



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: March 11, 2008
 SUBJECT: Conditional Use Permit No. 691-08

APPLICANT: Efrain D. Espinoza
 South Bay Tattoo & Piercing
 1335 East Carson Street
 Carson, CA 90745

REQUEST: To approve a Conditional Use Permit for Tattoo and Body Piercing services to operate within the CG-D (Commercial General-Design Overlay Review) zone district and within the Redevelopment Project Area No. 4.

PROPERTY INVOLVED: 1335 East Carson Street

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

| AYE | NO | | AYE | NO | |
|-----|----|-------------------|-----|----|---------|
| | | Chairman Faletogo | | | Graber |
| | | Vice-Chair Hudson | | | Saenz |
| | | Cannon | | | Verrett |

Item No.11-A

I. Introduction

Date Application Received

- January 28, 2008: Conditional Use Permit No. 691-08

Applicant

- Efrain D. Espinoza
South Bay Tattoo & Piercing
1335 East Carson Street
Carson, CA 90745

Property Owner(s)

- HCJA Properties, LLC
21115 Devonshire Street
Chatsworth, CA 91311

Project Address

- 1335 East Carson Street, Carson, CA 90745

Project Description

- The proposal is to consider a conditional use permit (CUP) to allow the operation of a tattoo and piercing services on a site located in the CG-D (Commercial, General-Design Overly Review) zone district.
- The project site is 32,708 square-feet and the tattoo and piercing services would occupy 1,140 square feet of an existing 11,658 square foot commercial building.
- The proposed project also includes floor space for an art studio and for retail sales of clothing apparel.

II. Background

Previously Approved Discretionary Permits

- There is no record of previous entitlements being approved by the Planning Commission.

Public Safety Issues

- There is no past or current zoning code enforcement case associated with this property.
- The Los Angeles County Sheriff's Department reported one call for service at this location since May 1, 2007. However, the call for a burglary resulted in no action by the Sheriff's office.
- The applicant also received Planning Commission approval of CUP No. 684-07 for tattoo services at 604 W. Sepulveda Boulevard on January 8, 2008.



III. Analysis

Staff has received a request for approval of a Conditional Use Permit No. 691-08 to allow tattoo and piercing services operations at 1335 E. Carson Street. The business has a business license that was issued on January 16, 2008 for clothing and accessories sales. The business hours of operation are: Monday through Saturday, 11:00 a.m. to 8:00 p.m., and closed on Sunday.

Existing tattoo services became legal, non-conforming on July 7, 2006, when the City Council approved an ordinance requiring tattoo services to obtain a conditional use permit. Approval of the subject request would make tattoo and piercing services at this location legal and conforming.

Location/Site Characteristics/Existing Development

- The subject property is located at 1335 E. Carson Street. The tattoo and piercing facility is located within an existing commercial center and is compatible with surrounding residential and commercial uses.
- The subject use operates within a 1,140 square foot commercial floor space of an 11,658 square-foot, one-story, commercial building, with 33 parking spaces on a 32,708 square-foot parcel.
- Surrounding the subject property to the north is the single family residential development zoned RS; to the east and west are commercial uses zoned CG-D (Commercial-General, Design Overlay Review) and to the south exist a mobile home park zoned RM-25 (Residential, Multiple Dwelling).
- The existing wall sign identifying the company name complies with the zoning ordinance requirements.

Zoning/General Plan/Redevelopment Area Designation

- The subject property is located in the CG-D (Commercial-General, Design Overlay Review) Zone District.
- The zoning designation for the subject property is consistent with the General Plan Land Use designation of General Commercial.
- The subject property is within the Redevelopment Project Area 4.

Required Findings: Conditional Use Permit No. 691-08

Pursuant to Section 9172.21, Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

- a. The proposed use and development will be consistent with the General Plan;
- b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development;



- c. There will be adequate street access and traffic capacity;
- d. There will be adequate water supply for fire protection;
- e. The proposed use and development will be compatible with the intended character of the area.

All of the required findings pursuant to Section 9172.21, "Conditional Use Permit, Approval Authority and Findings and Decision", can be made in the affirmative, if conditions of approval are implemented. Specific details regarding the applicable findings are incorporated in the attached resolution.

Issues of Concern / Proposed Condition/Change: Conditional Use Permit No. 691-08

- **ISSUE – Valid Business License:** The proposed project must comply with CMC Section 9138.92 Tattoo Service, to protect the health, safety and welfare of the citizens of the City of Carson.
 - **MITIGATION:** The applicant must maintain a current business license and any contracted paid employee (paid apart from the establishment) must obtain a separate business license.
 - **MITIGATION:** Every person conducting tattoo services shall register with the Los Angeles County Health Department, and obtain/maintain a valid public health facility permit in compliance with applicable county codes. Said permit shall be posted and exhibited at all times in an area that is visible to the public and its clients.

