



PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: March 22, 2022

SUBJECT: Conditional Use Permit (CUP) No. 1114-21

APPLICANT: Efrain D. Espinoza
SouthBay Tattoo
22811 S. Figueroa Street, Unit No. 22813
Carson, CA 90745

PROPERTY OWNER: John Papadakis
Anchor Investments Co.
660 W. 6th Street
San Pedro, CA 90731

REQUEST: Consider approval of a CUP No. 1114-21 for a proposed tattoo service operation.

PROPERTY INVOLVED: 22811 S. Figueroa Street

COMMISSION ACTION

AYE	NO		AYE	NO	
		Chairperson Thomas			Monteclaro
		Vice Chair Palmer			D. Thomas
		Diaz			Rashad
		Guerra			Hernandez
		Huff			Alt. Docdocil Alt. Mfume Alt. Wilson

Item No. 5A

I. Introduction

Property Owner

John Papadakis
Anchor Investments Co.
660 W. 6th Street
Redondo Beach, CA 90731

Applicant

Efrain D. Espinoza
SouthBay Tattoo
22811 S. Figueroa Street, Unit No. 22813
Carson, CA 90745

II. Project Description

The applicant requests approval of CUP No. 1114-21 to develop and operate a tattoo business in an 850-square-foot tenant space within a multi-tenant commercial building located in the CG-D (Commercial, General; Design Overlay) zone.

The proposed tattoo service operation requires a CUP per Carson Municipal Code (CMC) Section 9131.1 (tattoo service). The proposed tenant improvement is not subject to Site Plan and Design Review per CMC 9172.23B(2c) (Any construction involving only interior modifications to an existing building, regardless of the estimated valuation of the work).

The applicant is a 17-year Carson resident who has 27 years of experience as a tattoo artist and 19 years of experience owning a tattoo business. Two of the tattoo establishments owned by the applicant have been in the City of Carson, both of which obtained Planning Commission-approved conditional use permits in 2008. The applicant owned SouthBay Tattoo and Piercing at 604 W. Sepulveda Boulevard from 2002-2021, and SouthBay Ta2 at 1335 E. Carson Street from 2007-2010. Tattoo shops did not require a CUP until an amendment to CMC Section 9131.1 added by Ordinance 06-1349 on June 7, 2006. After the amendment passed, the applicant obtained a CUP for both of these tattoo businesses.

As a long-time resident of Carson, the applicant seeks to retain his 19 year business in the City by relocating to 22811 S. Figueroa Street. This downsize has been necessitated by hardships experienced during the pandemic.

III. Project Site and Surrounding Land Uses

The subject property is in the CG-D (Commercial, General – Design Overlay) Zone and is designated General Commercial under the Land Use Element of the General Plan and General Plan Map. The site is located at the southwest of 228th Street and Figueroa Street intersection.

The following table provides a summary of site information:

Site Information	
General Plan Land Use	General Commercial
Zone District	CG-D (Commercial, General – Design Overlay)
Site Size	19,491 square feet
Present Use and Development	Various commercial use tenants
Surrounding Uses/Zoning	North: RM-25-D, Residential (Ocean Villa Mobile Home Park) South: CG-D, Commercial Plaza (7 Eleven) East: CG-D, Gas Station (Chevron) West: RM-25-D, Residential (The Arbors)
Access	Ingress/Egress: 228 th St and Figueroa St.

IV. Analysis

Site History

The site is a commercial intersection surrounded by a mix of commercial uses to the south and east and residential communities to the north and west of the subject property. The subject 6,820-square-foot building was constructed in 1979 and has numerous tenant spaces/suite with a variety of commercial uses including a donut shop, ice cream parlor, pet groomer, and smoke shop. The site itself has drought-tolerant landscaping adjacent to the sidewalks fronting 228th Street and Figueroa Street, and parking in front of the building.

The subject site was developed with a shared, two-way, access lane with the adjacent commercial property to the south for ease of on-site maneuvering between the two commercial properties.

