



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5<sup>th</sup> Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

September 15, 2016

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

## RECOMMENDATION:

Accept Categorical Exemption 16-212 and approve a Conditional Use Permit to allow a tattoo studio with an accessory art gallery located at 212 The Promenade North in the Downtown Planned Development District (PD-30). (District 2)

APPLICANT: Carlos Torres  
225 Long Beach Boulevard, #226  
Long Beach, CA 90802  
(Application No. 1607-06)

## DISCUSSION

The project site is located at 212 The Promenade North, on the north side of Broadway in the Downtown Planned Development District (PD-30) (Exhibit A – Location Map). The applicant is requesting to establish a tattoo studio within a vacant second floor commercial space (Exhibit B - Plans & Photos). The vacant space has an area of approximately 3,374 square feet and the applicant proposes to incorporate a reception desk, lobby area, design, photo, break, and clean rooms, an office, and general work and art gallery areas.

As required within PD-30, tattoo studios are permissible if approved by the Planning Commission through a Conditional Use Permit (CUP). In order to approve a CUP request for a tattoo studio, positive findings must be made. These findings are that no new tattoo parlor uses shall be located within 1,000 feet of any existing adult entertainment, arcade, fortune telling, tattoo parlor or tavern use; and that tattoo parlors may operate only between the hours of 7:00 a.m. to 10:00 p.m.

Regarding the locational requirements, the project site is located just outside of a 1,000-foot buffer of an existing tattoo establishment (Exhibit C – Long Beach Tattoo Business Map) and within 1,000 feet of three bars (Beachwood BBQ, Congregation Ale House, and The Stave). Although the project site is within 1,000 feet of three bars, no adverse impacts are anticipated between the proposed use and the nearby bars. Most bars' peak hours occur after 8:00 pm whereas the peak hours for tattoo studios occur during the daytime. A condition of approval is incorporated to limit the hours of operation of the tattoo studio from 8:00 am to 10:00 pm, with service to customers ending at 8:00 pm to allow the applicant additional time for studio maintenance and administrative tasks. (Exhibit D – Findings & Conditions). As the tattoo studio will be located on the second story of the building, with its entrance not readily accessible in comparison to the surrounding bars, adequate separation is achieved.

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Staff takes standard Police Department recommendations into consideration to regulate other operational conditions related to security concerns. These conditions include proper lighting, prohibition of loitering and the installation of security cameras. Conditions will also require that the applicant maintain 100 percent visibility along the front façade of the second floor tenant space and post a sign on it that indicates that minors cannot receive services.

The project site is located in close proximity to the East Village Arts District. The proposed tattoo studio, which will occasionally feature art galleries, is compatible with the surrounding uses in the area, including other tattoo studios, primary art galleries, and art-related retail uses. The site is located within an area of Downtown Long Beach that is a vital activity center with active ground floor uses. Impacts from the proposed use are expected to be negligible. Periodic re-inspections of the site will allow staff the ability to monitor the operation of the use to ensure continued compliance with all conditions of approval. Staff recommends approval of the request, subject to conditions.

**PUBLIC HEARING NOTICE**

Public hearing notices were distributed on August 29, 2016, as required by the Long Beach Municipal Code. No responses have been received as of the date of preparation of this report.

**ENVIRONMENTAL REVIEW**

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption was issued for the proposed project (Exhibit E – Categorical Exemption No. 16-212).

