



# STAFF REPORT

## Conditional Use Permit No. 25-09

**TO:** Planning Commission

**FROM:** Community Development Department

**DATE:** April 15, 2026

**CASE NO.:** Conditional Use Permit (CUP 25-09)  
(CEQA Exemption Section 15332 - Class 32, In-Fill Development)

**REQUEST:**

A request to approve Conditional Use Permit (“CUP”) No. 25-09 to allow the construction and operation of a drive-through lane in association with a new 2,287 square foot fast food restaurant (Taco Bell) at a currently vacant parcel on a 27,879 sq. ft. (0.64 acre) lot.

The subject site is located at the northly corner of east Washington Boulevard and Telegraph Road within the City’s Commercial (“C-2”) zone. The property is currently identified as Assessor’s Parcel Number (“APN”) No. 6336-010-909. Because the proposal involves new construction on a previously undeveloped site, a formal situs address has not yet been assigned; a permanent street address will be established during the plan check and building permit phase.

**LOCATION:** APN: 6336-010-030  
E. Washington Boulevard and Telegraph Road  
Commerce, CA 90040

**APPLICANT:** T & T Taco, LLC-Dru Fanticola  
1422 Edinger Avenue #150,  
Tustin, CA 92780

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission of the City of Commerce (“Planning Commission”) take the following actions:

- 1) Adopt Resolution No. 26-02 approving Conditional Use Permit No. 25-09 to allow the construction and operation of a drive-through lane in association with a new 2,287 square-foot fast food restaurant (Taco Bell) at a currently vacant parcel; and finding the Project consistent with the Commerce

Municipal Code (“CMC”), the General Plan, and compatible with surrounding uses; and

- 2) Direct staff to file a Notice of Exemption pursuant to the California Environmental Quality Act (“CEQA”) that the proposed project complies with Categorical Exemption Section 15332 - Class 32, for in-fill development projects.

**PUBLIC HEARING NOTICE:**

The Public Hearing Notice was published in the Los Cerritos News on April 2, 2026, and mailed to property owners within 500 feet of the project site.

**DESCRIPTION OF PROPERTY AND SURROUNDING USES**

The property is vacant and unimproved and located in the City’s C-2 zone. The proposed lot is part of a 10-acre development that was subdivided into 5 lots. Two out of the 5 lots created have been approved to be developed with fast food restaurants, including Chick-fil-A and In-N-Out. The subject project is on the northeast corner of a new loop road (private street) and Washington Boulevard (APN No. 6336-010-909) identified below in red. The remaining lots have not been processed for new development. The project site is situated in a commercial/industrial area. Surrounding land uses include commercial retail and restaurant developments to the north, south, and west, while industrial uses are concentrated to the northeast.

**AERIAL MAP**



**LAND USE, ZONING AND APPLICABLE REGULATIONS:**

<b>Project Site - Land Use &amp; Applicable Regulations</b>	
General Plan Designation:	Commercial
Zoning:	C-2 (Commercial)
Applicable Zoning Regulations:	<u>Commerce Municipal Code:</u> 1. Chapter 19.09, Commercial Zone. 2. Chapter 19.19 Site Planning and General Development Standards 3. Chapter 19.23 Landscape Standards 4. Chapter 19.24 Water Efficient Landscape Regulations 5. Chapter 19.39.420 Administration of the Zoning Ordinance. 6. Chapter 19.31 Division 10 Drive-Through Facilities.

**SURROUNDING ZONING AND LAND USES:**

<b>Direction</b>	<b>Zoning</b>	<b>Land Use</b>
Subject Property	C-2	Commercial
Northeast	M-2	Industrial
Southeast	M-2	Industrial
Northwest	C-2	Commercial
Southwest	C-2	Commercial

**PROJECT DESCRIPTION:**

The applicant is proposing to construct a new Taco Bell restaurant with indoor seating, outdoor patio seating, and a drive-through lane. The new building will be a single-story structure with a total floor area of 2,287 sq. ft. and 269 sq. ft. for outdoor seating area. The proposed project plans include 36 indoor seats and 18 outdoor patio seats.

**CONDITIONAL USE PERMIT:**

Per Section 19.09.020 Table 19.09.010A Permitted Uses – Commercial Zones, the use of “Restaurant, Fast Food or Drive-through” requires approval of a CUP and special use conditions and/or development standards..

A CUP is required to ensure that drive-through facilities do not result in adverse impacts on adjacent properties and residents or on surrounding neighborhoods due to customer and employee parking demand, traffic generation, noise, light, litter, or cumulative impact of such demands in one area, consistent with the goals, objectives, and policies of the general plan.

**DRIVE-THROUGH FACILITIES STANDARDS:**

*Per CMC Section 19.31.350 (Development standards and conditions) the following standards shall apply for drive-through facilities.*

- 1. When located on a site adjacent to or separated by an alley from any residentially zoned property, a drive-through facility shall not operate between the hours of ten p.m. and seven a.m.**

The site is not adjacent to or separated by an alley from residentially zoned property; therefore, the late-night operational restrictions do not apply.

- 2. The minimum lot size of any drive-through facility shall be twenty thousand square feet.**

The subject site exceeds the minimum requirement of 20,000 square feet.

- 3. Drive-through facilities shall have two-way driveways.**

The site features two-way driveways and a circulation plan.

- 4. Minimum queuing distances shall be provided as illustrated in Figure 19.31.350-1.**

The proposed project will accommodate approximately 9 vehicles at a time. The distance to the menu board is approximately 90 feet for the inner lane and 170 feet for the outer lane for the pay/pick-up window. The proposed queuing meets the minimum CMC requirement, which is sufficient to handle peak-hour demands.

