

**CITY OF SANTA PAULA
PLANNING COMMISSION MEMORANDUM**

To: Members of the Planning Commission
From: James Mason, Deputy Planning Director
Subject: 17-CUP-01 Roses & Rivets Tattoo Studio
Date: July 25, 2017

A request for a Conditional Use Permit to operate a permanent body art studio (tattoo studio) at an existing downtown commercial building. The operation will also include an art gallery which is permitted within the zoning designation for the property. The General Plan land use designation for the property is Commercial and the zoning district is Central Business District (CBD). This project is Categorically Exempt from the California Environmental Quality Act per §15303(c) of the CEQA Guidelines.

RECOMMENDED ACTION:

Staff recommends that the Planning Commission select Alternative No. 1 and approve Conditional Use Permit No. 2017-CUP-01 subject to the conditions of approval listed in the resolution.

- **Location:** 110 N. 10th Street (APN: 103-0-111-075)
- **Applicant:** Stephanie Robinson, Business Owner/Tenant
- **Zoning:** CBD (Central Business District)
- **General Plan Designation:** Commercial Office
- **Environmental:** Staff has determined the project to be Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines per §15303(c)

SUMMARY:

The applicant is requesting approval of a Conditional Use Permit (CUP) to open a combination art gallery and permanent body art studio (tattoo studio) in the Central Business District (CBD). As proposed, this project is exempt from the California Environmental Quality Act (CEQA) and if approved with the imposition of the conditions recommended by staff, would not result in negative environmental impacts.

BACKGROUND & PROJECT DESCRIPTION:

Ms. Stephanie Robinson, the prospective business owner, is a tattooist with over 10 years of shop experience, as well as a community college instructor (San Diego City

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College) where she teaches online courses on the arts, music, and the humanities. She holds a Ph.D. in music composition, and possesses extensive work experience in music, theatre, and visual arts, as well as tattooing. Ms. Robinson is a former tattoo shop owner in the state of Massachusetts.

The existing commercial space where the studio would be located is at 110 N. 10th Street near the intersection of Main & 10th Streets (refer to aerial and vicinity map, Attachments B & C). The building is owned by Efrain Covarrubias and contains four commercial spaces. The space for this proposed use is currently vacant, and based upon inspection by staff, it appears that a bakery previously occupied the locale.

As stated in the Conditional Use Permit Questionnaire (see Attachment D), Ms. Robinson’s proposed business would be “to provide a combination art gallery and permanent body art/permanent cosmetic facility”. The space totals 1,205-square-feet and the proposed plan is to establish a combination art gallery and permanent body art studio, called "Roses and Rivets." As an art gallery, the space will feature works from local Ventura County artists, including artisanal goods for sale, such as jewelry and ceramics. The floor plan for the business proposes the gallery portion of the facility at the front area of the space which will be visible from the street. As a body art studio, the space will feature both traditional tattoo techniques as well as permanent cosmetic procedures.

No signage is needed on the building itself. Window decals with the gallery logo will be used instead, not covering more than 20% of available window space, as defined in the City sign requirements.

The applicant is currently in communication with the Ventura County Environmental Health Division to ensure compliance with the standards and requirements for cleanliness and sterilization as defined for tattoo studio operations.

Land Use, Zoning, and General Plan designations for the subject property and surrounding properties are:

SUMMARY OF GENERAL PLAN, ZONING & LAND USE			
	General Plan	Zoning	Land Use
<i>Project Site</i>	<i>Commercial</i>	<i>Central Business District (CBD)</i>	<i>Vacant</i>
North	Commercial	General Commercial (C-G)	Betty’s Fine Cuts
South	Commercial	Central Business District (CBD)	Santa Paula Trading Co.

SUMMARY OF GENERAL PLAN, ZONING & LAND USE			
	General Plan	Zoning	Land Use
East	Commercial	Central Business District (CBD)	SP Oil Museum
West	Commercial	Central Business District (CBD)	Health food / juice bar

ANALYSIS:

General Plan & Zoning

As indicated in the table above, the General Plan designation for the property in question is Commercial and the Zoning is Central Business District (CBD). The proposed land use is considered a personal service and retail/commercial (art gallery); and therefore is consistent with these designations.

