



STAFF REPORT

ZONING TEXT AMENDMENT NO. 25-02

CONDITIONAL USE PERMIT NO. 25-12

TO: Planning Commission

FROM: Community Development Department

DATE: June 17, 2026 (Regular Meeting)
(Continued from May 28, 2026, Special Meeting)

CASE NO.: Zoning Text Amendment No. 25-02 and
Conditional Use Permit No. 25-12
(CEQA Exemption Section 15301 - Class 1, Existing Facilities and
CEQA Guidelines Section 15061(b)(3), Common Sense Exemption)

REQUEST:

The applicant requests approval of Zoning Text Amendment (“ZTA”) No. 25-02 and Conditional Use Permit (“CUP”) No. 25-12.

The proposed ZTA would amend Commerce Municipal Code (“CMC”) Section 19.31.100(2) to modify the required 500-foot distance separation requirement for uses providing alcohol sales for off-site consumption located along Washington Boulevard and Atlantic Boulevard. The amendment would revise the applicability of the separation requirement for alcohol-related uses located along designated commercial corridors to allow consideration of such uses through the CUP process.

The CUP request proposes approval of an Alcoholic Beverage Control (“ABC”) Type-20 license to allow the off-sale of beer and wine at an existing AM/PM convenience store located within an ARCO gas station. No expansion, demolition, or exterior modification of the existing building or site improvements are being proposed. The subject property is located at 6100 E. Washington Boulevard (the “Property”) within the Commercial Manufacturing (“C/M-1”) zoning district (hereinafter, the “Project”).

LOCATION: 6100 E. Washington Boulevard
Commerce, CA 90040
APNs: 6334-026-011

APPLICANT: Jennifer Oden
Solomon, Saltsman & Jamieson
426 Culver Boulevard
Playa Del Rey, CA 90293

STAFF RECOMMENDATION:

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

- 1) Adopt Resolution No. 26-03 recommending that the City Council adopt an Ordinance approving ZTA No. 25-02 amending Section 19.31.100(2) of the CMC related to distance separation requirements for uses providing alcohol sales for off-site consumption along designated commercial corridors, and finding the amendment consistent with the CMC and the General Plan;
- 2) Adopt Resolution No. 26-04 approving CUP No. 25-12 to allow the sale of beer and wine of off-site consumption pursuant to ABC Type-20 license at the existing AM/PM convenience store located within an ARCO gas station, subject to Conditions of Approval, and finding the Project consistent with the CMC, General Plan, and compatible with surrounding uses; and
- 3) Direct staff to file a Notice of Exemption pursuant to the California Environmental Quality Act (“CEQA”).

PUBLIC HEARING NOTICE:

Public hearing notice was published in the Los Cerritos News on May 8, 2026, and mailed to property owners within 1,000 feet of the project site.

CONTINUANCE SUMMARY

At the May 28, 2026 Special Meeting, the Planning Commission considered the proposed Zoning Text Amendment and Conditional Use Permit and continued the project to the June 17, 2026 Planning Commission meeting to allow for additional review and clarification of the proposed amendments to Section 19.31.100(2). This included refinement of the ordinance language.

DESCRIPTION OF PROPERTY AND IMPROVEMENTS

The Project site is a regular-shaped parcel containing approximately 42,110 square feet (0.97 acres), located south of Washington Boulevard between Fidelia Avenue and the I-5 Freeway (see Exhibit A). The site is developed with an existing ARCO gasoline service station and AM/PM convenience store operating within a 3,266 square foot, one-story commercial structure constructed in 2003. The site functions as an integrated fuel service and convenience retail operation and includes fueling islands, canopy structures, associated underground storage infrastructure, surface parking, and site circulation improvements.

The property contains three (3) existing driveways, including one (1) along Washington Boulevard and two (2) along Sheila Street. -The site is fully improved with curb, gutter, and sidewalk along both frontages.

Surrounding uses consist of commercial and industrial development, including office uses to the north, commercial retail uses to the east and west, and warehouse and industrial uses to the south.

No physical expansion, demolition, or alteration of existing site improvements is proposed.