REQUIREMENT	CODE MINIMUM	PROPOSED (INNER LANE)	PROPOSED (OUTER LANE)
Menu Boards	80 Feet	90 Feet	N/A
To Pay/ Pick Up Window	150 Feet	90 Feet	170 Feet

- 5. A parking and vehicular circulation plan encompassing adjoining streets and alleys shall be submitted for review and approval by the director of public services prior to approval of a conditional use permit.**

The circulation plan has been reviewed by the Public Works and Planning Division Staff to ensure no adverse impacts on adjoining streets. The drive-through queue is located inside the parking lot to allow for internal traffic flow.

- 6. A minimum of one outdoor trash receptacle shall be provided on-site adjacent to each driveway exit. At least one additional on-site outdoor trash receptacle shall be provided for every ten required parking spaces.**

In accordance with Code, the applicant will provide the required outdoor trash receptacles at each exit. Additionally, a condition of approval will require employees to conduct daily litter abatement within a 300-foot radius of the property.

**7. *Employees shall collect on-site and off-site litter including food wrappers, containers, and packaging from restaurant products generated by customers within a radius of three hundred feet of the property at least once per business day.***

To maintain the subject site and surrounding public right-of-way, the applicant is required to perform daily litter abatement. Employees will collect all on-site and off-site debris generated by restaurant products within a 300-foot radius of the property at least once per business day. This requirement will be memorialized as a standard Condition of Approval.

**8. *No noise-generating compressors or other such equipment shall be placed on or near any property line adjoining any residential district or any property used for residential purposes.***

There are no residential districts or properties used for residential purposes adjoining the subject site. Consequently, the placement of noise-generating compressors and mechanical equipment meets the intent of the CMC, as there are no sensitive receptors in the immediate vicinity to be impacted.

**9. *Drive-up or drive-through speaker systems shall emit no more than fifty decibels four feet between the vehicle and the speaker and shall not be audible above the daytime ambient noise levels beyond the property boundaries. The system shall be designed to compensate for ambient noise levels in the immediate area and shall not be located within thirty feet of any residential district or any property used for residential uses.***

The proposed drive-through speaker system is designed to emit no more than 50 decibels (measured four feet between the vehicle and the speaker) and will not be audible above ambient noise levels at the property boundaries. Given that the nearest residential district is well beyond the 30-foot buffer required by Code, the speaker system is appropriately sited to avoid noise disturbances.

**10. *On any lot where a drive aisle or driveway is located such that vehicle headlights will shine onto an adjacent property zoned for residential use, a screen wall shall be provided to the satisfaction of the community development director.***

The project's drive aisles and driveways are oriented toward commercial and industrial interfaces. Because no adjacent properties are zoned for residential use, the CMC requirement for a screen wall to mitigate vehicle headlight glare is not applicable to this development.

The proposed site layout strategically manages vehicle and pedestrian flow to ensure operational efficiency and safety. The drive-through lane originates at the southwest portion of the site, traversing along the internal loop road and wrapping around the building to the pick-up window fronting Washington Boulevard. To maintain a clear separation of uses, the restaurant's primary entrance is positioned off the loop road, away from the drive-through queue.

By orienting the drive-through lane behind the restaurant building, the design effectively mitigates potential pedestrian-vehicle conflicts and provides an organized

experience for both dine-in and drive-through guests. Furthermore, the project includes a dedicated ADA path of travel leading to the public right-of-way on the loop road, ensuring the site is fully accessible and compliant with State Building Code requirements.

As designed, the project meets or exceeds all applicable development standards set forth in CMC Section 19.31.350.

**DEVELOPMENT STANDARDS AND PARKING:**

The proposed 2,287-square-foot Taco Bell restaurant, including a drive-through lane and outdoor dining area, has been designed in accordance with the City’s development standards.

As part of its review, staff has determined that the use will comply with the permissible parking requirements set forth in Chapter 19.21 (Off-Street Parking and Loading) of the Zoning Ordinance. The parking requirements aim to ensure all land uses in the City provide adequate off-street parking facilities, loading areas, and vehicle movement areas associated with the use. These regulations intend to ensure that land use does not adversely interfere with public rights-of-way circulation, that private on-site circulation does not pose a safety issue, and that surrounding uses are protected from the noise and traffic impacts associated with off-street parking and loading activities.

Required parking for the development is calculated based on the gross floor area of the restaurant and the square footage of the outdoor dining area. The following table provides a detailed breakdown of the parking requirements and the project’s compliance:

<b>PROPOSED USE</b>	<b>SQUARE FOOTAGE</b>	<b>PARKING RATIO</b>	<b>PARKING REQUIRED</b>	<b>PARKING PROPOSED</b>
<b>Taco Bell</b>	<b>2,287</b>	<b>1/200</b>	<b>12</b>	<b>22</b>
<b>Outdoor Seating Area</b>	<b>269</b>	<b>1/200</b>	<b>2</b>	<b>2</b>
<b>Total Parking Spaces Required</b>			<b>14</b>	
<b>Total Parking Spaces Provided</b>				<b>24</b>

The project site will feature 10 additional parking spaces beyond the minimum required by the CMC, ensuring convenient access for both customers and staff. Beyond meeting parking standards, the proposed development also complies with all requirements for setbacks, building height, lot coverage, floor area, landscaping, and queueing distance to the menu board. Every aspect of the proposal has been carefully designed to comply with applicable zoning codes. Notably, the project does not seek any additional entitlements beyond those that have already been applied for.

### **BUSINESS OPERATIONS:**

The facility will operate seven days a week, opening daily at 8:00 a.m. Standard closing hours are scheduled for 12:00 a.m. (midnight) on weekdays and 1:00 a.m. on weekends. The drive-through service will remain active during all hours of operation. To ensure efficient service and site maintenance, the business will be staffed by a maximum of seven employees per shift.