A tattoo studio in the CBD zone requires a conditional use permit. Santa Paula Municipal Code (“SPMC”) § 15.15.020, Table 15-1.

Regarding parking, per Table 46-1 of SPMC Chapter 16.46 “Off-Street Parking & Loading” businesses in the CBD zone are not required to provide additional parking, but must retain their existing onsite parking. Inspection of the site shows that there is a driveway adjacent to the building leading to a rear parking area. The driveway and the parking lot appear to be shared between this proposed business and adjacent businesses at 106 and 112 N. 10th Street.

If the Planning Commission opts to approve this CUP request, staff recommends a series of conditions, listed as follows:

1. Window signs would be required to comply with SPMC Section 16.48.230.
2. The business owner or person performing the tattoo would be required to comply with California Penal Code Section No. 653. Before receiving services, each customer would be required to present a valid form of identification to verify that the customer is at least 18 years of age.
3. The applicant or business owner would be required to obtain all applicable permits from the Building & Safety Department if tenant improvements are needed. Plans submitted to the Building & Safety Department would be required to include a detailed floor plan indicating location of customer waiting area, display cases/counters, and the number and location of booths.
4. The applicant/business owner must comply with all environmental health and safety requirements from the County of Ventura.

Required Findings

Per Section No. 16.218.040 of the Development Code, the Planning Commission may approve and/or modify a Conditional Use Permit in whole or in part, with or without conditions, provided that all of the following findings of fact are made:

1. *The proposed use at the particular location is necessary or desirable to provide a service or facility that will contribute to the general convenience or welfare of the neighborhood or the community;*

The proposed use at the location is necessary and desirable to provide a service or facility that will contribute to the general convenience of the neighborhood or community because this establishment supports the pedestrian-scale type businesses in the Central Business District. The proposed use contributes to the character of the CBD zone, contributes to business activity, and will assist in the revitalization of the downtown Business District.

2. *The characteristics of the proposed use are not unreasonably incompatible with the types of use permitted in the surrounding areas;*

The proposed business is in harmony with the surrounding area because the intended use is compatible with existing business uses in the area and the characteristics of the proposed project are not unreasonably incompatible with the types of uses permitted in the surrounding area, such as retail, commercial and personal services.

3. *The proposed use is consistent with the objectives, policies, general land uses, and programs of the Santa Paula General Plan;*

The Santa Paula General Plan land use designation for the property is Commercial Office, with which the proposed uses are consistent.

4. *The proposed use will not, under the circumstances of the particular case be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.*

The proposed use will not be detrimental to the health, safety, or general welfare because as conditioned, the project will comply with all current Building & Safety, Public Works, Fire and Ventura County Environmental Health Code requirements. The clustering of such uses in the CBD zone allows for convenient oversight for law enforcement and public safety.

ENVIRONMENTAL REVIEW:

This project is exempt from CEQA per Guidelines section 15303(c) "Conversion of

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Small Structures” because no new construction is proposed, the building is existing, only a change of land use is involved, and the floor area of the commercial space does not exceed 2,500 square-feet.

PUBLIC NOTIFICATION:

A notice of public hearing was published in the *Santa Paula Times* in compliance with state law. Also, in compliance with the City’s Zoning Ordinance, all property owners within a 300-foot radius of the project site, including the Downtown Merchants Association, were mailed notifications of the public hearing. As required by Resolution 3404 of the City Council, the project site was also posted with a sign at least eleven (11) days prior to the hearing.

ALTERNATIVES:

The following alternatives are available to the Planning Commission:

1. Adopt Resolution No. 3767 approving Conditional Use Permit No. 2017-CUP-01 to allow the operation of a tattoo and piercing studio at 110 N. 10th Street subject to the conditions of approval.
2. Continue the hearing in order to obtain further information or for the applicant to revise the floor plan.
3. Deny the applicant’s request and direct staff to prepare a Resolution of Denial.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission select Alternative No. 1 and approve Conditional Use Permit No. 2017-CUP-01 subject to the conditions of approval listed in the resolution.

ATTACHMENTS:

- A - Resolution No. 3767 & Conditions of Approval
- B - Site Location
- C - Floor Plan & 3D Rendering
- D - Applicant's Proposal