

RESOLUTION NO. PC2020-05

A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 320 TO ALLOW AN 800 SQUARE FOOT TATTOO PARLOR IN THE C-G (GENERAL COMMERCIAL) ZONE LOCATED AT 48-975 GRAPEFRUIT BOULEVARD, SUITE #4 (APN 603-250-012). KENNY CORONEL VARGAS (DBA “INK DEVOTION”), APPLICANT.

WHEREAS, Mr. Kenny Coronel Vargas, has filed an application for Conditional Use Permit 320 for the “Ink Devotion” Tattoo Studio which proposes an 800 square foot tattoo parlor to be located at 48-975 Grapefruit Boulevard, Suite #4; and,

WHEREAS, the City has processed said application pursuant to the City’s Municipal Code and the California Environmental Quality Act of 1970) as amended; and,

WHEREAS, on May 20, 2020, the Planning Commission of the City of Coachella held a duly noticed and published Public Hearing and considered Conditional Use Permit No. 320 as presented by the applicant, adopting the finding, conditions, and staff recommendations; and,

WHEREAS, the Planning Commission does find that the project is consistent with the City’s General Plan and Zoning Code subject to the recommended findings and conditions of approval contained in the staff report and contained herein; and,

WHEREAS the proposed project was found to be categorically exempt from environmental review, pursuant to the California Environmental Quality Act Guidelines (CEQA Guidelines - Section 15301, Existing Facilities). As such, no additional environmental review is required for the project; and

WHEREAS, the proposed project could not adversely affect the general health, safety and welfare of the community.

NOW, THEREFORE, be it resolved, that the Planning Commission of the City of Coachella, California does hereby approve Conditional Use Permit No. 320, subject to the findings and conditions of approval listed below.

FINDINGS FOR CONDITIONAL USE PERMIT 320:

1. The proposed use will not be in conflict with, but will be in harmony with and in accordance with the objectives of the general plan. The proposed tattoo parlor will be located at 48-975 Grapefruit Boulevard, Suite 4 and has a land use designation of Suburban Retail District which encourages regional commercial uses. Further, the property is zoned C-G (General Commercial) which is a conforming zoning district. Tattoo parlors are a regional commercial use and are allowed in the C-G zone subject to obtaining a Conditional Use Permit. With approval of a Conditional Use Permit the proposed project will not be in conflict with either the General Plan or Zoning Ordinance.

2. The proposed use will be located, designed, constructed, operated and maintained so as to be compatible with the existing or intended character of the general vicinity and shall not change the essential character of the same area. The proposed tattoo parlor will be located in an existing shopping center that is partially occupied. The proposed floor plan of the tattoo parlor will include a separate waiting area, work stations, design area and light table, bathrooms and separate sink washing station. The design of the interior space is set up for optimal use and to assure cleanliness and safety of both the customers and employees. The occupied space will be compatible with existing retail and restaurant businesses in the same center. The City of Coachella adopted an Ordinance creating standards and regulations for tattoo and body piercing parlors Chapter 17.87 of the City's Municipal Code. Section 17.87.050 of that chapter established location criteria for such uses, requiring a minimum of 500 feet distance between a tattoo parlor and the closest property line of a single-family residence. The proposed tattoo parlor is within 200 feet of single-family residences and 400 feet to an existing religious institution, measured "building to building." However, Variance 20-01 grants a reduction in the required setback of a tattoo parlor from existing residential structures and existing religious institutions located less than 500 feet from the proposed location of business.
3. Consideration is to be given to harmony in scale, bulk, coverage and density, to the availability of public facilities and utilities, to harmful effect, if any, upon desirable neighborhood character, to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of the development. The proposed tattoo parlor will occupy an existing tenant space within the "Plaza Mi Pueblo" shopping center. The proposed use will not increase the scale, bulk, coverage or density of the shopping center thus not having an effect on public facilities or utilities. The proposed use will not generate any greater traffic than otherwise expected of a retail use in this center.
4. Where the proposed use may be potentially hazardous or disturbing to existing or reasonable expected neighboring uses, it must be justified by the common public interest as a benefit to the community as a whole. The proposed tattoo parlor will be located in a shopping center that is located near residential neighborhoods to the south and to the west. However, as mentioned above Variance 20-01 grants a reduction in the required setback from those uses thereby justifying a common public benefit to the community as a whole.
5. The proposed use will include vehicular approaches to the property designed for reasonable minimal interference with traffic on surrounding public streets or roads. Ingress/egress to the site will be from Grapefruit Boulevard and Avenue 49.