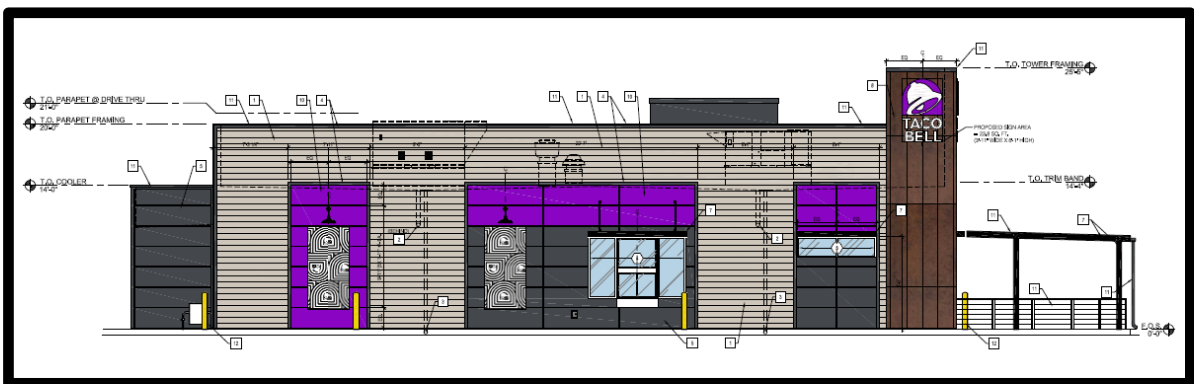
Logistical operations are designed to minimize impacts on on-site circulation and the surrounding public right-of-way. Deliveries of ingredients and supplies are scheduled approximately five times per week and are restricted to off-peak hours. These service windows typically last between 15 and 45 minutes, ensuring that delivery vehicles are on-site only as long as necessary for unloading. All inventory, including dry goods and cold storage, will be maintained entirely within the building, and no commercial vehicles will be stored on the premises.

### **DESIGN AND COMPATIBILITY:**

Pursuant to Chapter 19.19 (Site Planning and General Development Standards) of the CMC, the project has been evaluated to ensure it enhances the community's appearance and adheres to established design guidelines regarding contextual architecture, landscaping, and building massing. The proposed structure utilizes a contemporary California architectural style, characterized by clean lines and a modern material palette.

A prominent feature of the design is a vertical tower with a metal finish which serves as an architectural focal point. The building's façades are articulated to prevent monotony; secondary elements, including the drive-through portal, delivery access, and integrated artwork—are used to break up the building's mass and reinforce its linear character.

The exterior finishes prioritize both aesthetics and durability. "James Hardie" fiber-cement siding serves as the primary field material in a neutral tone, chosen specifically for its high fire-resistance rating and longevity. To add visual interest and texture, artisan reveal panels are utilized as large-scale accents against the side. These elements, combined with a bold, contemporary color scheme, ensure a cohesive and inviting aesthetic that is compatible with the surrounding commercial corridor and the high standards of the City of Commerce. Renderings of the elevations can be referenced below.



**GENERAL PLAN AND ZONING CODE:**

The City's Zoning Ordinance regulates land use and development within zoning districts that correspond to the land use designations established by the General Plan. The Project site is zoned C-2, which is consistent with the General Plan's Commercial land use designation. The building's footprint and site layout respect the parameters established by the C-2 Zoning Ordinance; specifically, the project meets or exceeds all objective requirements pertaining to setbacks, building heights, lot coverage, parking, and floor area ratio (FAR).

The C-2 zone was established to accommodate a wide variety of commercial uses and is intended to concentrate these activities along major arterials and other areas with high accessibility such as Washington Boulevard. Commercial uses that might create an offensive level of noise, air pollution, glare, or other nuisances are prohibited from this zone, ensuring that new development remains compatible with the surrounding environment.

Beyond meeting the technical requirements of the C-2 zone and the CUP process, the project aligns with the broader goals of the General Plan. In particular, it supports the following policies:

- Community Development Policy 1.1. The city of Commerce will continue to promote land use compatibility.

- Community Development Policy 1.7. The city of Commerce will promote site plans for new development located in the vicinity of Washington Boulevard that encourages primary access from Washington Boulevard for those businesses located along the roadway (as opposed to the use of alleyways).
- Community Development Policy 2.1. The city of Commerce will continue to promote the development of a quality retail and commercial entertainment district in the vicinity of Telegraph Road, north of the Santa Ana Freeway.
- Community Development Policy 2.3. The city of Commerce will promote the development of larger, more efficient, commercial retail shopping centers as opposed to smaller “strip commercial” centers.
- Community Development Policy 2.4. The city of Commerce will continue to preserve and promote the improvement of the existing commercial areas, including the Commerce Center, the Telegraph Road/Washington Boulevard area, the Atlantic/Washington Redevelopment Project Area, the Commerce Business Park, and the commercial properties located along Slauson Avenue.

**ENVIRONMENTAL ASSESSMENT:**

Staff has reviewed the proposed project with 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”). It has been determined that the project meets the requirements for a Categorical Exemption Class 32, in-fill development. Class 32 consists of projects characterized as infill development meeting the conditions described as follows:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies and with applicable zoning designation and regulations.
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project has no value as habitat for endangered, rare, or threatened species.
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.
- f) No additional entitlements, such as a variance, are being requested in conjunction with this proposal.

**CONCLUSION:**

Staff has determined that the necessary findings can be made to approve the requested CUP, allowing the construction of a drive-through fast food restaurant within the C-2 zoning district. The site is adjacent to a mix of commercial and industrial uses and the proposed restaurant will be operated in harmony with surrounding uses. Also, as demonstrated by the building analysis, the overall

building layout and design will meet the minimum requirements set forth in the Zoning Ordinance. As analyzed, the proposal will not necessitate any variances or be inconsistent with the intent of the zoning code. As such, the commercial land use in this area of the City is consistent with other permissible activities within the C-2 zone.

Therefore, staff recommends that the Planning Commission approve CUP No. 25-09 with the Findings and Conditions of Approval in Attachment "A."