Proposed Use

The applicant proposes tenant improvements to an 850-square-foot suite that include partitioning out a sterilization room, four procedure rooms, front counter and preparation area, and seating area. Interior tenant improvements will meet ADA (Americans with Disabilities Act) compliance, and the existing bathroom is ADA compliant. At maximum capacity, there will be four tattoo artists working with clients primarily by appointment. Each artist is expected to have 1-2 clients per day. The business hours of operation will be 11:00 a.m. – 7:00 p.m., Tuesday through Saturday. The business will be closed on Sundays and Mondays.

The applicant will secure additional permits noted here and included as conditions of approval:

- Registration with Los Angeles County Health Department as a Body Art Practitioner
- Los Angeles County Public Health Body Art Facility Permit
- Los Angeles County Public Health Operator Permit

Site Plan

The property was legally developed in 1979. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.

The existing multi-tenant commercial building includes a total building footprint of 6,820 square feet and covers one parcel (APN 7363-001-043).

Off-Site Improvement

The project is not subject to off-site improvements and no capital improvement projects are proposed fronting the subject property.

Access

There are two driveway access points: One driveway located along Figueroa Street and one driveway located along 228th Street. Both driveways provide two-way access to the site.

Parking

Based on the CMC requirements, three parking spaces are required for the proposed use. The previous tenant operated a dental office, a use which requires the same amount of parking as the proposed use. Approximately 25 parking stalls are provided onsite, with adequate ADA accessible parking space.

Water Supply

The Los Angeles County Fire Department – Land Development Unit approved the project subject to final plan check approval from Fire Prevention Engineering.

Building and Architecture

Constructed in 1979, the existing one-story multi-tenant building consists of white stucco walls and red tile roofing. The active façade features glass storefront windows and glass doors. All eight suites have entrances facing Figueroa Street.

Signage

No signage is being proposed for the property at this time.

Fencing

No new fencing is proposed.

Landscaping

The existing project site includes existing landscaping within the parking area, and along the perimeter, which is compliant with Carson Municipal Code.

V. CFD/DIF Discussion

On April 16, 2019, the City Council adopted Ordinance No. 19-1931 to implement the City's Interim Development Impact Fee (IDIF) Program. In accordance with this IDIF program, the project is exempt due to the scope of work limited to tenant improvements.

The City adopted Community Facilities District (CFD) 2018-01 to finance the ongoing costs of law enforcement, street and sidewalk maintenance, landscape maintenance, street sweeping and sidewalk cleaning, and other eligible impacts of the Project within the CFD. Based on the adopted CFD, the project is exempt due to the scope of work limited to tenant improvements.

VI. Zoning and General Plan Consistency

The proposed project is consistent with the standards of the Commercial General (CG) zoning designation and General Commercial General Plan land use designation and will remain consistent with the surrounding uses.

VII. Environmental Review

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1 – Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

VIII. Public Notice

Notice of public hearing was posted to the project site on March 10, 2022 and notices were mailed to property owners and occupants within a 750-foot radius on March 10, 2022. The agenda was posted at City Hall 72 hours prior to the Planning Commission Meeting.

IX. Recommendation

That the Planning Commission:

- **ADOPT** Resolution No. 22-____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 1114-21 FOR A PROPOSED TATTOO SERVICE OPERATION AT 22811 S. FIGUEROA STREET, UNIT NO. 22813."