Exhibit A - Location Map



SURROUNDING ZONES AND LAND USES

Direction	Existing Zoning	Land Use
Subject Property	C/M-1	Commercial Manufacturing
North	C/M-1	Commercial Manufacturing
South	M-2	Industrial

East	C/M-1	Commercial Manufacturing
West	C/M-1	Commercial Manufacturing

PROPOSED PROJECT

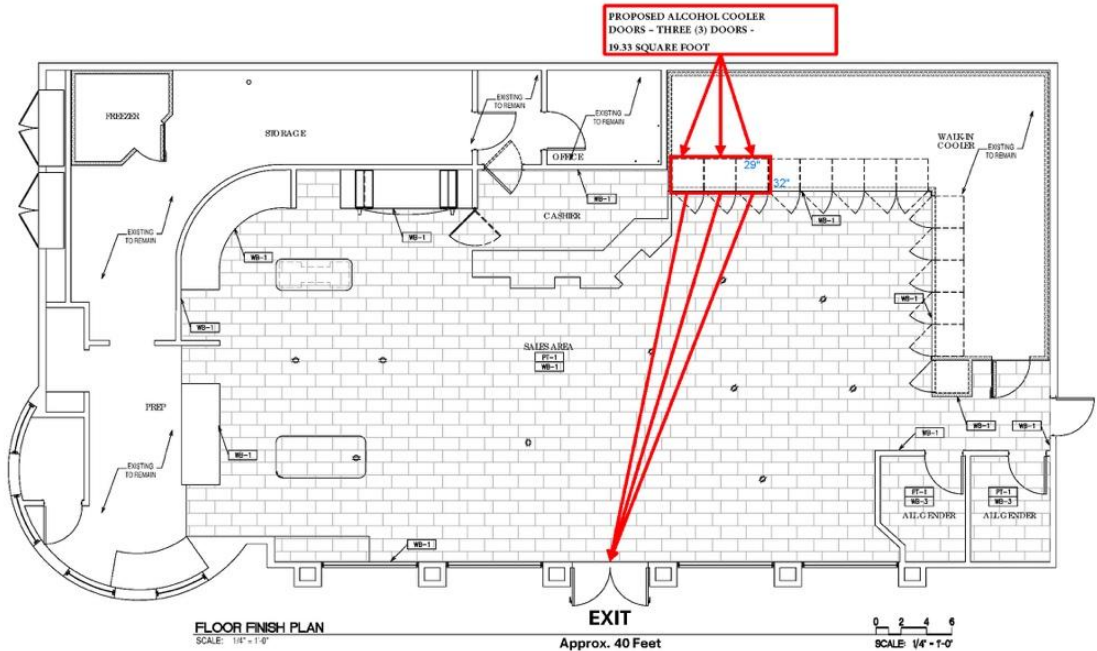
Convenience stores are permitted by-right within the C/M-1 zone; however, pursuant to Section 19.11.030 of the CMC, uses providing alcohol sales for off-site consumption require approval of a CUP. The applicant is requesting approval of an ABC Type-20 license to allow the off-sale of beer and wine within the existing convenience store.

The existing ARCO gas station and AM/PM convenience store operates within a 3,266 square foot, one-story commercial building and has been in continuous operation since its original construction. The site operates as a combined fuel service station and convenience retail use, including the sale of gasoline through on-site fueling pumps and related fuel service facilities. The convenience store is independently owned and operated and provides a variety of typical convenience retail items, including prepackaged food products, beverages, snacks, lottery tickets, tobacco products, and other incidental goods. The site operates 24 hours per day.

Proposed beer and wine sales are requested Monday through Sunday from 10:00 a.m. to 12:00 a.m. (midnight). Alcohol products would be limited to off-sale consumption only and would be integrated into the existing convenience store operations.

Alcohol products would be displayed in designated refrigerated units located on the north side of the sales floor, within an existing beverage display area (see Exhibit B). These units currently also contain non-alcoholic beverages, including soft drinks, teas, juices, and water. The display area is located near the cashier counter to allow for an employee oversight consistent with typical convenience store operations.

Exhibit B – Floor Plan



ZONING TEXT AMENDMENT

The applicant is requesting approval of a ZTA to Section 19.31.100(2) of the CMC, which establishes distance separation requirements for alcohol-related uses. The existing code prohibits the establishment of certain alcohol sales uses within 500 feet of sensitive uses, including religious facilities, residential properties, public or private schools, public parks or recreation centers, and public or parochial playgrounds. The subject site is also located in proximity to existing residential uses, including an apartment complex located approximately 300 feet west of the Project site.