Respectfully submitted,



LINDA F. TATUM, AICP  
PLANNING BUREAU MANAGER



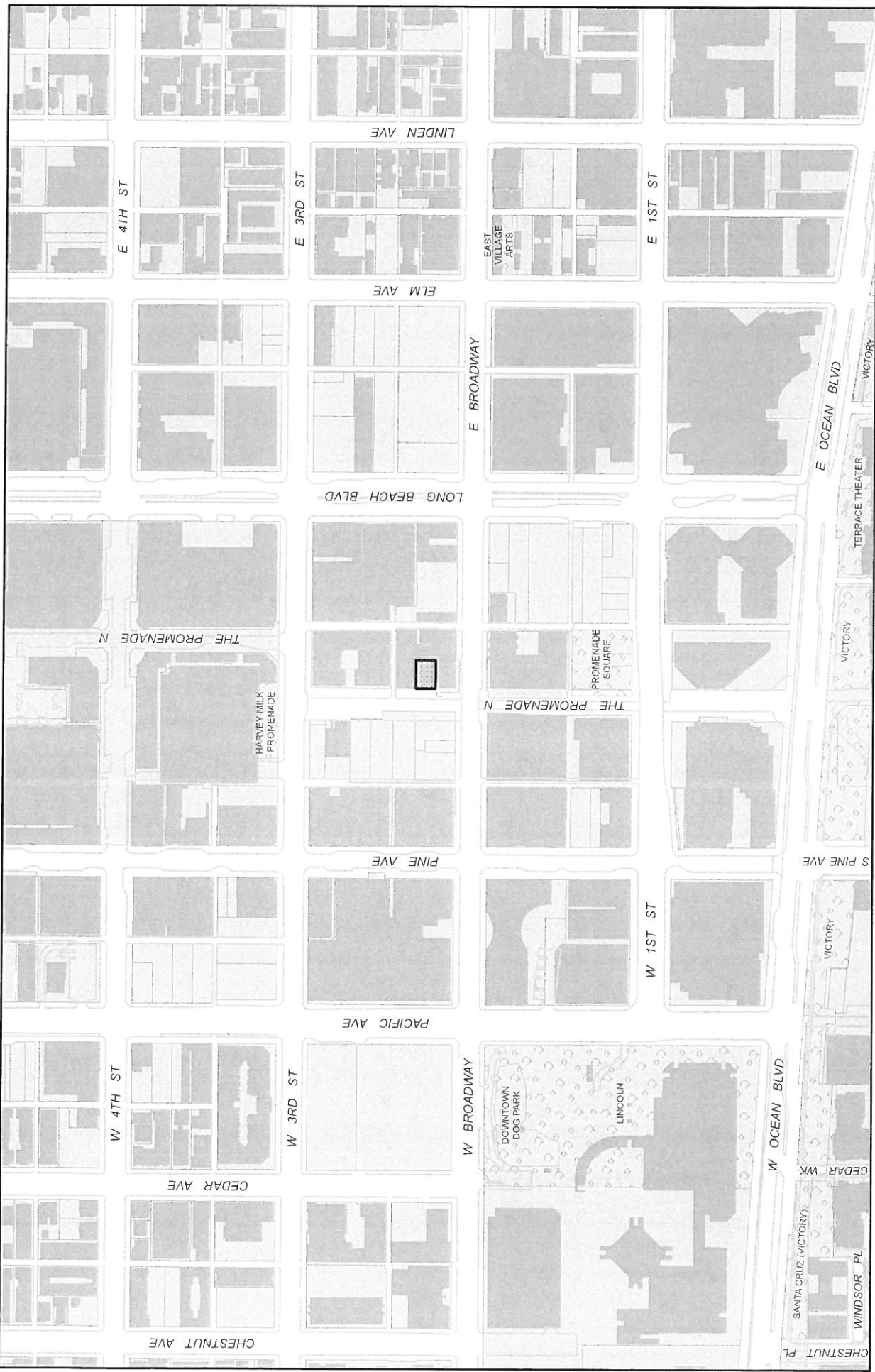
AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LFT:CJ

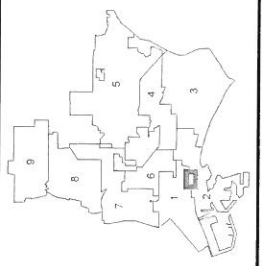
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- Exhibits:
- A. Location Map
  - B. Plans & Photos
  - C. Long Beach Tattoo Business Map
  - D. Findings & Conditions
  - E. CE No. 16-212





**Subject Property:**  
 212 The Promenade North  
 Application No. 1607-06  
 Council District 2  
 Zoning Code : PD-30



## CONDITIONAL USE PERMIT CONDITIONS OF APPROVAL

212 The Promenade North

Application No. 1607-06

Date: September 15, 2016

1. The use permitted on the subject site, in addition to the other uses permitted in the Downtown Planned Development District (PD-30), shall be the establishment of a tattoo studio with accessory art gallery. Development of the project site shall be done in accordance to plans submitted and filed with the Department of Development Services under Application No. 1607-06.
2. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless construction is commenced or time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgement Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date).