X. Exhibits

1. Draft Resolution
 - A. *Legal Description*
 - B. *Conditions of Approval*
2. Development Plans

Prepared by: Kassandra Cornejo, Planning Intern

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 22-XXXX

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF CARSON, CALIFORNIA, APPROVING
CONDITIONAL USE PERMIT NO. 1114-21 FOR A
PROPOSED TATTOO SERVICE OPERATION AT 22811 S.
FIGUEROA STREET, UNIT NO. 22813**

WHEREAS, on October 26, 2021, the Department of Community Development received an application from Efrain D. Espinoza of SouthBay Tattoo, for real property located at 22811 S. Figueroa St. and described in Exhibit “A” attached hereto, requesting approval of Conditional Use Permit No. 1114-21 to develop and operate a tattoo business in an 850-square-foot tenant space within an existing multi-tenant commercial building located in the CG-D (Commercial, General; Design Overlay) zone; and

WHEREAS studies and investigations were made and a staff report with recommendations was submitted, and the Planning Commission, upon giving the required notice, did on the twenty-second day of March 2022, conduct a duly noticed public hearing as required by law to consider said conditional use permit. Notice of the hearing was duly posted and mailed to property owners and properties within a 750-foot radius of the project site by March 10, 2022.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct, and are incorporated herein by reference.

SECTION 2. The Planning Commission finds that the facts of this matter are as follows:

- a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of General Commercial and the proposed tattoo business is compatible with the surrounding areas.
- b) The project site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and operations as a tattoo business.
- c) The proposed development will have adequate street access for pedestrians and vehicles, and adequate capacity for parking and traffic. One driveway located along Figueroa Street and one driveway located along 228th Street provide two-way access to the site. Based on the City of Carson Municipal Code requirements, three parking spaces are required for the proposed use. The previous tenant operated a dental office, a use which required the same amount of parking as the proposed use. Approximately 25 parking stalls are provided onsite, with adequate ADA (Americans with Disabilities Act) accessible space.
- d) There will be adequate water supply for fire protection. The Los Angeles County Fire Department – Land Development Unit approved the project subject to final plan check approval from Fire Prevention Engineering.
- e) Commercial General (CG) zoning allows for personal services such as tattoo services.

As such, this proposed use and development is compatible with the intended character of the area.

- f) The project will be subject to compliance with Carson Municipal Code (CMC) Section 9138.92. Per CMC Section 9138.92(C)(2) and the project conditions of approval, the applicant/business owner will be required to obtain a valid business license with the City before beginning operations, and any persons providing tattoo service in the tattoo establishment who are not paid employees of the establishment but who are contracted or otherwise paid apart from the establishment will be required to obtain a separate business license. Carson Municipal Code Section 9138.92 and the project conditions of approval also require (among other things): (i) each person conducting tattoo services to register with the Los Angeles County Health Department, (ii) each person owning a tattoo establishment to secure a Los Angeles County Public Health Facility Permit, and (iii) each person conducting tattoo activity to secure a Los Angeles County Public Health Operator permit. The licensing and registration secured from the County will be required to be displayed within the shop at all times in accordance with Carson Municipal Code Section 9138.92(D).

SECTION 3. The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1 – Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

SECTION 4. Conditional Use Permit No. 1114-21 complies with the City's Zoning Ordinance, including Section 9172.21 (Conditional Use Permit) of the Carson Municipal Code, and is consistent with the City's General Plan.

SECTION 5. The Planning Commission of the City of Carson, pursuant to the findings set forth above, does hereby approve Conditional Use Permit No. 1114-21 for a proposed tattoo business at 22811 S. Figueroa Street, Unit No. 22813, subject to Conditions of Approval attached hereto as Exhibit "B."

SECTION 6. This decision of the Planning Commission shall become effective and final 15 days after the date of the action unless an appeal is filed within that time in accordance with Section 9173.4 of the Zoning Ordinance.

SECTION 7. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

APPROVED and **ADOPTED** this 22nd day of March 2022.

CHAIRPERSON

ATTEST:

SECRETARY

EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE NORTHERLY 153.50 FEET, AS MEASURED ALONG THE WESTERLY LINES OF LOT 1 OF E. M. MCDONALD'S SUBDIVISION OF LOT 8 OF THE 750 ACRE MARIA MACHADO DE ROCHA TRACT, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER SAP RECORDED IN BOOLE 52, PAGE 3 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THAT PORTION OF SAID LOT 1, LYING EASTERLY OF THE WESTERLY LINE OF FIGUEROA STREET, 100 FEET WIDE AS DESCRIBED IN THE DEED TO THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 12368 PAGE 242, OFFICIAL RECORDS.

