



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: May 22, 2012
SUBJECT: Conditional Use Permit No. 894-11
APPLICANT: Brian Bonki Lee
500 E. Carson Street, Suite 103
Carson, CA 90745
REQUEST: Conditional Use Permit approval to facilitate
massage use on a site located in the MU-CS
(Mixed-Use, Carson Street) zoning district
PROPERTY INVOLVED: 500 E. Carson Street, Suite 103

COMMISSION ACTION

_____ Concurred with staff
_____ Did not concur with staff
_____ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Saenz
		Vice-Chair Gordon			Schaefer
		Brimmer			Verrett
		Diaz			Williams
		Goolsby			

Item No. 11-B

I. Introduction

Date Application Received-December 8, 2011

- Conditional Use Permit No. 894-11

Property Owner

- Commercial Building Company, C/O Peter Horuath, 500 E. Carson Street, Carson, CA 90745

Project Applicant

- Brian Bonki Lee, 500 E. Carson Street, Suite 103, Carson, CA 90745

Project Address

- 500 E. Carson Street, Suite 103, Carson, CA 90745

Project Description

- The project consists of a proposed acupressure and Shiatsu massage use on a strip commercial building with 437 square-foot floor area zoned MU-CS (Mixed-Use, Carson Street).
- The massage use is currently ancillary to a beauty salon, Sonia's Hair Salon, and will be sold to and operated by the project applicant. The massage use operates in a separate tenant space than the beauty salon, but is connected through a passageway. If approved, the tenant spaces will be separated by a wall and each business will operate separately.

II. Background

Current Use of Property

- The property is developed with a commercial building consisting of approximately 7,854 square feet. The building was built in 1974 for commercial use.

Previously Approved Discretionary Permits

- On November 14, 2006, Design Overlay Review No. 961-06 was approved by the Planning Commission for a roof mounted cellular antenna.

Public Safety Issues

- After consulting with the Public Safety Department it was determined that there is no zoning code enforcement case associated with this property.

Ordinance No. 06-1349

On June 7, 2006, City Council passed Ordinance No. 06-1349 which requires businesses to obtain a conditional use permit (CUP) for body massage use. The CUP process allows the city to regulate the skill and experience of massage operators and massage technicians. The Planning Commission may require reasonable conditions on the operation of massage establishments to protect the health, safety and welfare of the public. Under Ordinance No. 06-1349 ancillary



massage services are allowed when offered in conjunction with an automatically permitted use.

Analysis

Location/Site Characteristics/Existing Development

- The subject property is located at 500 E. Carson Street, Suite 103.
- The subject site consists of a commercial building with approximately 7,854 square feet that was built in 1973.
- Commercial uses surround the subject property.
- The existing commercial building is developed with 20 parking spaces.

Zoning/General Plan/Redevelopment Area Designation

- The subject property is zoned MU-CS (Mixed-Use-Carson Street) and surrounding commercial property shares the same zoning.
- The subject property has a General Plan Land Use designation of Mixed Use Residential.

As identified in CMC Section 9138.91 Massage Service, the permit requirements and restrictions imposed by this code section are reasonably necessary to protect the public health, safety, and welfare of the citizens of the city of Carson. Furthermore, they are also intended to reduce the burden on the Sheriff's Department and the city of Carson Code Enforcement Division in the regulation of massage establishments. In carrying out this CMC section the Sheriff Department reviewed the subject application, business license and conducted a criminal background check on the applicant and cleared the applicant and the subject site for conditional use permit approval.

The proposed hours of operation are from 10:00 a.m. to 8:00 p.m. Monday through Sunday. The applicant will provide acupressure and Shiatsu massage therapy. Clients would be receiving a massage with clothes on.

Regarding signage, any proposed signage will comply with the CMC signage requirements.

Applicable Zoning Ordinance Regulations

The proposed CUP is subject to the approval of a development plan in accordance with the Conditional Use Permit (CUP) procedures as provided in Section 9172.21 and subject to CMC Section 9138.91 (Massage Service).

Required Findings: Conditional Use Permit

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

1. The proposed use and development will be consistent with the General Plan.

2. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
3. There will be adequate street access and traffic capacity.
4. There will be adequate water supply for fire protection.
5. 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(D) can be made in the affirmative. Details can be found in the attached Resolution.