CONDITIONS OF APPROVAL:

1. Approval of Conditional Use Permit No. 320 is contingent upon the approval of Variance 20-01 for reduced distance requirements from existing residential uses, in order to allow one 800 square foot tattoo parlor at 49-975 Grapefruit Boulevard, Suite #4. Prior to the issuance of a business license, the applicant shall submit detailed plans showing compliance with the City and County regulations for tattoo parlors for review and approval by the Planning Director and Building Official.

2. Hours of operation shall be limited to: Monday through Saturday from 9:00 a.m. to 9:00 p.m. and Sunday from 10:00 a.m. to 9:00 p.m.
3. Adequate security and lighting shall be provided to ensure the safety of persons at all times subject to review and approval by the Chief of Police and Planning Director.
4. There shall be no on-site consumption, sale and/or possession of alcoholic beverages.
5. There shall be no on-site smoking or sale of tobacco products.
6. There shall be no loitering at or near the facility during or after the hours of operation.
7. All tattoo artists shall agree to be fingerprinted for a background investigation through the Riverside County Sheriff's Department or other approved agency prior to conducting any tattooing or body piercing work. Any prior history within the past five years involving gang-related activity, acts of violence or Health & Safety Code drug convictions shall preclude the tattoo artist from operating at a proposed tattoo and body piercing parlor. Verification to confirm that the applicant is not a registered sex offender (as defined under California Penal Code Section 290) shall be a part of the background investigation. No person who is a registered sex offender, as defined under California Penal Code Section 290 shall be allowed to own or operate a Tattoo and/or Body Piercing Parlor, or be employed at a Tattoo and/or Body Piercing Parlor as a practitioner.
8. All employees shall be at least 18 years of age. All patrons shall be at least 18 years of age unless accompanied by a parent or guardian.
9. All tattoo and body piercing parlors shall post a copy of their approved Riverside County Department of Public Health license and a copy of the conditional use permit conditions of approval in a visible location for patrons to observe.
10. All tattoo and body piercing parlors shall have signs posted inside the business with the following messages:

No One Under 18 Allowed Unless Accompanied by an Adult
No Smoking Allowed
No Alcoholic Beverages Allowed
11. A customer waiting area of at least 150 square feet shall be provided for all tattoo and body piercing parlors.
12. All tattoo and body piercing parlors shall provide one tattooing workstation with a clear unobstructed dimension of five (5) feet by five (5) feet.
13. The applicant shall provide to the City of Coachella Environmental Regulatory Programs Manager and/or the Coachella Sanitary District Superintendent a listing of types of inks to

be used in the course of business and a plan for how said inks and tattooing equipment will be cleaned and disposed of as a condition of approval for this project.

14. The applicant and all tattoo practitioners on the premises shall register with the Riverside County Environmental Health Department and shall comply with County regulation for tattoo establishments, including the payment of all applicable fees;

PASSED APPROVED and ADOPTED this 20th day of May 2020.

Javier Soliz, Chair
Coachella Planning Commission

ATTEST:

Yesenia Becerril
Planning Commission Secretary

APPROVED AS TO FORM:

Carlos Campos
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. PC2020-05, was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 20th day of May 2020 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Yesenia Becerril
Planning Commission Secretary