Prepared by: Contract Planner  
Tierra West Advisors

Reviewed by: Jessica Serrano  
Director of Community Development

Reviewed by: Araceli Almazan  
Deputy City Attorney

**ATTACHMENTS:**

- A) Resolution No. 26-02 with Conditions of Approval
- B) Project Architectural Plans

# **ATTACHMENT A**

**RESOLUTION NO. 26-02**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF COMMERCE APPROVING  
CONDITIONAL USE PERMIT NO. 25-09**

**WHEREAS**, Taco Bell filed an application with the City for a Conditional Use Permit (“CUP”) to allow a drive-through lane in conjunction with the operation of a new 2,287 square foot Taco Bell in the City’s C-2 (Commercial) zone. Pursuant to Chapter 19.09, Table 19.09.010A of the Commerce Municipal Code (“CMC”), eating places with a drive-through lane require the review and approval of a CUP upon the required findings of CMC 19.39.420. The subject property is located at the northeast corner of a new loop road and Washington Boulevard (APN No. 6336-010-909) in the City of Commerce; and

**WHEREAS**, a CUP is required for drive-through facilities within the City’s C-2 zoning district. Staff has reviewed all aspects of the application and, with conditions of approval, and believes the necessary findings can be made for the Planning Commission to approve the underlying CUP; and

**WHEREAS**, a notice of the public hearing for the CUP application was published in the Los Cerritos Community News on April 2, 2026, and mailed to all property owners within 500 feet of the project site; and

**WHEREAS**, the Planning Commission has reviewed all materials concerning the subject request and held a public hearing on April 15, 2026, considering all evidence submitted thereat.

**NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:**

**SECTION 1.** A Notice of Exemption exempting the project from California Environmental Quality Act (“CEQA”) as a Class 32 (in-fill development projects) Categorical Exemptions was prepared pursuant to CEQA (Public Resources Code §§ 21000, et seq. “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the “CEQA Guidelines”). Class 32 consists of projects characterized as infill development meeting the conditions described as follows:

- a) The project is consistent with the applicable General Plan designation and all applicable General Plan policies, as well as the applicable zoning designation and regulations.
- b) The proposed development occurs within the city limits on a project site of no more than 5 acres, substantially surrounded by urban uses.
- c) The project has no value as habitat for endangered, rare, or threatened species.
- d) Approval of the project would not result in any significant effects relating to

- traffic, noise, air quality, or water quality.
- e) All required utilities and public services can adequately serve the site.
  - f) No additional entitlements, such as a variance, are being requested in conjunction with this proposal.

**SECTION 2.** The Planning Commission finds that the facts of the case are as follows:

**1. The proposed use is one conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this Title 19.**

The proposed drive-through fast-food restaurant is conditionally permitted within the C-2 (Commercial) zone pursuant to the CMC. The project aligns with the intent of the C-2 zone to concentrate commercial activity along major arterials and meets all applicable development standards set forth in Chapter 19.31 for drive-through facilities. Specifically, the 27,879-square-foot site exceeds the 20,000-square-foot minimum lot size requirement, and the proposed site layout accommodates a dual-lane queuing system that meets or exceeds CMC distances to the menu board and pick-up window. By providing 24 parking spaces, 10 more than the 14 required by Code, and ensuring internal circulation through a reviewed parking plan, the development prevents adverse impacts on public rights-of-way and ensures the site can handle peak-hour demands efficiently.

Furthermore, the project complies with the operational and design provisions of Title 19, including noise regulations and aesthetic standards. The drive-through speaker system is designed to stay below the 50-decibel limit and is appropriately buffered from any sensitive receptors, while the building's contemporary California architecture and durable materials enhance the visual character of the Washington Boulevard corridor. Because the site is not adjacent to residential property, the proposal meets the intent of the Code regarding late-night operations and headlight screening. Overall, the project represents an orderly development that provides necessary goods and services to the local business and resident populations while adhering to the technical and site planning requirements of the CMC.

**2. The proposed use would not impair the integrity and character of the zone in which it is to be located.**

The proposed use will not impair the integrity or character of the C-2 zone, as it is designed to be compatible with the existing commercial and industrial synergy of the Washington Boulevard and Telegraph Road corridor. The project is situated within a larger 10-acre development already featuring established fast-food uses, such as Chick-fil-A and In-N-Out, ensuring that the addition of a Taco Bell is consistent with the area's transition into a high-quality retail and dining destination. By utilizing a contemporary California architectural style with a vertical metal tower focal point and high-quality "James Hardie"

fiber-cement siding, the development enhances the visual character of the neighborhood and avoids the appearance of a standard "strip commercial" center, in direct alignment with the City's General Plan policies for the area.

Furthermore, the site's operational characteristics are tailored to respect the surrounding environment and maintain the commercial integrity of the district. Because the property is bordered by commercial and industrial uses rather than residential neighborhoods, the proposed operating hours and drive-through functions will not create land-use conflicts or nuisances. Potential impacts such as litter and traffic are proactively mitigated through a mandatory 300-foot daily litter abatement program and an internal circulation design that keeps vehicle queuing entirely on-site. By meeting or exceeding all objective development standards for the C-2 zone, including but not limited to; setbacks, building height, and landscaping, the project preserves the orderly growth of the community and reinforces the zone's purpose as a hub for accessible, well-designed commercial activity.

**3. The subject site is physically suitable for the type of land use being proposed.**

The subject site is physically suitable for the proposed drive-through restaurant as it consists of a 27,879-square-foot (0.64-acre) parcel that significantly exceeds the City's 20,000-square-foot minimum requirement for drive-through facilities. The property's location at the northerly corner of east Washington Boulevard and Telegraph Road provides high accessibility within an established commercial hub, and its inclusion in a larger 10-acre master-planned subdivision ensures it is part of a coordinated development with adequate infrastructure. The flat, currently vacant lot allows for a site-specific design that successfully accommodates a 2,287-square-foot building, 24 on-site parking spaces, and a dual-lane drive-through system without over-utilizing the land or creating internal congestion.