Issues of Concern:

- Issue – Required Permits: Pursuant to CMC Section No. 9138.91 (C), Required permits, the applicant shall provide obtain a conditional use Permit; a business license and business permit and a massage technician permit.
 - *Mitigation:* The CMC allows for annual inspection of massage establishments to ensure continued compliance to the conditional use permit. The applicant shall facilitate annual city inspection of the proposed massage establishment.
 - *Mitigation:* The CMC requires the applicant to obtain a valid business license and business permit. Furthermore, the CMC requires the applicant obtain a massage technician permit. The applicant shall obtain said permits verified by the city's Business License Division.

III. Environmental Review

Pursuant to Section 15301(e), Existing Facilities, of the California Environmental Quality Act (CEQA), the proposed exterior improvements to an existing commercial building does not have the potential to cause a significant effect on the environment and is found to be exempt.

IV. Recommendation

That the Planning Commission:

- **WAIVE** further reading and **ADOPT** Resolution No._____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 894-11 FOR A MASSAGE USE ON PROPERTY LOCATED AT 500 E. CARSON STREET, SUITE 103."



V. Exhibits

1. Resolution
2. Development Plans
3. CMC Section 9138.91 (Massage Service)

Prepared by: _____

Zak Gonzalez II, Planner

Reviewed by: _____

John F. Signo, AICP, Senior Planner

Approved by: _____

Sheri Repp, Planning Officer

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 12-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 894-11 TO OPERATE A MASSAGE SERVICES LOCATED
AT 500 EAST CARSON STREET, SUITE 103**

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

Section 1. An application was duly filed by the applicant, Brian Bonki Lee, with respect to real property located at 500 East Carson Street, Suite 103 and described in Exhibit "A" attached hereto, requesting approval of a Conditional Use Permit for the operation of a massage establishment. The subject property is zoned MU-CS (Mixed-Use-Carson Street).

A public hearing was duly held on May 22, 2012, 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. Pursuant to Section 9172.21(D), "Conditional Use Permit – Commission Findings and Decision", the Planning Commission finds that:

- a) The proposed use is appropriate for the area. The proposed use is consistent with the General Plan land use designation of Mixed Use-Residential and the MU-CS (Mixed-Use-Carson Street) zone;
- b) The project site is adequate to support the proposed use and existing utilities are connected;
- c) The proposed use will have adequate street access onto Carson Street and Grace Avenue and will not impact traffic capacity in the area;
- d) The proposed use will provide adequate access to emergency vehicles, including the Fire Department to ensure adequate response and safety. There is also adequate water supply in the area for fire protection;
- e) The proposed use is compatible with other uses in the commercial center. The proposed use is not anticipated to create any incompatibilities with any adjacent uses.



Furthermore, the proposed massage use complies with the City's development standards, including Section 9138.91, Massage Service, of the Carson Municipal Code and the Los Angeles County Sheriff Department has cleared the proposed use and applicant for conditional use permit approval.

Section 4. The Planning Commission further finds that the proposed use will not have a significant effect on the environment. The proposed use will not alter the character of the commercial center and meets or exceeds all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under CEQA, Section 15301 – Existing Facilities (Class 1).

Section 5. Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 894-11, with respect to the real property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify to 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 22nd DAY OF MAY, 2012.

CHAIRMAN

ATTEST:

SECRETARY



Exhibit "A"

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Los Angeles, described as follows:

Lot 52, Tract 2982, in the City of Carson as per map recorded in Book 35 Page 31 of Maps, in the Office of the County Recorder of said County.

Except the South 540 feet thereof and the Easterly 200 feet thereof.

Also except therefrom the Northerly 20 feet thereof.

Also except therefrom that portion of said Lot 52 described as follows:

Beginning at the intersection of the Westerly line of said Lot 52 with the Southerly line of the North 20 feet; thence Easterly along said Southerly line to the beginning of a curve concave Southeast, having a radius of 19 feet, tangent to said Southerly line and tangent to said Westerly line; thence Southwesterly along said curve 29.83 feet to the Westerly line; thence Northerly along said Westerly line to the point of beginning.

