

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SECTION 21.15.2990, TABLE 32-1 AND TABLE 32-1A OF CHAPTER 21.32, SECTION 21.52.273; AND BY ADDING SECTION 21.45.166, ALL RELATED TO TATTOO PARLORS

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 21.15.2990 of the Long Beach Municipal Code is amended to read as follows:

21.15.2900 Tattoo parlor.

"Tattoo parlor" means a commercial land use where the marking or coloring of the skin is performed by pricking in coloring matter or by producing scars, and which is conducted in exchange for financial or other valuable consideration. It does not include the application of permanent cosmetics or tattooing when applied by a licensed dermatologist on premises licensed as a dermatological office.

Section 2. Table 32-1, Uses in all Other Commercial Zoning Districts, of Chapter 21.32 of the Long Beach Municipal Code is amended to add "Tattoo parlor" as shown on Exhibit "A" attached hereto.

Section 3. Table 32-1A, Uses in all Other Commercial Zoning Districts, of Chapter 21.32 of the Long Beach Municipal Code is amended to add "Tattoo parlor" as shown on Exhibit "B" attached hereto.

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

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1 Section 4. Section 21.52.273 of the Long Beach Municipal Code is
2 amended to read as follows:

3 21.52.173 Tattoo and fortunetelling services.

4 A. The following conditions shall apply to fortunetelling services:

5 1. No new fortunetelling uses shall be located within one
6 thousand feet (1,000') of any existing adult entertainment, arcade,
7 fortunetelling, tattoo parlor or tavern use; and

8 2. Fortunetelling uses shall operate only between the hours
9 of seven (7:00) a.m. and ten (10:00) p.m.

10 B. Prior to approval of an Administrative Use Permit for Tattoo
11 Parlors, if an Administrative Use Permit is required, the Zoning
12 Administrator shall, in addition to findings requested in Section 21.25.407,
13 find that the proposed tattoo parlor does not introduce new light, noise, or
14 traffic near neighboring sensitive land uses, including residences,
15 businesses, schools, childcare, or pre-school facilities, that is beyond
16 normal circumstances in that location.

17
18 Section 5. Section 21.45.166 is added to the Long Beach Municipal
19 Code to read as follows:

20 21.45.166 Tattoo parlors.

21 The following special development standards shall apply to tattoo parlors,
22 whether as a primary or an accessory use:

23 A. No new tattoo parlor use shall be located within seven
24 hundred feet (700') of another tattoo parlor, unless granted through an
25 Administrative Use Permit, in accordance with Division IV of Chapter 21.25
26 and Section 21.52.273(B).

27 B. No new tattoo parlor use shall be located within seven
28 hundred feet (700') of any public or private primary or secondary school,

1 unless granted through an Administrative Use Permit, in accordance with
2 Division IV of Chapter 21.25 and Section 21.52.273(B).

3 C. Tattoo parlors shall operate only between the hours of seven
4 (7:00) a.m. and ten (10:00) p.m., unless granted through an Administrative
5 Use Permit, in accordance with Division IV of Chapter 21.25 and Section
6 21.52.273(B).

7 D. Service of alcohol, marijuana based substances, or other
8 controlled substance shall not be permitted in conjunction with a tattoo
9 parlor use.

10 E. The entrance door and storefront window glazing shall be 100
11 percent (100%) clear and free of obstructions such as signs, window tinting,
12 shelving, or racks.

13 F. "Specified anatomical areas" as defined in Chapter 21.15
14 (Definitions) shall not be exposed in the publicly accessible areas of the
15 business or viewable from the public right-of-way.

16 G. The operator of the approved use shall prevent loitering and
17 loud noises around the subject site during and after the hours of business
18 operation.

19 H. A sign stating, "No tattoo service will be provided for anyone
20 under the age of 18," shall be visible at all times on the door of the front
21 entrance.

22 I. Lighting shall be placed above all exterior doors. Metal halide
23 or other similar, "white light"-emitting bulbs shall be used to clearly
24 illuminate the tenant address.

25 J. The proposed business shall be equipped with an audible
26 burglar alarm system and door/window alarm company contacts for added
27 security.

28 K. Security cameras providing full camera coverage of all entries

1 and exits into the building and full camera coverage of all public rights-of-
2 way and private parking areas provided by the business. Cameras must
3 record in color with output of at least four hundred eighty (480) lines
4 resolution. Recordings shall be retained for no less than thirty (30) days on
5 an IP-configurable Digital Recording Recorder (DVR) or digital storage
6 setup with a public IP address. The surveillance system username and
7 password shall be provided to the Long Beach Police Department.

