

ATTACHMENT C
PLANNING COMMISSION STAFF REPORT (WITHOUT ATTACHMENTS) FOR
ZTA NO. 25-04, DATED AUGUST 20, 2025



STAFF REPORT
ZONING ORDINANCE TEXT
AMENDMENT NO. 25-04

TO: Planning Commission

FROM: Community Development Department

DATE: August 20, 2025

CASE NO.: Zoning Ordinance Text Amendment ("ZTA") No. 25-04
(CEQA Exemption § 215060(c)(2), § 15378(b)(5) § 15301
§ 15303 and § 15061(b)(3))

REQUEST:

To adopt an ordinance enacting Zoning Ordinance Text Amendment ("ZTA") No. 25-02 amending Title 19 (Zoning) of the Commerce Municipal Code ("CMC") to allow entertainment establishments in the manufacturing zones, create parking requirements for this use, and revise the definition of "entertainment establishments".

LOCATION: Manufacturing Zones Citywide

APPLICANT: Tim Cam, Business Owner, Dirt Dog Inc. ("Applicant")

STAFF RECOMMENDATION:

Planning Commission of the City of Commerce ("Planning Commission") recommends that the City Council:

- 1) Adopt a 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)); and
- 2) Adopt the related ZTA as discussed herein.

PUBLIC HEARING NOTICE:

The Public Hearing Notice was published in the Los Cerritos News on July 30, 2025.

ATTACHMENTS: A) Planning Commission Resolution No. ____
B) Ordinance No. ____

ENVIRONMENTAL ASSESSMENT:

Under CEQA and CEQA Guidelines, the City reviewed the environmental impacts of the proposed Ordinance. Adopting this Ordinance is exempt from CEQA because it is a ZTA that regulates entertainment establishments, which will not have a direct or reasonably foreseeable indirect physical change in the environment and does not qualify as a “project” under CEQA. After all, it will not physically change the environment pursuant to CEQA Guidelines Section 15378(b)(5). In addition, the Ordinance is also exempt from CEQA under CEQA Guidelines Sections 15060(c)(2) and 15061(b)(3) - Common Sense Exemption where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and CEQA Guidelines Sections § 15301 and § 15303. All future entertainment establishments proposed will require an environmental review as outlined in CEQA guidelines.

EXECUTIVE SUMMARY:

The Community Development Department received an application from the Applicant for an amendment to Title 19 (“Zoning”) of the CMC, specifically Chapter 19, to allow entertainment establishments in the manufacturing zones, create parking requirements for this use, and revise the definition of “entertainment establishments”.

The proposed ordinance would authorize entertainment establishments as a conditionally permitted use with the approval of a development agreement in Commercial-Manufacturing (“C/M-1”), Light Manufacturing (“M-1”), and Heavy Manufacturing (“M-2”) zones (“manufacturing zones”), provided they meet certain development standards. This amendment aims to enable existing restaurants to offer entertainment as a complementary use, strengthening their business operations and supporting economic development opportunities throughout the City.

BACKGROUND:

Planning staff have been working with the Applicant to introduce entertainment establishments within an existing restaurant called Dirt Dog located at 2909 Supply Street, within the M-2 zone. This restaurant has operated as a bona fide restaurant for the past four (4) years and holds an on-sale beer and wine license (Type 41).

On July 19, 2023, the Planning Commission granted Conditional Use Permit (“CUP”) No. 23-05, authorizing on-site beer and wine sales at Dirt Dog, the restaurant in question, owned and operated by the Applicant. According to the Applicant, Dirt Dog has continued operations since 2023; however, a decline in patronage following the pandemic has led to a notable decrease in customers.

In response, on July 12, 2024, the Applicant submitted a proposal to amend the original CUP, seeking to extend permitted alcohol service hours, introduce live entertainment, and provide remote parking options for larger events. The Applicant sought to continue operating Dirt Dog while adding additional uses such as vendor markets, sports viewing, live music, and shows as part of its regular offerings. During the review of this application, it was determined that a ZTA would also be necessary to permit such uses Citywide. Since then, the Planning Staff has worked closely with the Applicant to facilitate the required entitlements.

On June 24, 2025, the City Council approved a Temporary Use Permit (TUP), allowing Dirt Dog to host live entertainment events temporarily while the CUP and ZTA applications are processed as a long-term solution. This TUP approval ensures the restaurant can remain open and operational with entertainment offerings while seeking permanent authorization.