End of Legal Description

CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 894-11

GENERAL CONDITIONS

1. If Conditional Use Permit No. 894-11 is not used within one year of its effective date, said permit(s) 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 in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial changes will require review by the Planning Commission.
4. Prior to any changes to the operations and/or conditions of approval, all proposed changes must be reviewed and approved by the Planning division. Any substantial/major modifications will require review and approval by the Planning Commission.
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 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. All buildings, grounds, parking areas, signs and landscaping shall be maintained in a neat and orderly manner at all times.
8. 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 business license.



9. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
10. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
11. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 894-11 and associated modifications. 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.

Massage Service

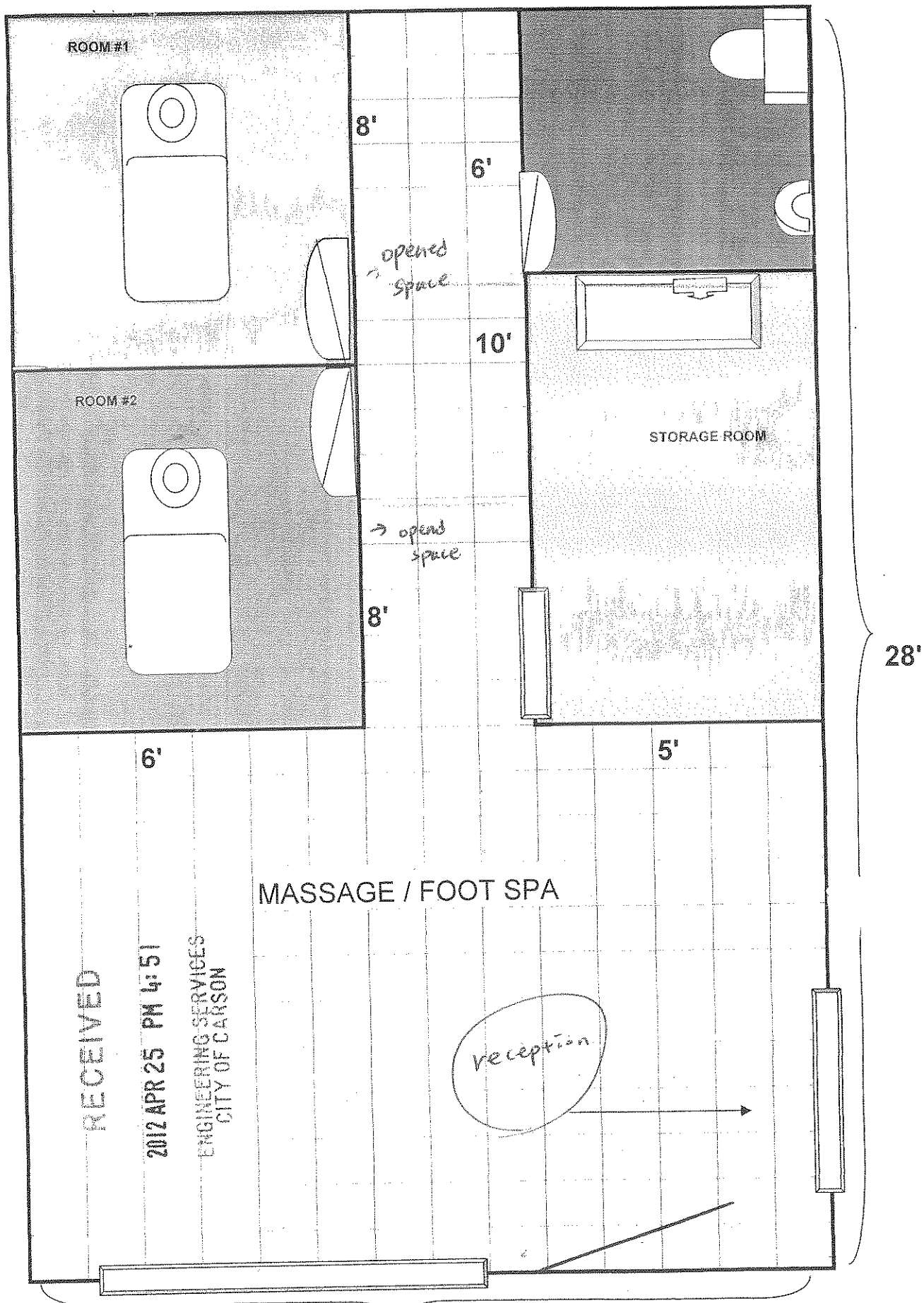
12. The establishment must be in compliance with Carson Municipal Code Section 9138.91 – Massage Service.
13. The City retains the right to inspect the massage establishment, at minimum on an annual basis, after issuance of a business license to ensure the owner's continued compliance with the Conditional Use Permit. The cost of such inspection shall be paid by the operator pursuant to a fee set forth in the City's fee schedule. City inspection shall be made available subject to reasonable notice.
14. No person shall work as a massage technician in a massage establishment without first having obtained a valid massage technician permit in accordance with Section 63135 of the Carson Municipal Code. A valid massage technician permit shall be required for any person who offers to, engages in, conducts, or provides massage services from any location within the city whether in the capacity of an employee or an independent contractor.
15. All massage technicians on site shall wear smocks or similar garments that provide appropriate coverage of the massage technician upper and lower torso.
16. The applicant shall retain a record of massage services to be made available for City inspectors to review during inspections. The record shall include the number