The proposed ZTA would amend the existing 500-foot distance limitation as it applies to uses providing alcohol sales for off-site consumption located along designated commercial corridors, including Washington Boulevard and Atlantic Boulevard, to allow for consideration of such uses through the CUP process where appropriate. The intent of the amendment is to provide additional flexibility in evaluating uses providing alcohol sales for off-site consumption while maintaining discretionary review and project-specific analysis of compatibility and potential impacts.

The proposed amendment does not automatically approve uses providing alcohol sales for off-site consumption but instead allows such uses to be reviewed on a

case-by-case basis through the CUP process, where findings related to compatibility, public health, safety, and welfare are required. All proposed uses providing alcohol sales for off-site consumption would continue to be subject to review and approval by the Planning Commission, including the imposition of conditions of approval as deemed necessary.

The ZTA is requested in conjunction with the proposed CUP for an ABC Type-20 License at the subject site. Approval of the proposed CUP will be subject to the review and approval of the ZTA by City Council.

ANALYSIS OF THE PROPOSED AMENDMENT

The proposed amendment revises Section 19.31.100(2) of the CMC as follows:

Current Code Language

"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."

Proposed Code Language

"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."

The existing code already provides an exemption from the 500-foot separation requirement for sit-down restaurants located along Washington Boulevard and

Atlantic Boulevard. The proposed amendment would expand that existing exemption to include uses requiring an off-sale alcoholic beverage license within those same commercial corridors.

The amendment would not permit uses providing alcohol sales for off-site consumption by right, nor would it eliminate discretionary review by the City. Uses requiring an off-sale alcoholic beverage license would continue to be subject to all applicable entitlement requirements, including CUP approval where required by the CMC.

Additionally, the amendment expressly preserves the City's authority to deny an application if it is determined that the proposed use would adversely affect nearby residences, schools, parks, religious facilities, playgrounds, or other sensitive uses. As such, the Planning Commission would retain the ability to evaluate each request on its individual merits and impose conditions of approval or deny an application where appropriate.

Therefore, the proposed amendment expands an existing corridor-specific exemption while maintaining the City's discretionary authority to protect the public health, safety, and welfare.

GENERAL PLAN CONSISTENCY

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/M-1, which is consistent with the General Plan Land Use designation.

The proposed off-sale of beer and wine (ABC Type-20 License) is a conditionally permitted use within the C/M-1 zone, subject to approval of a CUP pursuant to the CMC. The proposed use is consistent with the General Plan Land Use Element and supports Goal LU-3, Policy LU-3.1, which promotes orderly and compatible commercial development within established commercial corridors.

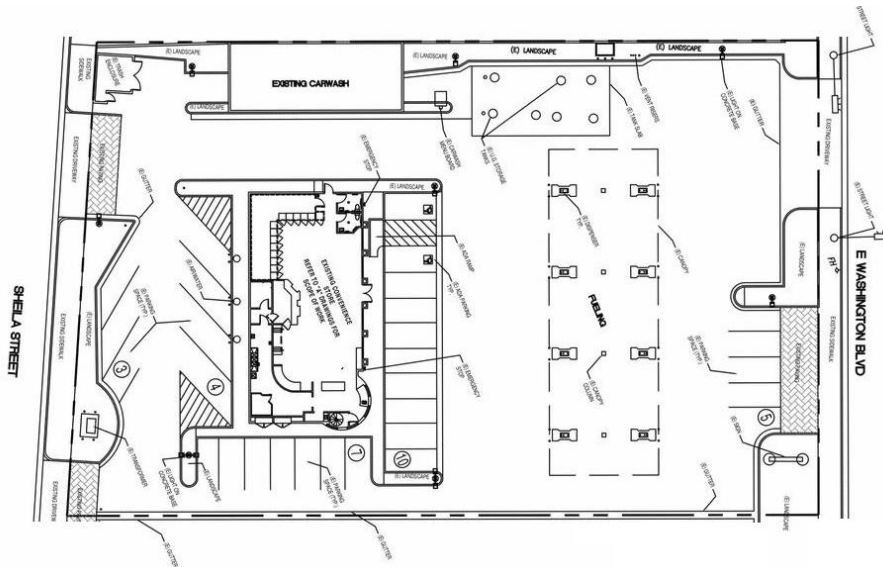
The Project continues to support neighborhood-serving commercial uses and remains compatible with surrounding commercial and industrial development, as it does not involve any expansion or modification of the existing development and is limited to an ancillary retail component within an existing convenience store.