[APN: 7363-001-043](#)

**CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

**EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 1114-2021
22811 S. Figueroa Street**

GENERAL CONDITIONS

1. Approved CUP No. 1114-21 is for the development and operation of a tattoo establishment in an 850 square foot suite at an existing facility in the Commercial General-Design Overlay zone. Tenant improvements include partitioning out a sterilization room, four procedure rooms, front counter and preparation area, and seating area. Interior tenant improvements will meet ADA (Americans with Disabilities Act) compliance, and the existing bathroom is ADA compliant. At maximum capacity, there will be four tattoo artists working with clients primarily by appointment. Each artist is expected to have 1-2 clients per day. Shop hours are 11 a.m. - 7 p.m., Tuesday through Saturday.

Any substantial modification from the permitted operation will require review and approval pursuant to Condition No. 10, below.

2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. 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.
4. The applicant, property owner, and/or successor to whom these project entitlements are assigned shall submit a complete set of electronic 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. If a building permit for Conditional Use Permit No. 1114-21 is not issued within **two years** of the effective date of said permit, said permit shall be declared null and void unless an extension of time is approved by the Planning Commission.
6. The applicant, property owner, and/or successor to whom these project entitlements are assigned shall comply with all city, county, state, and federal regulations applicable to this project (including the development and use permitted hereby), including but not limited to Carson Municipal Code Section 9138.92.
7. Additional permits for the tattoo establishment/service operation must be secured and maintained in accordance with Carson Municipal Code Section 9138.92(C)(3)-(4) by the applicant/owner of the tattoo establishment prior to commencing operations, and by every person conducting tattoo services or tattoo activity as applicable, including:
 - Los Angeles County Public Health Facility Permit- Body Art Facility
 - Los Angeles County Public Health Operator Permit- Body Art Practitioner
 - Registration with Los Angeles County Health Department- Body Art PractitionerAll required public health facility permits, public health operator permits, and certificates of registration shall be posted at the tattoo establishment in accordance with Carson Municipal Code Section 9138.92(D).
8. City adopted Ordinance No. 19-1931 to implement the City's Interim Development Impact Fee ("IDIF") Program. In accordance with this IDIF program, the project is exempt due to the scope

of work limited to tenant improvements. See the following City webpage for additional information: <http://ci.carson.ca.us/CommunityDevelopment/IDIFProgram.aspx>.

9. City adopted CFD 2018-01 to finance the ongoing costs of the following: law enforcement, street and sidewalk maintenance, landscape maintenance, street sweeping and sidewalk cleaning, and other eligible impacts of the Project within the CFD (the CFD Services). Based on the adopted CFD, the project is exempt due to the scope of work limited to tenant improvements. See the following City webpage for additional information: <http://ci.carson.ca.us/communitydevelopment/CFD.aspx>.
10. Substantial project revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
11. A modification of these Conditions of Approval, 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.
12. It is further made a condition of this approval that if any Condition of Approval is violated, or if any applicable law, statute, or ordinance is violated, this permit may be revoked by the Planning Commission; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
13. Indemnification. To the fullest extent permitted by law, the applicant, property owner, and tenant(s), for themselves and their successors in interest ("Indemnitors"), agree to defend, indemnify and hold harmless the City of Carson, its agents, officers and employees, and each of them ("Indemnitees") from and against any and all claims, liabilities, damages, losses, costs, fees, expenses, penalties, errors, omissions, forfeitures, actions, and proceedings (collectively, "Claims") against Indemnitees to attack, set aside, void, or annul any of the project entitlements or approvals that are the subject of these conditions, and any Claims against Indemnitees which are in any way related to Indemnitees' review of or decision upon the project that is the subject of these conditions (including without limitation any Claims related to any finding, determination, or claim of exemption made by Indemnitees pursuant to the requirements of the California Environmental Quality Act), and any Claims against Indemnitees which are in any way related to any damage or harm to people or property, real or personal, arising from Indemnitors' operations or any of the project entitlements or approvals that are the subject of these conditions. The City will promptly notify Indemnitors of any such claim, action or proceeding against Indemnitees, and, at the option of the City, Indemnitors shall either undertake the defense of the matter or pay Indemnitees associated legal costs or shall advance funds assessed by the City to pay for the defense of the matter by the City Attorney. In the event the City opts for Indemnitors to undertake defense of the matter, the City will cooperate reasonably in the defense, but retains the right to settle or abandon the matter without Indemnitors' consent. Indemnitors shall provide a deposit to the City in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorneys' fees, and shall make additional deposits as requested by the City to keep the deposit at such level. If Indemnitors fail to provide or maintain the deposit, Indemnitees may abandon the action and Indemnitors shall pay all costs resulting therefrom and Indemnitees shall have no liability to Indemnitors.