- **ISSUE-Hours of Operation:** In order to maintain reasonable hours of operation that do not adversely impact the adjoining businesses or residential uses to the north of this property, staff recommends reasonable hours of operation.
 - **MITIGATION:** The hours of operation shall be 11:00 a.m. to 8:00 p.m. Monday to Saturday. And the business to be closed on Sunday.

- **ISSUE-Security:** In order to provide the safest business environment for the public and the business clients, the applicant should provide a secured business setting.
 - **MITIGATION:** The applicant shall provide a web-based security camera that is approved by the Los Angeles County Sheriff Department. The security camera shall be installed in the lobby area facing the front door.

IV. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15301, Existing facilities, the City's approval of a Conditional Use Permit (CUP) for the proposed project is "Categorically Exempt".



V. Recommendation


That the Planning Commission:

- **APPROVE** Conditional Use Permit No. 691-08 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled, "A Resolution of the Planning Commission of the City of Carson Approving Conditional Use Permit No. 691-08 for Tattoo and Piercing services located at 1335 E. Carson Street.

VI. Exhibits

1. Resolution
2. Site Plan

Prepared by: 
Zak Gonzalez II, Planner

Reviewed by: 
John F. Signo, AICP, Senior Planner

Approved by: 
Sheri Repp, Planning Manager

ZG: srCUP691-08

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 08-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 691-08 FOR TATTOO AND BODY PIERCING SERVICES
LOCATED AT 1335 E. CARSON STREET**

**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA,
HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

Section 1. An application was duly filed by the applicant, Efrain D. Espinoza, with respect to real property located at 1335 E. Carson Street, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 691-08 for tattoo and piercing services on a developed property in the CG-D (General, Commercial) zone and within the Redevelopment Project Area No. 4.

A public hearing was duly held on March 11, 2008, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The General Plan designates the property as General Commercial which is compatible with the proposed use. The tattoo and piercing services use will be consistent with the surrounding residential and general commercial uses and is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces and other features relative to a harmonious and attractive development of the area.
- c) The site is also adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use. The surrounding land uses are primarily residential and commercial uses and the proposed project is compatible with those uses. The site is 32,708 square feet in size, is flat and is located in a general commercial area.
- d) Applicable off-street parking requirements are being met and circulation on the adjacent public streets will not be adversely impacted. Safety and convenience of vehicular and pedestrian access is provided.
- e) There are no new signs intended for the proposed use other than those that are existing which meet the requirements of the Municipal Code;



- f) The proposed CUP application for tattoo and piercing services meets the goals and objectives of the General Plan and are consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21(D), "Conditional Use Permit, Approval Authority and Findings and Decision" can be made in the affirmative.

Section 4. The Planning Commission further finds that pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15301, Existing facilities, the City's approval of a Conditional Use Permit (CUP) for the proposed project is "Categorically Exempt".

Section 5. Based on the aforementioned findings, the Planning Commission hereby grants Conditional Use Permit No. 691-08 with respect to the properties described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 11th DAY OF MARCH, 2008

CHAIRMAN

ATTEST:

SECRETARY



Exhibit "A"

Legal Description:

Parcel 1 of Parcel Map No. 3808, in the City of Carson, County of Los Angeles, State of California, as per map filed in Book 49, page 65 of parcel maps, in the Office of the County Recorder of said County.

Also know as Assessor's Parcel Map No. 7327005023.



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 691-08

GENERAL CONDITIONS

1. If Conditional Use Permit No. 691-08 is not used within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission.
4. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute, or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
7. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 691-08 and Design Overlay Review No. 1261-08. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision



to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

VALID BUSINESS LICENSE & REGISTRATION WITH LOS ANGELES COUNTY HEALTH DEPARTMENT

8. The proposed project must comply with CMC Section 9138.92 (Tattoo Service), to protect the health, safety and welfare of the citizens of the City of Carson.
9. The applicant must maintain a current business license and any contracted paid employee (paid apart from the establishment) must obtain a separate business license.
10. Every person conducting tattoo services shall register with the Los Angeles County Health Department, and obtain/maintain a valid public health facility permit in compliance with applicable county codes. Said permit shall be posted and exhibited at all times in an area that is visible to the public and its clients.

PARKING

11. The required off-street parking shall be kept accessible at all times to emergency vehicles.

BUILDING & SAFETY

12. All building improvements shall comply with City of Carson Building and & Safety Division requirements.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

13. All requirements by the L.A. County Fire Department shall be complied with.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

14. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

HOURS OF OPERATION

15. Hours of operation shall be limited to 11:00 a.m. to 8:00 p.m., Monday through Saturday. The business shall be closed on Sunday.

SECURITY

16. A web-based security camera approved by the Los Angeles County Sheriff Department shall be installed in the business lobby area facing the front door.