PARKING

The Project will not result in an increase or change to the existing parking supply, parking layout, or site circulation patterns. No expansion of the building, modification of fueling operations, or changes to site improvements are proposed as part of this application. (Attachment B) The existing parking supply is considered adequate to

support the continued operation of the existing convenience store and gasoline service station, as well as the proposed limited off-sale beer and wine component within the existing retail space (see Exhibit C – Site Plan).

Exhibit C – Site Plan



CONDITIONAL USE PERMIT:

A CUP is required for uses that may have unique operational characteristics or potential impacts requiring discretionary review to evaluate compatibility with surrounding properties and uses. Pursuant to Section 19.11.030 of the CMC, certain uses involving alcohol sales require approval of a CUP.

The Project site is located within an established commercial corridor along Washington Boulevard and is surrounded by a mix of commercial, office, and industrial uses. The nearest residential use consists of an existing apartment complex located approximately 300 feet west of the Project site.

The proposed off-sale of beer and wine in conjunction with the existing convenience store operation is consistent with similar convenience retail uses operating throughout the City. The alcohol sales component would be limited to off-sale beer and wine and would occur within an existing convenience store with no expansion of the building, site improvements, or operational footprint.

The Planning Commission is the review authority for the requested CUP and may approve the application through adoption of a resolution containing Conditions of Approval intended to protect the public health, safety, and welfare. For example, the Conditions of Approval require compliance with all applicable State laws and regulations related to alcohol sales, including prohibitions on the sale of alcoholic beverages to persons under 21 years of age (see Attachment D). Alcohol sales

shall only occur to individuals meeting the legal age requirement and presenting valid identification when required.

ALCOHOLIC BEVERAGE CONTROL FINDINGS

Alcoholic Beverage Control – No Net Increase or Undue Concentration

The Applicant is seeking approval of Type-20 license from ABC to allow the off-sale of beer and wine for off-site consumption. Businesses seeking to sell alcoholic beverages must obtain approval from both the City through the CUP process and ABC through issuance of the applicable alcohol license. Although both agencies may consider similar information, each agency maintains independent authority regarding approval of the requested entitlement and license. Issuance of the requested ABC Type-20 License is contingent upon the City's approval of the Conditional Use Permit.

ABC regulates the concentration of alcohol licenses within census tracts based on population and the number of existing licenses within the area. The subject property is located within Census Tract 5323.03 (see Exhibit D – Census Map). According to ABC records, there are currently nine (9) active off-sale alcohol licenses within the census tract, whereas only two (2) licenses are considered authorized by ABC standards. As such, the census tract is considered an area of undue concentration.