BUILDING AND SAFETY DIVISION

14. Submit development plans for plan check review and approval.
15. Obtain all appropriate building permits and an approved final inspection for the proposed project.
16. Prior to issuance of building permit, proof of worker's compensation and liability insurance must be on file with the Los Angeles County Building and Safety Division.

FIRE DEPARTMENT

17. The proposed development shall obtain approval and comply with all Los Angeles County Fire Department requirements.

BUSINESS LICENSE

18. All parties involved in the development of the subject project, including but not limited to contractors and subcontractors, are required to obtain a City business license per Section 6310 of the Carson Municipal Code. Additionally, per Carson Municipal Code Section 9138.92(C)(2): (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 tattoo establishment, and no person shall manage a tattoo establishment, without first obtaining a valid business license issued by the City's Business License Division; and (b) Each person providing tattoo service in a tattoo establishment who is not a paid employee of said establishment, but is contracted or otherwise paid apart from the establishment, must obtain a separate City business license. Paid employees of the establishment need not obtain a separate City business license.

SITE PLAN

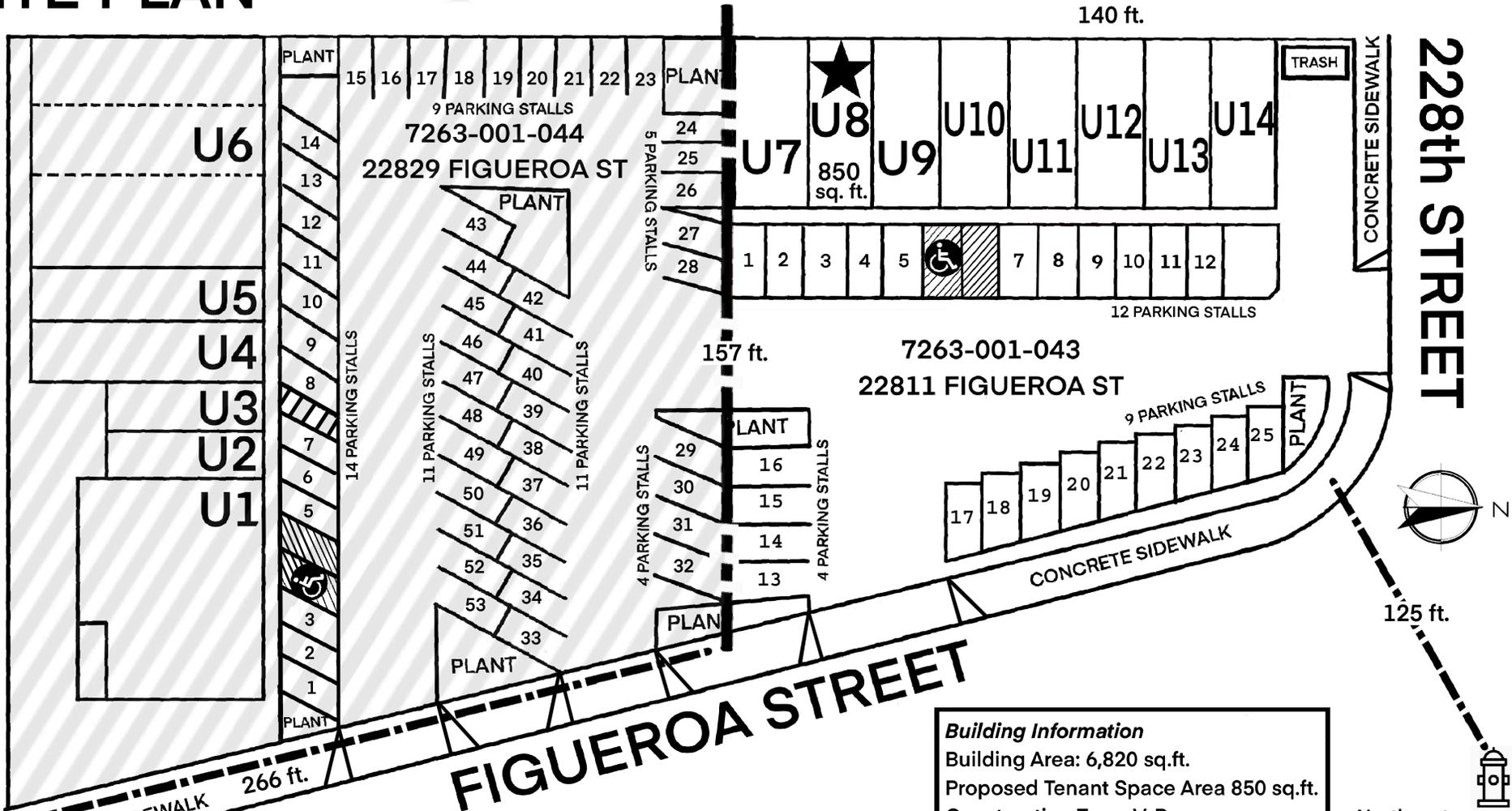


EXHIBIT NO. 2

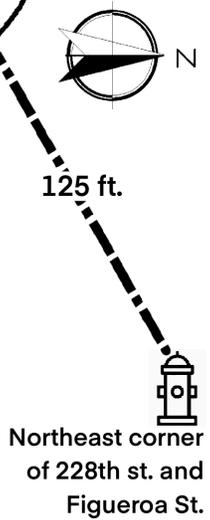
PARKING CALCULATIONS	
22829 FIGUEROA ST.	22811 FIGUEROA ST.
LOT AREA : 38,246 sq.ft.	LOT AREA : 19,492 sq.ft.
BUILDING AREA : 8,900 sq.ft.	BUILDING AREA : 6,820 sq.ft.
53 TOTAL PARKING SPOTS	25 TOTAL PARKING SPOTS
REQUIRES 30 SPACES	REQUIRES 29 SPACES

