



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

NEW BUSINESS DISCUSSION: June 26, 2007

SUBJECT: Tattoo Service and other permitted uses within the MU-CS (Mixed Use - Carson Street) and other commercial zone districts

REQUEST: To obtain Planning Commission direction regarding permitting tattoo services within the Carson Street Master Plan

PROPERTY INVOLVED: 422 East Carson Street

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### COMMISSION ACTION

- Concurred with staff  
 Did not concur with staff  
 Other

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		<b>Chairman Faletogo</b>			<b>Graber</b>
		<b>Vice-Chair Hudson</b>			<b>Saenz</b>
		<b>Cannon</b>			<b>Verrett</b>

## **I. Introduction**

This staff report introduces a request for Planning Commission direction on whether or not to consider the approval of tattoo services within the MU-CS (Mixed Use-Carson Street) zone district.

## **II. Background**

The Carson Street Master Plan which was adopted by the City Council on November 21, 2006, and was subject to extensive public notices/public review for community participation workshops, Planning Commission and City Council hearings does not identify "Tattoo Business" as a permitted use.

Furthermore, Section No. 9113.1 & Section 9138.17 C 1. (Permitted Uses) of the Carson Municipal Code (CMC) does not list tattoo services as a permitted use within the MU-CS (Mixed-Use-Carson Street) Zone.

Under Section No. 9138.17 C 2. (Prohibited Uses) such uses as massage service, and churches/public assembly uses are also prohibited within the Carson Street Master Plan.

The Carson Municipal Code (CMC) Sections 9131.1, 9133 & 9138.92 that address tattoo service, became effective on July 7, 2006 via City Council adoption of Ordinance No. 06-1349. Section 9131.1 of the CMC requires a Conditional Use Permit for a "tattoo business" within the Commercial Regional (CR) and Commercial General (CG) zones.

## **III. Analysis**

Staff has received a request for approval of Conditional Use Permit No. 669-07 to allow an existing tattoo service to continue its operation at 422 East Carson Street. The business has an active business license that was issued on July 12, 2005.

Tattoo services became legal, non-conforming on July 7, 2006, when the City Council approved an ordinance requiring existing or new tattoo services to obtain a conditional use permit. Section 9182.22 "Termination of Existing Nonconforming Use" of the CMC identifies a termination date of one year for tattoo services from the date of becoming non-conforming. Therefore, the subject tattoo business has until July 7, 2007, to operate unless a conditional use permit is obtained.

Upon review of the recently adopted standards for the MU-CS zone district, there appears to be a number of land uses that were inadvertently missed in the establishment of the permitted uses. Specifically, tattoo services were not listed or discussed in the process of determining the permitted uses for the MU-CS zone district. Staff believes that the exclusion of tattoo services was an oversight since the ordinance relating to tattoo services was under review at the same time that the MU-CS ordinance was under development.

**IV. Conclusions**

The MU-CS zone district does not identify tattoo service as a use that is automatically permitted or subject to a conditional use permit. Staff is requesting a determination from the Planning Commission as to whether or not tattoo businesses should be considered in the MU-CS zone district. Staff recommends that a comprehensive review of Carson Municipal Code Section 9131.1 (Permitted Uses in Commercial Zones) be conducted to reconcile the permitted use table to properly reflect uses within all commercial zones. A public hearing will be set to allow the Planning Commission to review any needed changes to CMC Section 9131.1.

**V. Recommendation**

That the Planning Commission:

It is recommended that the Planning Commission:

- Determine if a tattoo service is compatible with the uses permitted within the MU-CS zone district as identified in Carson Municipal Code Sections 9113.1 & 9138.17 C 1. (Permitted Uses).
- Direct staff to reconcile recently adopted ordinances, update Carson Municipal Code Section 9113.1. to provide for a comprehensive listing of permitted uses in the commercial zones and set a public hearing to consider necessary amendments.

**Prepared by:** \_\_\_\_\_  
Zak Gonzalez II, Planner

**Reviewed by:** \_\_\_\_\_  
John F. Signo, AICP, Senior Planner

**Approved by:** \_\_\_\_\_  
Sheri Repp, Planning Manager