8 L. The applicant shall comply with all applicable State, County
9 and City Health and Human Services regulations including, but not limited
10 to the State Safe Body Art Act regarding the establishment and operation of
11 businesses engaged in tattooing, body piercing and permanent cosmetic
12 application.

13 M. The property shall be developed and maintained in a neat,
14 quiet, and orderly condition and operated in a manner so as not to be
15 detrimental to adjacent properties and occupants. This shall encompass
16 the maintenance of exterior facades of the building, designated parking
17 areas serving the use, fences and the perimeter of the site (including all
18 public parkways).

19 N. Exterior security bars and roll-up doors applied to windows
20 and pedestrian building entrances shall be prohibited.

21 O. Any graffiti found on site must be removed within twenty-four
22 (24) hours of its appearance.

23 P. Provisions in 21.45.166(A) through (P) may be appealed to
24 the City's Zoning Administrator, in accordance with Section 21.10.045.

25
26 Section 6. The City Clerk shall certify to the passage of this ordinance by
27 the City Council and cause it to be posted in three (3) conspicuous places in the City of
28 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

1 Mayor.

2 I hereby certify that the foregoing ordinance was adopted by the City
3 Council of the City of Long Beach at its meeting of _____, 20____, by the
4 following vote:

5

6 Ayes: Councilmembers: _____
7 _____
8 _____
9 _____

10 Noes: Councilmembers: _____
11 _____

12 Absent: Councilmembers: _____
13 _____

14
15 _____
16 City Clerk

17
18 Approved: _____
19 (Date) Mayor

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EXHIBIT "A"

TABLE 32-1

<p>21.32 – Commercial Districts</p>																																											
<p>Table 32-1, Uses In All Other Commercial Zoning Districts</p>	<table border="1"> <thead> <tr> <th data-bbox="418 527 529 604"></th> <th colspan="3" data-bbox="529 527 773 604">Neighborhood</th> <th colspan="4" data-bbox="773 527 1089 604">Commercial</th> <th data-bbox="1089 527 1200 604">Regional</th> <th data-bbox="1200 527 1281 604">Other</th> <th data-bbox="1281 527 1453 604"></th> </tr> <tr> <th data-bbox="418 604 529 682"></th> <th data-bbox="529 604 610 682">CNP</th> <th data-bbox="610 604 691 682">CNA</th> <th data-bbox="691 604 773 682">CNR</th> <th data-bbox="773 604 854 682">CCA</th> <th data-bbox="854 604 935 682">CCP</th> <th data-bbox="935 604 1016 682">CCR</th> <th data-bbox="1016 604 1089 682">CCN</th> <th data-bbox="1089 604 1200 682">CHW</th> <th data-bbox="1200 604 1281 682">CS</th> <th data-bbox="1281 604 1453 682"></th> </tr> </thead> <tbody> <tr> <td data-bbox="418 682 529 1318"> <p>Tattoo parlor</p> </td> <td data-bbox="529 682 610 1318">Y</td> <td data-bbox="610 682 691 1318">Y</td> <td data-bbox="691 682 773 1318">Y</td> <td data-bbox="773 682 854 1318">Y</td> <td data-bbox="854 682 935 1318">Y</td> <td data-bbox="935 682 1016 1318">Y</td> <td data-bbox="1016 682 1089 1318">Y</td> <td data-bbox="1089 682 1200 1318">Y</td> <td data-bbox="1200 682 1281 1318">N</td> <td data-bbox="1281 682 1453 1318"> <p>Subject to special development standards (see Section 21.45.166). Tattoo parlors shall be permitted in all Planned Development (PD) Districts allowing commercial uses, subject to Section 21.45.166.</p> </td> </tr> </tbody> </table>											Neighborhood			Commercial				Regional	Other			CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS		<p>Tattoo parlor</p>	Y	Y	Y	Y	Y	Y	Y	Y	N	<p>Subject to special development standards (see Section 21.45.166). Tattoo parlors shall be permitted in all Planned Development (PD) Districts allowing commercial uses, subject to Section 21.45.166.</p>
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EXHIBIT "B"

Table 32-1A

Table 32-1A, Uses In All Other Commercial Zoning Districts	Use	CO	CH	CT
	Tattoo parlor	Y*	Y*	Y*
* = Special standards apply. Refer to Chapter 21.45.				