Existing Regulations: The CMC currently allows various types of recreation and entertainment uses such as outdoor recreation, movie theaters, bars, nightclubs and others in the manufacturing zones. Additionally, CMC Section 19.45.060 “entertainment establishment” as:

“Entertainment establishment” means a place of business that provides any form of live performance, exhibition, show, or act, including but not limited to the playing of musical instruments; singing; dancing; performing in a play, sketch, or scene; reciting prose or poetry; or exhibiting any clothing, wearing apparel, or costumes for the purpose of gaining, diverting, or holding the attention of guests, patrons, or invitees. A business or use shall be considered an entertainment establishment if such entertainment is either the primary business conducted on the premises or is provided in conjunction with any other primary business.

Although these standards are in place, “entertainment establishment” is not listed in Table 19.11.030A, *Uses in Industrial Districts*, which lists all of the allowed and conditionally allowed uses in the manufacturing zones. Additionally, there are no parking regulations for “entertainment establishment”. As a result, the Applicant’s proposal to allow live entertainment events in conjunction with the restaurant operations is not permitted on a permanent basis under the existing regulations.

A ZTA is required to formally allow entertainment establishments in manufacturing zones, add new regulations for this use and amend the definition of “entertainment establishment”.

ANALYSIS:

Currently, the Zoning Code permits certain forms of entertainment within the manufacturing zones. The Applicant seeks to provide flexibility by including additional entertainment uses in this area. As previously noted, indoor or outdoor live entertainment has become a popular strategy for enhancing restaurant business in numerous cities across Los Angeles County. However, the current regulations do not permit indoor or

outdoor entertainment events to be used as a primary or secondary use in the manufacturing zones. Therefore, a ZTA has been proposed to address and facilitate this need.

Planning staff recommends adding entertainment establishments to the list of uses allowed with a CUP in the manufacturing zones. Section 19.11.30a of the CMC outlines the uses permitted within this zone. The proposed change seeks to add entertainment establishments to this section, subject to obtaining a CUP and Development Agreement (“DA”). Requiring a CUP will help protect the public health, safety and welfare because the City will have discretion over this use and have the ability to impose conditions as necessary. The Planning Commission will be the approving body on a CUP and City Council will review if the application is appealed.

A development agreement will also be required for any entertainment establishment. The City will have the ability to apply any additional appropriate standards and require negotiation of public benefits. The Planning Commission will be the recommending body and the City Council will be the approving body.

Below is an excerpt from the manufacturing zone regulations highlighting existing recreational and entertainment uses and the suggested language to accommodate entertainment establishments.

Revised Table 19.11.30A to add 12.6 Entertainment Establishment.

Use	C/M-1	M-1	M-2	*Notes and Exceptions
12. Recreation and entertainment uses				
12.1 Outdoor recreation (drive-in theater, racetrack, golf driving range, shooting range, and similar uses)	C	C	C	b. Adult businesses shall be permitted only in the M-2 zone and shall be subject to the requirements set forth in Division 1, Section 19.31 of this title. b. Adult businesses shall be permitted only in the M-2 zone and shall be subject to the requirements set forth in Division 1, Section 19.31 of this title.
12.2 Movie theaters (other than adult theaters)	C	X	X	
12.3 Bars, nightclubs, cabarets and the like (SIC code 5813*)	C*	C*	C*	
12.4 Health clubs and the like (SIC code 7991)	C	C	C	

12.5 Gaming establishments	C	X	X	
<u>12.6 Entertainment Establishment</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>A Development Agreement is required with appropriate standards and public benefits negotiated with the city, pursuant to the procedures set forth in this Code.</u>

Text in red (column identified as 12.6 “Entertainment Establishment”) reflects added language.

Table19.21.040A Off-Street Parking Requirement

To address the proposed use, parking requirements must also be considered. The current CMC does not specifically address parking standards for live, indoor, or outdoor entertainment events. After reviewing regulations in nearby cities, staff did not identify any standardized methods for calculating parking specific to these uses. Typically, parking for such venues is determined using the Uniform Building Code Occupancy load.