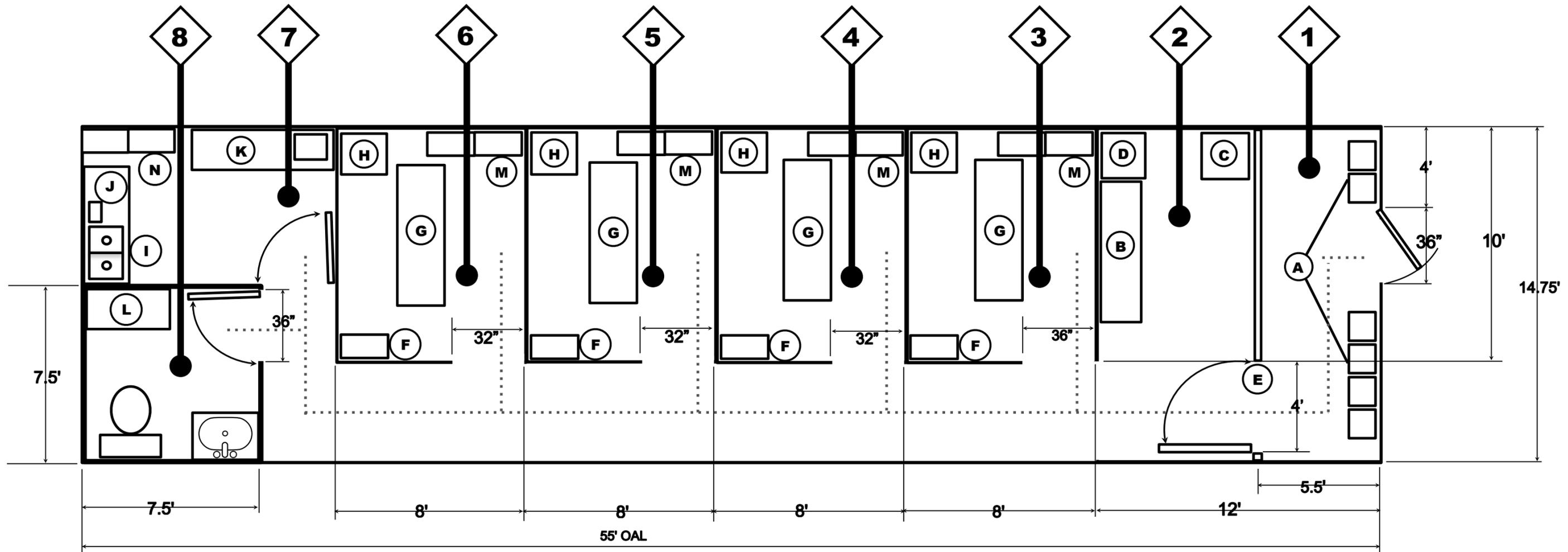
Building Information
 Building Area: 6,820 sq.ft.
 Proposed Tenant Space Area 850 sq.ft.
 Construction Type: V-B
 Fire Suppression Sprinklers: NO
 FIRE FLOW _____ GPM

-PROJECT DESCRIPTION REQ for CUP (n) Tattoo Studio

DATE: 10- 26 -21	SCALE: NONE	SHEET: 1 OF: 1
DBA: SOUTHBAY TATTOO		
ADDRESS: 22811 FIGUEROA ST. Carson , Ca 90745 * ★ UNIT 22813		
OWNER'S NAME: JOHN PAPADAKIS ANCHOR INVESTMENTS 660 w 6 th St. SAN PEDRO, CA. 90731		
PLAN DESIGNER : EFRAIN D . ESPINOZA		

22941
S. Figueroa St.





- 1. LOBBY
- 2. ART PREP STATION
- 3. PROCEDURE ROOM 1
- 4. PROCEDURE ROOM 2
- 5. PROCEDURE ROOM 3
- 6. PROCEDURE ROOM 4
- 7. STERILIZATION/BIO ROOM
- 8. RESTROOM



REFER TO DETAILED LIST SBT-3L ATTACHED

NOTE:
 PROPOSED TENANT IMPROVEMENT
 WILL BE ADJUSTED AS NEEDED TO
 MEET ADA ACCESSIBILITY STANDARDS



DATE: 10-26-21	SCALE: 1/4" = 1'	SHEET : SBT- 3
DBA: SOUTHBAY TATTOO		
ADDRESS: 22811-(UNIT 22813) FIGUEROA BLVD. CARSON , CA. 90745 APN: 7363001043		
OWNER'S NAME: LAST: PAPDAKIS FIRST : JOHN ANCHOR INVESTMENTS 660 W 6TH ST. SAN PEDRO , CA		
PLAN DESIGNER: EFRAIN D. ESPINOZA		