heard; and

WHEREAS, at the public hearing, the Planning Commission considered all oral and written testimony, staff reports, exhibits, and other evidence presented regarding the proposed ZTA; and

WHEREAS, the Planning Commission finds that the proposed ZTA is consistent with the goals and policies of the City of Commerce General Plan and the purposes and intent of the CMC; and

WHEREAS, the proposed amendment has been reviewed in accordance with the California Environmental Quality Act (“CEQA”) and determined to be exempt pursuant to CEQA Guidelines Section 15061(b)(3), the common sense exemption, because it can be seen with certainty that the amendment will not have a significant effect on the environment; 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 Project, 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 above recitals are true and correct and incorporated herein as part of the findings.

Section 2. The proposed ZTA is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), the common sense exemption. The amendment modifies regulatory standards for alcohol-related uses and does not authorize any development or physical change to the environment. It can be seen with certainty that there is no possibility the amendment may have a significant effect on the environment; therefore, no further environmental review is required.

Section 3. Pursuant to Section 19.39.310 of the CMC, the Planning Commission makes the following findings to support the approval of a ZTA in this matter:

- 1. 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 Zoning Text Amendment (ZTA) is highly consistent with the goals, policies, and objectives of the City of Commerce General Plan. By replacing a rigid 500-foot distance separation requirement along designated commercial corridors with a case-by-case discretionary review, the amendment directly implements Community Development Policies 1.1 and 1.2 by modernizing the development code and utilizing the Conditional Use Permit (CUP) process to ensure strict land use compatibility. Furthermore, the Project site’s Commercial Manufacturing (C/M1) zoning aligns with its General Plan designation, and the proposed off-sale of beer and wine (ABC Type-20 License) is a conditionally permitted use that advances Community Development Policies 2.4 and 2.9 to preserve and promote commercial areas along the Telegraph Road/Washington Boulevard corridor. Because the request involves no expansion, demolition, or exterior modifications to the existing AM/PM convenience store, it functions as a compatible, ancillary retail use that supports orderly, neighborhood-serving commerce.*

2. **That the proposed change of zone or zoning ordinance text amendment will not adversely affect surrounding properties.** *The proposed Zoning Text Amendment will not adversely affect surrounding properties because the amendment does not automatically permit alcohol-related uses, and all future applicable projects would remain subject to Conditional Use Permit review, project-specific compatibility analysis, and Conditions of Approval, as determined appropriate by the City.*
3. **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 Title 19.** *The proposed Zoning Text Amendment promotes public health, safety, and general welfare and serves the goals and purposes of Title 19 of the CMC by maintaining regulatory oversight of alcohol-related uses while allowing flexibility in evaluating such uses along designated commercial corridors.*

Section 4. The Planning Commission hereby recommends that the City Council adopt an Ordinance approving ZTA No. 25-02, attached hereto as Exhibit “A,” amending Section 19.31.100(2) of the CMC related to distance separation requirements for certain alcohol-related uses.

Section 5. This Resolution takes effect on the date of its adoption and shall be transmitted by the Planning Commission staff to the City Clerk for placement of the Ordinance on the City Council meeting agenda for consideration by the City Council.

I hereby certify that the foregoing findings and conditions contained in this resolution were adopted by the Planning Commission at its regular meeting of July 15, 2026.

Salvador Gutierrez, Chairperson
Planning Commission

ATTEST:

Jessica Serrano, Secretary

Attachments:

Exhibit “A” - Proposed Amendment to CMC Section 19.31.100(2)

EXHIBIT “A”

Proposed Amendment to CMC Section 19.31.100(2)

Existing CMC Section 19.31.100(2)

“The proposed use shall not be located within five hundred feet nor adversely affect adjacent or nearby religious facilities; residences; public or private schools; public parks or recreation centers; or public or parochial playgrounds. However, the distance requirement shall not apply to restaurant, sit-down defined by the Commerce Municipal Code and which are located along either Washington Boulevard or Atlantic Boulevard. While the distance requirement of this section may not apply to restaurant, sit-down, the city may deny an application if it is determined that a use adversely affects any adjacent or nearby religious facilities; residences; public or private schools; public parks or recreation centers; or public or parochial playgrounds.”

Amendments to CMC Section 19.31.100(2)

Section 19.31.100(2) of the Commerce Municipal Code shall be amended to read as follows:

“The proposed use shall not be located within five hundred **(500)** feet **of**, nor adversely affect adjacent or nearby religious facilities; residences; public or private schools; public parks or recreation centers; or public or parochial playgrounds. However, the distance requirement shall not apply to restaurant, sit-down **as** defined by the Commerce Municipal Code, ~~and which are or to any use requiring an off-sale alcoholic beverages license, provided the use is~~ located along either Washington Boulevard or Atlantic Boulevard. ~~While the distance requirement of this section may not apply to restaurant, sit-down,~~ **Notwithstanding these exemptions**, the city may deny an application if it is determined that a **proposed** use adversely affects any adjacent or nearby religious facilities; residences; public or private schools; public parks or recreation centers; or public or parochial playgrounds.

Proposed code for CMC Section 19.31.100(2)

Section 19.31.100(2) of the Commerce Municipal Code shall be read as follows:

The proposed use shall not be located within five hundred (500) feet of, nor adversely affect, adjacent or nearby religious facilities; residences; public or private schools; public parks or recreation centers; or public or parochial playgrounds. However, the distance requirement shall not apply to restaurant, sit-down as defined by the Commerce Municipal Code, or to any use requiring an off-sale alcoholic beverages license, provided the use is located along either Washington Boulevard or Atlantic Boulevard. Notwithstanding these exemptions, the city may deny an application if it is determined that a proposed use adversely affects any adjacent or nearby religious facilities; residences; public or private schools; public parks or recreation centers; or public or parochial playgrounds.