Additionally, the physical layout strategically manages vehicle and pedestrian flow to ensure operational safety and efficiency. By orienting the drive-through lane to wrap around the building and positioning the primary entrance off a private Loop Rd, the site design effectively separates pedestrian paths from high-traffic queuing areas. The absence of adjacent residential properties further confirms the site's suitability, as it allows the business to operate during standard fast-food hours without the need for restrictive noise walls or headlight screening. Because the project can be adequately served by existing utilities and public services as an in-fill development, the site is ideally sized and situated to support the intensity of the proposed use.

**4. The proposed use is compatible with the land uses presently on the subject property.**

The proposed use is inherently compatible with the land uses presently on the subject property as the site is specifically zoned C-2 and carries a General Plan designation of Commercial. As a currently vacant and unimproved parcel within a larger 10-acre subdivision, the introduction of a Taco Bell restaurant with a drive-through lane directly fulfills the intended purpose of the land. The project serves as a logical extension of the existing development pattern on the adjacent lots, which have already been approved for high-intensity fast-food uses including Chick-fil-A and In-N-Out, ensuring a cohesive and synergistic commercial environment.

Furthermore, the site's location at the northerly corner of east Washington Blvd. and Telegraph Rd. places it within a heavy commercial and industrial corridor where such uses are expected and encouraged. The surrounding landscape consists of retail and restaurant developments to the North, South, and West, with industrial uses to the Northeast; because there are no residential "sensitive receptors" immediately adjacent to the property, the restaurant's operational needs, including late-night hours and delivery logistics, do not conflict with the existing character of the site. By adhering to all objective setbacks and building standards of the C-2 zone, the proposed restaurant represents a compatible and appropriate transition from a vacant lot to a productive commercial use.

**5. The proposed use would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located.**

The proposed use is highly compatible with both the existing and future land uses within the C-2 (Unlimited Commercial) zone and the surrounding Telegraph Road and Washington Boulevard area. The project site is situated within a larger 10-acre master-planned subdivision specifically designed for high-intensity commercial activity, as evidenced by the neighboring approvals of major fast-food brands like Chick-fil-A and In-N-Out. By introducing a new 2,287-square-foot Taco Bell, the development reinforces the City's General Plan goal of promoting quality retail and commercial entertainment districts in this specific corridor, ensuring that the current vacant parcel is transitioned into a use that complements the established synergy of the surrounding restaurant and retail developments.

Looking toward future land uses, the project's design and location ensure long-term harmony with the diverse mix of commercial and industrial properties in the vicinity. The site layout strategically orients the building and drive-through lanes toward existing commercial and industrial interfaces to the North, South, and West, effectively avoiding conflicts with the industrial concentration to the Northeast. Because the project meets all objective development standards

regarding building massing, setbacks, and noise mitigation, it sets a high architectural precedent for the remaining undeveloped lots in the subdivision. This alignment with Community Development Policies—specifically those encouraging primary access from Washington Boulevard and the development of efficient commercial centers—guarantees that the use will remain a functional and integrated component of the City’s evolving commercial landscape.

**6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to the public health and safety.**

The proposed development is an in-fill project located within a fully urbanized commercial and industrial corridor, ensuring that the site can be adequately served by all required utilities and public services. As the subject property is part of a larger, coordinated 10-acre subdivision that has already seen the approval and development of adjacent high-intensity restaurant uses, the necessary infrastructure for water, sanitation, and electrical services is already available in the immediate vicinity. Furthermore, the project has been reviewed by the Public Works and Planning staff to ensure that the site’s internal circulation and utility connections meet City standards, thereby preventing any detrimental impacts to public health or the surrounding municipal infrastructure.

The project’s compliance with Categorical Exemption Class 32 (In-Fill Development) under CEQA further confirms that the development will not result in significant effects relating to water quality, air quality, or public safety. By maintaining all operations—including dry and cold storage—entirely within the 2,287-square-foot building and adhering to a strict daily litter abatement program within a 300-foot radius, the applicant ensures the site remains sanitary and safe for the community. The provision of 24 on-site parking spaces and a dual-lane drive-through system also ensures that service demands are met internally, preserving the safety and efficiency of the public right-of-way for emergency services and general transit.

**7. *There would be adequate provisions for public access to serve the subject proposal.***

The proposed project includes comprehensive provisions for public access that ensure safe and efficient movement for both vehicles and pedestrians. The site features a dual-lane drive-through system designed to accommodate approximately nine vehicles at a time, with queuing distances of 90 feet for the inner lane and 170 feet for the outer lane. This layout, which has been reviewed and approved by the Public Works and Planning staff, ensures that all commercial traffic is contained internally, preventing any overflow or interference with the public rights-of-way on Washington Boulevard and Telegraph Road. Furthermore, the site provides 24 parking spaces—10 more

than the minimum required by the Commerce Municipal Code—guaranteeing ample access for both staff and dine-in customers.

In addition to vehicular access, the project is designed to be fully accessible to pedestrians and individuals with disabilities. A dedicated ADA path of travel connects the restaurant's primary entrance to the public right-of-way on the internal loop road, ensuring the development is compliant with State Building Code requirements. By orienting the restaurant's primary entrance away from the drive-through queue and placing the drive-through lane behind the building, the site plan effectively mitigates potential pedestrian-vehicle conflicts. These design elements, combined with the project's alignment with General Plan policies that promote primary access from major roadways, demonstrate that the proposal provides superior public access to serve the needs of the community.