DEFINITIONS and DESCRIPTIONS
WORK AREAS, ROOMS, SECTIONS,
FLOORS AND WALLS

- 1. TATTOOING STATIONS-** AREAS WHERE THE TATTOOING PROCEDURE WILL TAKE PLACE. THIS AREA WILL HAVE A HANDWASHING SINK IN CLOSE PROXIMITY AS WELL AS A SEPARATE "CLEAN" SINK FOR CUSTOMERS IN THE RESTROOM. THE WORK SINKS WILL BE SHARED BY TWO ARTISTS.

** ACCESS WILL BE LIMITED TO PERSONELL/EMPLOYEES AND TO CUSTOMERS WHO HAVE COMPLETED A RELEASE OF LIABILITY/CONSENT FORM.*

**PRIVACY (TATTOOING) -ALL TATTOOING PROCEDURES WILL BE PERFORMED BEHIND WALLS AND OUT OF VIEW TO THE GENERAL PUBLIC.*

**NO ACCESSES UNTIL PERSONS ARE PERMITTED TO ENTER THE AREA.*

FLOORS: GRAY (12"x12") LINOLEUM TILE. SEALED

WALLS: WHITE PAINT, SMOOTH SURFACE (NON ABSORBENT) WITH RED TRIM

CEILING: EXISTING ACOUSTIC PANEL BOARD (2'x 4')

- 2. DESIGN STATION-** AREA WHERE DESIGN CONCEPTS, DRAWINGS, PAINTING AND ARTWORK WILL BE DEVELOPED. A COMPUTER, PRINTERS , COPIER, DRAWING TABLE, LIGHT TABLE, THERMAFAX, AND SMALL FILING CABINETS (2) WILL BE PLACED.

**THIS AREA IS SEPARATED FROM THE STUDIO: NO TATTOOING WILL BE DONE IN THIS AREA.*

FLOORS: BLACK 12"x12" LINOLEUM TILE.SEALED

WALLS: WHITE PAINT, SMOOTH SURFACE (NON ABSORBENT)WITH RED TRIM

CEILING: EXISTING ACOUSTIC PANEL BOARD (2'x 4')

- 3. STERILIZATION AREA-**"CLEAN ROOM" AREA OF THE SHOP WHERE THE AUTOCLAVE STERILIZER WILL BE LOCATED AS WELL AS A CABINET WHERE STERILIZATION SUPPLIES, INCLUDING STERILIZATION POUCHES, STERILE TAPE, ETC. WILL BE KEPT.

**NO SOILED OR CONTAMINATED MATERIALS WILL BE ALLOWED IN THIS STORAGE AREA*

FLOORS: FLOOR TILES (12" X12")

WALLS: WHITE PAINT, SMOOTH SURFACE (NON ABSORBENT)

CEILING: EXISTING ACOUSTIC PANEL BOARD (2'x 4')

- 4. CLEANING AREA(SCRUB) -** THIS ROOM WILL HAVE A SINK IN IT. AREA WHERE ALL SOILED, DIRTY OR CONTAMINATED TOOLS AND SHARPS WILL BE PLACED AFTER PROCEDURES AND CLEANED/NEUTRALIZED PRIOR TO DISCARDING.

HIGH LEVEL DISINFECTANTS WILL BE KEPT IN THIS AREA.

THIS ROOM WILL HAVE A SCRUB SINK IN IT. DOORS WILL REMAIN LOCKED WHEN NOT IN USE. **RESTRICTED ACCESS TO THIS AREA.*

**BIOHAZARD SIGNS AND NOTICES WILL BE PLACED ON DOOR IN MULTIPLE LANGUAGES TO PREVENT ANY CUSTOMER FROM ENTERING THIS ROOM.*

FLOORS: FLOOR TILES (12" X12")

WALLS: WHITE PAINT,SMOOTH SURFACE (NON ABSORBENT)

CEILING: EXISTING ACOUSTIC PANEL BOARD (2'x 4')



5. EXISTING RESTROOM- RESTROOM THAT IS ALREADY BUILT INTO THE PREMISES.
CUSTOMER/WORKERS RESTROOM**THIS RESTROOM IS HANDICAP ACCESSIBLE.*

FLOORS: FLOOR TILES (12" X12")

WALLS: WHITE PAINT,SMOOTH SURFACE (NON ABSORBENT)

CEILING: EXISTING ACOUSTIC PANEL BOARD (2'x 4')

6. WAITING AREA/RETAIL AREA- CUSTOMER RETAIL MERCHANDISE /WAITING AREA. SEPERATED FROM WORK STATIONS BY 7' WALL AND A SMALL ONE WAY GATE. *GATE WILL COVER ENTRANCE FROM TOP TO BOTTOM, PROHIBITING SMALL CHILDREN FROM ATTEMPTING TO CRAWL UNDER NEATH THE DOOR.*

FLOORS: LIGHT BROWN SYNTHETIC WOOD FLOORS

WALLS: SLAT WALLS

CEILING: EXISTING ACOUSTIC PANEL BOARD (2'x 4')

BUILDING IS VERY WELL LIT.