of massages per day, the hour each massage was administered, and the name of the massage technician administering such massage.

17. Applicant shall obtain any necessary permits and approval from the health department and all other regulatory agencies.
18. No person, operator and/or manager shall employ or allow any person to work in the establishment as a massage technician who does not have a valid massage technician permit issued by the City Business License Division. A valid massage technician permit shall be required for any person who offers to, engages in, conducts, or provides massage services from any location within the City whether in the capacity of an employee or an independent contractor.
19. Cubicles, rooms, booths, or other areas within which massage services are administered shall not be fitted with a door capable of being locked.
20. Business shall not be conducted between the hours of 9:00 p.m. and 7:00 a.m.
21. The applicant shall obtain written clearance to operate the massage use from the Los Angeles County Sheriff Department.
22. Business signage shall be submitted for approval by the Planning Division in compliance with the CMC.
23. The property owner and applicant shall sign an affidavit of acceptance agreeing to all conditions of approval to Conditional Use Permit No. 894-11 within five (5) days of Planning Commission approval.





APN	7335010001
Zoning	MU-CS
Site Address	500 E CARSON ST
Owner Name	MARKOVITS, PAUL G TR ET AL
Mail Address	500 E CARSON ST 211 CARSON CA 90745
Building SqFt	7854
Lot SqFt	13094.127885127771
GP	Mixed Use - Residential
Redevelopment Area	4
Recording Date	20000918
Personal Property Value	0
Fixture Value	0
Home Exemption Value	0
Last Sale	0
Last Sale Date	19791219
Year Built	1974
Units	0
Census Tract	543802
City Maintenance Zone	5
Counter Map No.	28
Code Enforcement Zone	2
Tree Maintenance Zone	7
Reporting District	1618
RPR Recorded	NO



designed for use in connection with "specified sexual activities" shall not be shown or exhibited so as to be visible from other areas open to the general public.

2. All building openings, entries and windows for an adult business shall be located, covered or screened in such a manner as to prevent a view of instruments, devices or paraphernalia which are designed for use in connection with ten (10) specified sexual activities from any area open to the general public.

3. All entrances to an adult business shall be clearly and legibly posted by a notice indicating that minors are prohibited from entering the premises as to the extent such signs are required by state law.

4. All entrances, exits, vehicular parking spaces, and yard areas for the adult business shall be developed such that they are directly visible from the public right-of-way unless the access thereto is physically restricted to employees only.

5. No loudspeakers or sound equipment shall be used by an adult business for the amplification of sound to a level discernible by the public beyond the walls of the building in which the adult business is conducted.

C. Procedural Standards. Notwithstanding the provisions of CMC 9172.21, the Commission shall hold a hearing on an application for a conditional use permit for an adult business within four (4) months of the date the application is deemed complete, and shall make a decision on the application within five (5) months of the date the application is deemed complete, unless an extension to these time limits is agreed to by the applicant.