### Special Conditions:

4. The window glazing located on the second floor of the west elevation shall maintain 100 percent visibility with clear glass, without the use of window tint of any kind of other material that would obstruct clear visibility into the tenant space.
5. The operator of the approved use shall prevent loitering and loud noises around the project location during and after the hours of operation.
6. The hours of operation shall be between 8:00 a.m. and 10:00 p.m., with services to customers ending each day at 8:00 p.m.
7. A sign stating, "No tattoo service will be provided for anyone under the age of 18" shall be visible at all times on the door of the front entrance to the tenant space.
8. The applicant shall comply with all standards related to historic significance for any proposed signage.
9. Prior to the issuance of a business license, the applicant shall review and provide all of the following public safety and crime prevention requirements to the satisfaction of the Chief of Police:

- a. A photometric report and electrical plan should identify all lighting proposals.
  - b. The proposed business should be individually equipped with an audible burglar alarm system with window and door contacts for added security.
  - c. A video surveillance camera system shall be installed with the following requirements and shall:
    - Be located above entry.
    - Record in color with output of at least 480 lines resolution.
    - Have automatic exposure for day/night conditions.
    - Be positioned where they are vandal and tamper resistant.
    - Use vandal resistant housings where necessary.
    - Full camera coverage of all public rights-of-way and private parking areas provided by the business.
    - A minimum camera and DVR or digital storage resolution of 640 X 480 pixels - 1280 X 960 pixels is preferred.
    - An IP-configurable DVR or digital storage setup with a public IP address.
    - Ability to provide a surveillance system username and password to the Long Beach Police Department.
    - Internet service with a minimum upload speed of 1 Mbs (megabytes per second), 5 Mbs upload speed is preferred.
    - Cameras and DVR should support standard MPEG formats.
    - Cameras should have low light capability, auto iris and auto focus.
10. The applicant shall comply with all State and County Department of Health Services regulations regarding the establishment of businesses engaged in tattooing, body piercing and permanent cosmetic application. Furthermore, the applicant shall comply with all City of Long Beach Health Department regulations for the establishment of a tattoo studio.

**Standard Conditions:**

11. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
12. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
13. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part

thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.

14. Any business operator is required to comply with these conditions of approval as long as a tattoo use is operated on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of City officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
15. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
16. The Director of Development Services is authorized to make minor modifications to the approval design plans or any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
17. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
18. Any graffiti found on site must be removed within 24 hours of its appearance.
19. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless City and its agents, officers, and employees from any claim, action, or proceeding against City or its agents, officers, and employees to attack, set aside, void, or annul the approval of City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.





NOTICE of EXEMPTION from CEQA

CITY OF LONG BEACH | DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbs.longbeach.gov

TO: [ ] Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

[ ] L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy., Room 1201
Norwalk, CA 90650

Project Title: CE- 16-212

Project Location/Address: 212 The Promenade North

Project Activity/Description: A request to establish a tattoo studio and accessory art gallery.

Public Agency Approving Project: City of Long Beach, Los Angeles County, California

Applicant Name: JUAN CARLOS TORRES

Mailing Address: 225 LONG BEACH BLVD #225, LONG BEACH, CA 90802

Phone Number: 310-344-0417 Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1607-06 Planner's Initials: CJ

Required Permits: Conditional Use Permit

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION 15301, Class 1, Existing Facilities

Statement of support for this finding: New land use in an existing commercial building

Contact Person: Craig Chalfant Contact Phone: 562-570-6368

Signature: [Signature] Date: 8/31/16