**8. The proposed use is consistent with the objectives, policies, general uses, and programs of the Commerce General Plan.**

The proposed use is directly consistent with the goals and policies of the Commerce General Plan, as it facilitates the development of a high-quality commercial project within an area specifically designated for such growth. By establishing a modern fast-food restaurant on a currently vacant parcel, the project supports:

- Community Development Policy 1.1. The city of Commerce will continue to promote land use compatibility.
- Community Development Policy 1.7. The city of Commerce will promote site plans for new development located in the vicinity of Washington Boulevard that encourages primary access from Washington Boulevard for those businesses located along the roadway (as opposed to the use of alleyways).
- Community Development Policy 2.1. The city of Commerce will continue to promote the development of a quality retail and commercial entertainment district in the vicinity of Telegraph Road, north of the Santa Ana Freeway.
- Community Development Policy 2.3. The city of Commerce will promote the development of larger, more efficient, commercial retail shopping centers as opposed to smaller “strip commercial” centers.
- Community Development Policy 2.4. The city of Commerce will continue to preserve and promote the improvement of the existing commercial areas, including the Commerce Center, the Telegraph Road/Washington Boulevard area, the Atlantic/Washington Redevelopment Project Area, the Commerce Business Park, and the commercial properties located along Slauson Avenue.

**9. The proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare.**

The proposed use will be maintained in a safe and efficient manner through the strict application of the City's development standards and project-specific Conditions of Approval. Per CMC Section 19.31.350, the drive-through facility is engineered to prevent idling or queuing on public streets by providing a dual-lane system that accommodates approximately nine vehicles entirely on-site. The project's commitment to safety is further reinforced by a site layout that separates the primary restaurant entrance from the drive-through queue and provides a dedicated ADA path of travel to the public right-of-way. Furthermore, the 24 provided parking spaces—representing a surplus of 10 spaces beyond the minimum requirement—ensures that customer and employee demand is handled internally, preserving the convenience and safety of the surrounding commercial corridor.

To ensure the project remains compatible with the public interest and welfare, the applicant is required to perform daily litter abatement within a 300-foot radius of the property and maintain all operations, including deliveries and storage, in a manner that minimizes noise and traffic impacts. The drive-through speaker system is specifically designed to stay below 50 decibels, protecting the ambient noise environment of the area. Because the site is located in a C-2 zone surrounded by compatible commercial and industrial uses and is not adjacent to residential districts, these operational conditions effectively mitigate potential nuisances. By adhering to these standards and the findings of the Class 32 CEQA exemption, the proposed Taco Bell will serve the community's needs without being detrimental to the public health, safety, or general welfare.

**10. The proposed design and elevations preserve and maximize the image, character, and visual quality of the neighborhood.**

The proposed project maximizes the visual quality of the Washington Blvd. corridor by replacing a vacant, unimproved parcel with a high-quality building designed in a "Contemporary California" architectural style. The structure features a prominent vertical metal tower that serves as a modern focal point, while the building's façades are articulated with secondary elements, such as a dedicated drive-through portal and integrated artwork, to break up the building's mass and prevent architectural monotony. By utilizing a material palette consisting of "James Hardie" fiber-cement siding and artisan reveal panels in neutral tones with bold accents, the project creates a cohesive and inviting aesthetic that elevates the character of the surrounding commercial area.

Furthermore, the design preserves the neighborhood's visual integrity by strategically screening operational functions from the public right-of-way. The drive-through lane is oriented to the rear of the restaurant building, ensuring that vehicle queuing does not dominate the street-facing elevations or conflict with the site's primary pedestrian entrance. The project's adherence to the City's Site

Planning and General Development Standards (Chapter 19.19) ensures that the building's scale, setbacks, and high-fire-resistance materials are compatible with the existing commercial and industrial synergy. This commitment to superior design and durable finishes ensures the Taco Bell development will serve as a long-term visual asset to the City of Commerce and its residents.

**SECTION 3.** The Planning Commission does hereby conditionally approve Conditional Use Permit No. 25-09, subject to the following conditions:

1. A Conditional Use Permit approval is valid and in effect and granted pursuant to the provisions of Title 19 of the Commerce Municipal Code and shall be valid only on the property for which it was granted and only for the improvements for which it is granted and further, shall continue to be valid upon change of ownership of the property or any lawfully existing building or structure on the property.
2. All conditions shall be binding upon the applicants, their successors and assigns; shall run with the land; shall limit and control the issuance and validity of certificates of occupancy; and shall restrict and limit the construction, location, and use and maintenance of all land and structures within the development.
3. This permit (CUP) and all rights hereunder shall terminate within twelve months of the effective date of the permit unless operations are commenced or a written time extension is granted, based on a written request submitted prior to the expiration of the one-year period as provided in Section 19.39.460 of the Commerce Municipal Code.
4. The abandonment or non-use of this approval for a period of one year shall terminate the approval without further action of the Planning Commission or City Council, and any privileges granted thereunder shall become null and void.
5. In the event of a transfer of ownership of the property involved in this application, the new owner shall be fully informed of the use and development of said property as set forth by this permit, together with all conditions which are a part thereof.
6. All parking areas shall be clearly identified. The surface parking area must be striped to clearly delineate the locations and extents of vehicle parking, maneuvering areas, and drive aisles.
7. Parking for all patrons must be provided on-site.
8. During construction, all roadways shall be kept open to traffic.
9. Equipment used for construction activities shall be properly tuned to reduce exhaust emissions.
10. Roads adjacent to the project site shall be swept as needed to reduce fugitive

dust from the proposed project site.

11. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants.
12. Contractors and subcontractors engaged in the construction activities of the project shall obtain a business license and all required permits from the City of Commerce.
13. The landscaping and irrigation plans shall be prepared by a landscape architect and submitted to the City for review and approval. All designated landscaping areas shall be fully planted prior to the issuance of the final building permit inspection and shall be maintained at all times.
14. Landscaping (shrubs) shall be provided along the street side of the drive-through lane to shield vehicle lights from shining onto Telegraph and Loop Roads. The Landscaping material must always be at least 3 ½ in height when fully mature.
15. The project shall comply with the Low Impact Development (LID) Ordinance that the City of Commerce adopted to comply with the requirements of the Clean Water Act and the MS4 Stormwater and Urban Runoff Permit.
16. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. In the event the City determines the owner has failed to comply with the standards listed herein, the City shall notify the owner in writing, identifying the deficiencies and allowing the owner to cure the deficiencies listed in the notice, in a timely manner.
17. If the Director of Community Development determines that a situation detrimental to public health, safety, and welfare has arisen due to the subject operation, the Director may require changes to the operation, additional studies, and the implementation of additional measures to protect the public's interests. In the event the City determines the owner has failed to comply with the standards listed herein, the City shall notify the owner in writing, identifying the deficiencies and allowing the owner to cure the deficiencies listed in the notice, in a timely manner.
18. The project will be required to comply with all City programs adopted to reduce solid waste.
19. The Director of Community Development shall have the authority to initiate proceedings to suspend or revoke a Conditional Use Permit approval pursuant to provisions set forth in Sections 19.39.240 through 19.39.250, inclusive, of the Commerce Municipal Code, Chapter 19.39 if sufficient cause is given. In

the event the City determines the owner has failed to comply with the standards listed herein, the City shall notify the [owner] in writing, identifying the deficiencies and allowing the [owner] to cure the deficiencies listed in the notice, in a timely manner.

20. The operation must comply with all pertinent South Coast Air Quality Management District (SCAQMD) regulations. The applicant and future tenants shall be required to obtain all pertinent operating permits from the SCAQMD. Proof of permits or proof of exemption shall be provided prior to issuance of a building permit from the City of Commerce.
21. A City of Commerce Business License shall be obtained and renewed as required by the City of Commerce to reflect the proposed land use.
22. All required permits by all permitting agencies shall be obtained for the operation of said use and any construction associated with the subject request.
23. Construction activities shall be permitted between the hours of 7:00 a.m. to 6:00 p.m.
24. Storage of building materials related to construction activities shall be contained within the project site.
25. The project site shall be cleared of all debris prior to the issuance of a Building and Safety Division final inspection.
26. Southern California Edison (SCE) requires the following conditions for any SCE services:
  - a. The applicant is responsible for contacting Southern California Edison (SCE) and arranging any electrical service at the appropriate stage of construction. The electrical design for the newly installed service shall be designed by SCE and approved by City of Commerce Building and Safety Division (CCBSD).
  - b. All on-site electrical service connections to the proposed improvements shall be designed using an underground (UG) design method. This avoids an overhead service connection.
  - c. All required SCE "equipment" needed to provide service to the proposed improvements (PME Switches, Transformers, and/or Capacitors) shall be installed in a "pad mounted" configuration sitting above the finished grade upon an approved SCE structure.
  - d. All required SCE "Cables" needed to provide service to the proposed improvements shall be installed utilizing UG conduits or cable trench as designed by SCE.
  - e. There shall be no newly installed overhead (OH) facilities across private property without approval from the CCBSD.
27. If applicable, the contractor under the observation of the soil engineer shall

conduct all clearing, site preparation, or earthwork performed on the project.

28. If applicable, the soil engineer shall provide an inspection of site clearing and grading to certify that the grading was performed in accordance with the approved plans and grading specifications.
29. Soil binders shall be utilized on construction sites for unpaved roads and/or parking areas.
30. The project will be required to comply with all programs adopted by the City for the reduction of solid waste.
31. The project applicant shall install energy-efficient electrical appliances and equipment in accordance with the State of California's Energy Efficiency Standards (Title 24).
32. A minimum of one outdoor trash receptacle shall be provided on-site adjacent to each driveway exit. At least one additional on-site outdoor trash receptacle shall be provided for every ten required parking spaces.
33. Employees shall collect on-site and off-site litter including food wrappers, containers, and packaging from restaurant products generated by customers within a radius of three hundred feet of the property at least once per business day.
34. The applicant is required to install artwork or pay an in-lieu fee subject to the City's Art in Public Places Ordinance. The cost of the artwork or in-lieu fee shall be equal to 1% of the project's valuation.
35. Violation of any of the conditions of the approval shall be cause for revocation and termination of all rights thereunder.
36. The Director of Community Development or his/her designee is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
37. The Applicant shall sign, notarize, and return to the Community Development Department an affidavit accepting all Conditions of Approval within 10 days from the date of the approval, unless appealed. The Applicant acknowledges and understands that all conditions set forth in this Resolution are conditions precedent to the grant of approval and failure to comply with any condition contained herein shall render this Condition Use Permit non-binding as against the City and shall confer Applicant no legal rights under the law.

The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers, and employees from any claim, action,

or proceeding brought against the City, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the applicant's project or application (collectively referred to as "proceedings"). The indemnification shall include, but not be limited to, damages, fees and/or costs, liabilities, and expenses incurred or awarded in connection with the proceedings, whether incurred by the applicant, the City, and/or the parties initiating or bringing such proceedings. This indemnity provision shall include the applicant's obligation to indemnify the city for all the city's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth herein. The City shall have the right to choose its own legal counsel to represent the City's interest in the proceedings.

38. The minimum lot size for any drive-through facility shall be 20,000 square feet.
39. Minimum queuing distances shall be provided as illustrated in Figure 19.31.350-1 in the Zoning Ordinance.
40. Employees shall collect on-site and off-site litter, including food wrappers, containers, and packaging from restaurant products generated by customers within a radius of three hundred feet of the property at least once per business day.
41. No noise-generating compressors or other such equipment shall be placed on or near any property line adjoining any residential district or any property used for residential.
42. Drive-up or drive-through speaker systems shall emit no more than fifty decibels four feet between the vehicle and the speaker and shall not be audible above the daytime ambient noise levels beyond the property boundaries. The system shall be designed to compensate for ambient noise levels in the immediate area and shall not be located within thirty feet of any residential district or any property used for residential uses.
43. On any lot where a drive aisle or driveway is located such that vehicle headlights will shine onto an adjacent property, a screen wall or landscaping (minimum of 36 inches in height) shall be provided to the satisfaction of the Director of Community Development.
44. The applicant shall conduct daily litter removal activities. This includes the collection and proper disposal of all trash and debris within a 300-foot radius of the property boundaries.