D. Required Findings. Notwithstanding the provisions of CMC 9172.21(d)(1), the Planning Commission shall approve a Conditional Use Permit for an adult business if the Commission is able to make affirmative findings based on all of the following criteria:

1. The proposed use and development are consistent with the General Plan and either comply with or are concurrently conditioned to comply with the location standards and development and performance standards set forth in this Section;

2. The proposed site is adequate in size, shape and topography to accommodate the proposed use, the amount of vehicular parking spaces, and other improvements required by this Code;

3. The proposed site has vehicular and pedestrian access to an improved roadway and the proposed use will not result in an unmitigated reduction in the level of service standard of traffic capacity on adjacent roadways; and

4. The proposed site and use will be in compliance with all other objective development requirements as set forth in Divisions 5 and 6 of Part 3 of Chapter I of Article IX of this Code and Part 6 of Chapter I of Article IX of this Code, to the extent such requirements are not in conflict with the provisions of this CMC 9138.9. (Added by Ord. 94-1035U, § 5; Ord. 94-1037, § 6)

§ 9138.91 Massage Service.

A. Purpose and Intent.

1. The permit requirements and restrictions imposed by this Code are reasonably necessary to protect the health, safety, and welfare of the citizens of the City of Carson.

2. The City of Carson is authorized, by virtue of the State Constitution, Sections 51030 et seq. of the Government Code, and Section 13 of the Chiropractic Act to regulate massage establishments by imposing, reasonable standards relative to the skill and experience of massage operators and massage technicians and reasonable conditions on the operation of massage establishments.

3. There is a significant risk of injury to massage clients by improperly trained and/or educated massage technicians, and this Code provides reasonable safeguards against injury and economic loss.

4. There is opportunity for acts of prostitution, lewdness, and other unlawful sexual activity to occur in massage establishments. Courts have long recognized massage as a pervasively regulated activity and that massage establishments are often brothels in disguise. The establishment of reasonable standards for issuance of permits and restrictions or operations would serve to reduce the risk of illegal activity and would thereby benefit the public health.

5. The restrictions and requirements contained in this Section are intended to reduce the burden on the Sheriff's Department and the City of Carson Code Enforcement Division in the regulation of massage establishments.

6. The restrictions and requirements contained in this Section are intended to be in addition to the requirement of a valid business license and

permit issued by the Business License Division or any license requirements imposed by the State or local agency.

7. The regulations and restrictions contained in this Code are intended to discourage massage establishments from degenerating into houses of prostitution, and the means utilized in this Code bear a reasonable and rational relationship to the goals sought to be achieved by the City of Carson as described in the General Plan.

B. Definitions. In addition to the definitions provided in CMC 63134 and for the purpose of this Section, the following definitions apply:

1. "Massage Establishment" means a fixed place of business where one or more persons engage in or carry on the practice of massage either as a principle or ancillary use. For the purpose of this Section, this definition shall not include those businesses that offer sexual stimulation or other adult-oriented activity in the guise of an establishment for therapeutic massage.

2. "Massage Parlor" means an establishment that provides massage service as its principle use. For the purpose of this Section, this definition shall not include those businesses that offer sexual stimulation or other adult-oriented activity in the guise of an establishment for therapeutic massage.

3. "Massage" or "Massage Service" means any method of pressure or acupressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, or stimulating the external parts of the body with the hands or other parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances, or with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in this practice. This definition includes the practice of Therapeutic Massage or Massage Therapy. For the purpose of this Section, "Massage" or "Massage Service" shall not apply to any duly licensed physician, surgeon, osteopath, chiropractor or to other persons duly licensed by the State to treat, manipulate, operate upon or prescribe for the persons or bodies of human beings and who are actually practicing said licensed profession or to graduate nurses, or to students of medicine, surgery, osteopathy, chiropractic or similar professional callings actually attending accredited schools.

4. "Massage Technician" or "Massage Practitioner" means any person, who, for any monetary form of consideration whatsoever, gives or administers to another person a massage as defined in this Section.

5. "Therapeutic Massage" or "Massage Therapy" means the practice of kneading or otherwise manipulating a person's muscles and other soft tissue with the intent of improving a person's well-being or health and preventing and alleviating pain, discomfort, muscle spasm, and stress.