Given this, staff proposes that any entertainment establishment be required to submit a comprehensive parking study to determine the amount of required parking for this use. This study may account for on-site parking, street parking, remote parking, and parking available on adjacent properties to satisfy the required parking. To utilize adjacent property parking, the business owner must secure a formal agreement permitting use of those spaces and develop a transportation plan for remote parking situated further than 1,000 feet away. A licensed engineer with expertise in parking analysis must prepare the parking study to ensure thoroughness and accuracy.

Table19.21.040A, Off-Street Parking Requirement

Land Use	Resident/Guest/Employee Parking	Compact/Truck Parking
Restaurants, Fast Food	1 space for every 200 sf of gross floor area, but not less than 10 spaces	Compact: Maximum 10% where 20+ spaces are provided
Restaurants - Delicatessens and similar take out uses with no seating	1 space per 400 sf of gross floor area, but not less than 5 spaces	Compact: Not permitted

Restaurants, Sit-Down and Cafes	1 space per 4 fixed seats or 1 space per 4 persons of occupant load where there are no fixed seats; plus 1 space per 2 employees on the largest shift	
	Outdoor seating shall be included when calculating required spaces	Compact: Maximum 10% where 20+ spaces are provided
<u>Entertainment Establishments</u>	<u>A parking study prepared by a licensed engineer is required to determine parking for an entertainment establishment. This study may utilize on-site parking, street parking, remote parking, and parking available on adjacent properties to satisfy the required parking. To utilize off-site parking, a shared parking agreement is required between the applicant and other affected property owners shall be executed and filed with the City, permitting use of those spaces. A transportation plan is required for remote parking situated further than 1,000 feet away.</u>	<u>Compact: Maximum 10% where 20+ spaces are provided</u> <u>All ADA spaces required for each event shall be provided on-site pursuant to current accessibility regulations.</u>

Text in red (column identified as "Entertainment Establishments") reflects added language.

Table 19.45.020 "E" Definition- Proposed Definition Amendment

Under the existing definition for entertainment establishments, it allows several uses in the Municipal Code. As part of the applicant's request, outdoor events are being proposed as part of the master plan for the restaurant. Below is the current definition for entertainment establishment:

"Entertainment establishment" means a place of business that provides any form of live performance, exhibition, show, or act, including but not limited to the playing of musical instruments; singing; dancing; performing in a play, sketch, or scene; reciting prose or poetry; or exhibiting any clothing, wearing apparel, or costumes for the purpose of gaining, diverting, or holding the attention of guests, patrons, or invitees. A business or use shall be considered an entertainment establishment if such entertainment is either the primary business conducted on the premises or is provided in conjunction with any other primary business."

The applicant is proposing to change the existing definition to allow outdoor events to read as follows:

"Entertainment establishment" means a place of business that provides any form of indoor or outdoor entertainment such as live performance, sporting events, exhibitions,

shows, or acts, including but not limited to the playing of musical instruments; singing; dancing; performing in a play, sketch, or scene; concerts; reciting prose or poetry; or exhibiting any clothing, wearing apparel, or costumes for the purpose of gaining, diverting, or holding the attention of guests, patrons, or invitees. A business or use shall be considered an entertainment establishment if such entertainment is either the principal use or an accessory use conducted on the premises or is provided in conjunction with any other principal use.”

The proposed amendment is designed to increase flexibility for business owners interested in operating entertainment establishments. This change stands to benefit both residents and visitors from surrounding communities, while also contributing to the City’s sales tax revenue.

CONCLUSION:

The proposed Ordinance aims to establish clear guidelines for Entertainment Establishments, allowing them to operate under updated regulations designed to prevent nuisances within the City. By clarifying these standards, the City can better balance opportunities for business growth and entertainment with the well-being of its residents.

Staff recommends that the Planning Commission recommend that the City Council:

- 1) adopt a Categorical Exemption under the provisions of CEQA and CEQA Guidelines (CEQA Guidelines § 15060(c)(2), § 15378(b)(5), § 15301, § 15303, and § 15061(b)(3)); and
- 2) adopt the related ZTA as discussed herein.

Prepared by: Jessica Serrano
Director of Community Development
Reviewed by: Araceli Almazan
Deputy City Attorney

ATTACHMENTS:

- A) Planning Commission Resolution No. ____
- B) Ordinance No. ____

ATTACHMENT A
PLANNING COMMISSION RESOLUTION NO. _____

ATTACHMENT B
ORDINANCE NO. _____