## **BUILDING DIVISION**

- B1. The second sheet of building plans lists all City of Commerce conditions of approval and includes a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
- B2. Plans prepared in compliance with the Code in effect shall be submitted to the Building Division for review prior to permit issuance.
- B3. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
- B4. Projects with a valuation in excess of \$250,000 shall provide artwork or pay in lieu of contribution equal to 1% of the total project cost. For more detailed information, see City of Commerce Municipal Code Chapter 19.31, Division 23.
- B5. The project address is 6241 Telegraph Road, and an application to assign building address shall be filed with Building Division prior to plan check submittal.
- B6. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
- B7. Structural calculations prepared under the direction of an architect, civil engineer, or structural engineer shall be provided.
- B8. A geotechnical and soil investigation report is required. The duties of the soil engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
  - a) Observation of cleared areas and benches prepared to receive fill.
  - b) Observation of the removal of all unsuitable soils and other materials.
  - c) The approval of soils to be used as fill material.
  - d) Inspection of compaction and placement of fill.
  - e) The testing of compacted fills; and
  - f) The inspection of review of drainage devices.
- B9. The owner shall retain the soil engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has been accepted by the Public Works Department, a new Preliminary Soils and/or Geotechnical Investigation.

- B10. A grading and drainage plan shall be approved prior to the issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage, including contributory drainage from adjacent lots, is carried to the public way or drainage structure approved to receive storm water.
- B11. A new restaurant with land-disturbing activity that would result in the creation of 5,000 sq. ft. or more of improvement surface area on a site on Planning Project Priority Project categories shall comply with LID requirements per City Ordinance.
- B12. All State of California disability access regulations for accessibility shall be complied with.
- B13. Approval from the Los Angeles County Health Department is required for restaurants.
- B14. The building permit will not be issued until the property, or the lease area has been surveyed and the boundaries marked by a land surveyor licensed by the State of California.
- B15. Foundation inspection will not be made until setbacks on all sides of the building have been surveyed, and the location of the footings has been determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.
- B16. Electrical plan check is required.
- B17. Mechanical plan check is required.
- B18. Plumbing plan check is required.
- B19. Plumbing fixtures shall be provided as required by Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
- B20. The project shall comply with the CalGreen Nonresidential mandatory requirements.
- B21. No form work or other construction materials will be permitted to encroach into adjacent property without written approval of the affected property owner.
- B22. All fire sprinkler hangers must be designed and located with the approval of the engineer or an architect. Calculations must be provided, indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.

B23. A separate permit is required for Fire Sprinklers.

B24. A separate plan review and permit is required for each detached structure, including but not limited to the trash enclosure and monument sign.

### **PUBLIC WORKS DIVISION**

- PW1 The applicant assumes that the new loop road and Washington Boulevard intersection will be signalized. According to the City's Development Conditions No. TR-3 of the adopted Resolution, until a signal is installed at the loop road and Washington Boulevard intersection, all traffic movements at this intersection will be restricted to right in and right out only. The restriction of right in and right-out only will be achieved by installing a raised median/raised channelizer at the loop road where it intersects with Washington Boulevard. Lane markings and signage on the loop road and at the intersection with Washington Boulevard will be installed per CAMUTCD to facilitate in-and-out traffic. The left turn from Washington Boulevard into the loop road will also be restricted until a traffic signal is installed. The left turn from Washington Boulevard to loop road will be prohibited by installing proper lane configuration, pavement markings, signage, and raised median or raised channelizers on Washington Boulevard.
- PW2. The street improvement plans will be revised to incorporate the above requirements and submitted to the City for review and approval prior to the issuance of the construction or grading permit.
- PW3 All necessary permits, including encroachment permits, utility connection permits, etc., shall be first secured from the City of Commerce and any other responsible or underlying agency before any work can commence within the public right of way.
- PW4 All work in the public right-of-way shall be done in accordance with established City standards or as directed by the Director of Public Works and/or the City Engineer.
- PW5 A conceptual plan will need to be prepared illustrating the concept of restricting the EB left turns into to the loop road from Washington Boulevard as well as restricting the left out of the loop road. This will need to be submitted to engineering and approved by engineering and public works. This may include raised medians on Washington Boulevard to half medians on the loop road, physically prohibiting left in and left out, and driveway island restricting movement to right in and right out only, as should also include signage.
- PW6. As shown in the site plan, delivery trucks must be limited to SU-30 trucks to navigate the parking lot without running over raised parking medians. And, as suggested, limited to after-hours.

- PW7. A Backup Plan or Contingency Plan, which outlines how Taco Bell will address drive-through queuing if it happens to extend past the drive-through, should be submitted to the City and be in place for management to follow if the drive-through spills onto the loop road.

### **FIRE DEPARTMENT**

- FD1. The applicant has agreed to implement all conditions of approval placed by the Fire Department under this Conditional Use Permit. These changes will be incorporated into the detailed plans submitted for Plan check review. No permit will be issued if none of the Fire Department conditions are met.
- FD2. Every application for an entitlement review shall be accompanied by evidence indicating that the proposed structure will provide a reliable water supply capable of supplying the required fire flow as required by Fire Code 507.1.1

**Action Required:** Complete and return the Fire Flow Availability Form 196, with fire flow information provided by the water purveyor from the closet fire hydrant along the lot frontage.

**SECTION 4.** The Planning Commission does hereby conditionally approve CUP 25-09, subject to the conditions set forth by the Community Development Department, Public Works Department, and Fire Department, as outlined in the Staff Report.

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

\_\_\_\_\_  
Salvador Gutierrez, Chairperson  
Planning Commission

ATTEST:

\_\_\_\_\_  
Jessica Serrano, Secretary

# **ATTACHMENT B**