Exhibit D – Census Tract Map No. 5323.03



Alcoholic Beverage Control – High-Crime

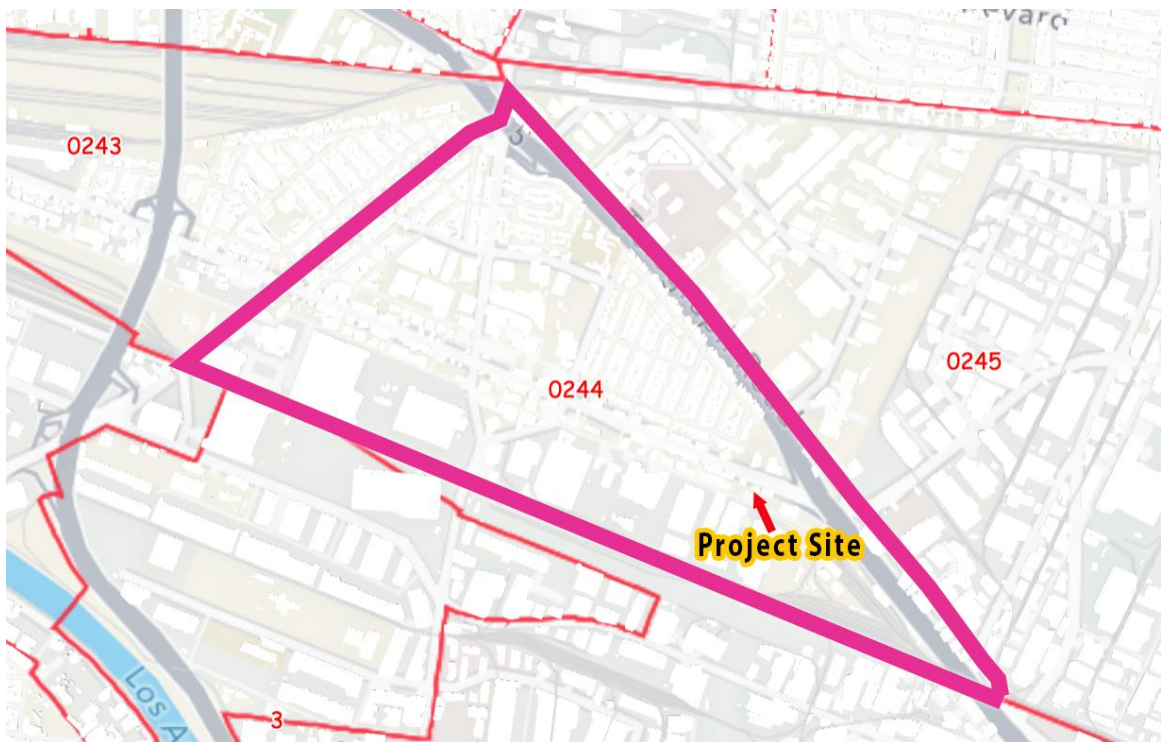
The Property is located within Crime Reporting District 0244 ("RD 0244") (see Exhibit E – Crime Reporting District). Based on information provided by ABC, the number of reported offenses within RD 0244 exceeds the average crime threshold

established by ABC; therefore, the area is classified as a high-crime reporting district.

Because the project site is located within both an area of undue concentration and a high-crime reporting district, ABC requires a finding of Public Convenience or Necessity (“PCN”) by the local governing body before processing the alcohol license application. In this case, the proposed resolution includes the required PCN finding (Attachment D).

Furthermore, the Los Angeles County Sheriff’s Department has indicated that it has not received reports of disorderly conduct involving intoxicated individuals or robberies specifically associated with convenience store operations within RD 0244.

Exhibit E – Crime Reporting District No. 0244



ENVIRONMENTAL:

The Project consists of a request for a CUP to allow the off-sale of beer and wine (ABC Type-20 License) within an existing convenience store and a ZTA related to alcohol-related use regulations. The Project would not result in any expansion of the existing building, intensification of the physical use of the site, or modifications to existing site improvements.

Based on the scope of the Project, it qualifies for exemption from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15301

(Existing Facilities), which applies to the operation, permitting, leasing, or licensing of existing public or private structures involving negligible or no expansion of existing or former use. The proposed use of the existing convenience store for limited alcohol sales is consistent with the existing retail operations and does not involve an increase in floor area or new construction.

Additionally, the ZTA is exempt from CEQA pursuant to Section 15061(b)(3), the “common sense exemption,” in that it can be seen with certainty that there is no possibility the amendment may have a significant effect on the environment. The amendment relates solely to procedural and regulatory standards for alcohol-related uses and does not authorize physical development.

Therefore, the Project is not anticipated to result in any significant environmental impacts, and no further environmental review is required.

CONCLUSION:

The Project includes a ZTA to CMC Section 19.31.100(2) and a CUP to allow the off-sale of beer and wine (ABC Type-20 license) at an existing ARCO gas station and AM/PM convenience store located at 6100 E. Washington Boulevard. The site is fully developed, and no expansion or physical modifications to the building, parking, or site improvements are proposed. The proposed alcohol sales would occur within the existing convenience store as an ancillary component of its ongoing retail operation and would be subject to Conditions of Approval to ensure compliance with State law and City requirements. The Project is consistent with the General Plan and applicable provisions of the CMC. The ZTA is a legislative action that modifies regulatory standards for alcohol-related uses and is considered independently from the CUP. Therefore, staff recommends that the Planning Commission approve the Project as proposed.

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Contract Planner

Reviewed by: Jessica Serrano
Director of Community Development

Reviewed by: Araceli Almazan
Deputy City Attorney

ATTACHMENTS: A) Architectural Plans.
B) Draft PC Resolution No. 26-03 – ZTA No. 25-02
C) Draft Ordinance No. 26-XX – ZTA No. 25-02
D) Draft PC Resolution No. 26-04 – CUP No.25-12