C. Required Permits.

1. Conditional Use Permit.

a. Pursuant to CMC 9172.21, an application for a massage establishment shall be subject to the requirements of a Conditional Use Permit, unless otherwise specified herein. The Planning Commission has the authority to approve such Conditional Use Permit. Any facility used for massage service shall be available for City inspection subject to reasonable notice.

b. The City retains the right to inspect these massage establishments, at minimum on an annual basis, after issuance to ensure the owner's continued compliance with the Conditional Use Permit. The cost of such inspection should be paid by operator pursuant to a fee set forth in the City's fee schedule.

c. The Planning Commission retains the discretion to deny any application for a Conditional Use Permit where the massage establishment is within close proximity, as determined by the Planning Commission, to any adult business or establishment selling alcohol for on-site consumption, including bars and taverns.

2. Business License and Business Permit.

a. No person shall engage in, conduct or carry on, or permit to be engaged in, conducted or carried on, in any location within the City, the business or operation of a massage establishment, and no person shall manage a massage establishment, without first obtaining a valid business license and permit issued by the City Business License Division.

b. Each establishment providing massage services in a massage parlor must additionally obtain a valid massage parlor permit in compliance with CMC 63134, regardless of whether such person has a valid business permit for a massage establishment. In addition, no operator and/or man-

ager shall employ or allow any person to work in the establishment as a massage technician who does not have a valid massage technician permit issued by the City Business License Division.

3. Massage Technician Permit.

a. No person shall work as a massage technician in a massage establishment without first having obtained a valid massage technician permit in accordance with CMC 63135. A valid massage technician permit shall be required for any person who offers to, engages in, conducts, or provides massage services from any location within the City whether in the capacity of an employee or an independent contractor.

b. A massage technician permit does not automatically authorize the operation or management of a massage establishment. Any person permitted to perform massage services who desires to operate or manage a massage establishment must apply separately and obtain a business license and a massage service permit.

D. Exceptions.

1. In addition to the exceptions included in CMC 63134.4 and 63134.5, the required permits described in this Section shall not apply to, have no effect upon, and shall not be construed as applying to:

a. Any duly licensed physician, surgeon, chiropractor, acupuncturist, osteopath, or physical therapist licensed to practice such specialized profession in the State of California.

b. Any registered nurse or licensed vocational nurse, licensed to practice under the laws of the State of California, who is an employee of and working under the direction of a physician, surgeon, chiropractor, or osteopath, duly licensed to practice their respective professions in the State of California. Practical nurses or other persons that do not meet the requisite qualifications for a massage technician, or any other person not otherwise licensed by the State of California, whether or not employed by physicians, surgeons, or chiropractors, osteopaths, acupuncturists, or physical therapists, may not provide massage or act as a massage technician.

c. Any person licensed to practice any healing art under the provisions commencing with Section 700 of the Business and Professions Code when engaging in such practice within the scope of such license.

d. Any person providing massages ancillary to a legitimate primary business which do not involve disrobing and are not administered in a room separate and apart from the legitimate primary business.

e. For the purpose of this Section, privacy panels and similar separation systems shall not constitute a separate room subject to the approval of the Planning Division. The massage activity pursuant to this paragraph shall be considered ancillary if it can be demonstrated that it does not comprise more than twenty-five (25) percent of the gross floor area of the overall business.

f. Hospitals, senior-citizen nursing homes, sanatoriums, or other health care facilities duly licensed by the State of California, and the employees of such facilities while working on the premises of such State-licensed facilities.

g. Accredited high schools, junior colleges, trade schools, and colleges or universities whose coaches and trainers are acting within the scope of their employment.

h. Barbers, beauticians, or manicurists who are duly licensed by the State of California pursuant to the Barbering and Cosmetology Act set forth in the Business and Professions Code Section 7300 et seq., as the same may be amended from time to time, while engaging in practices within the scope of such license, except that this exemption applies solely for the massaging of the back, neck, face, and/or scalp of the customer or client of said barber or beautician or, in the case of a licensed manicurist, the massaging of the forearms, hands, calves, and/or feet.

i. Schools of cosmetology or barbering which comply with the requirements of Business and Professions Code Section 7362 et seq. when instructors are acting within the scope of their employment or when students are working as unpaid externs pursuant to the requirements of Business and Professions Code Section 7395.1.

2. Any person claiming exemption under this Section shall furnish satisfactory evidence that he or she is entitled to such exemption, including, proof of bona fide employment, or if applicable, a citation or certification to the particular provision of the Business and Professions Code upon which that person relies. Any facility used for massage service shall be available for City inspection subject to reasonable notice. (Ord. 06-1349, § 3)