

RESOLUTION NO. PC2025-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA CONDITIONALLY APPROVING CONDITIONAL USE PERMIT NO. 394 AND VARIANCE NO. 25-04 TO ALLOW A TATTOO/PIERCING PARLOR WITHIN AN EXISTING 740 SQUARE-FOOT TENANT SPACE LOCATED AT 1030 6TH STREET UNIT 7, AND DETERMINING THAT THE PROPOSED PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15301 (EXISTING FACILITIES)

WHEREAS, on May 29th, 2025, the applicant Ernest Gonzales, filed an application for a Conditional Use Permit No. 394 (CUP No. 394) and Variance No. 25-04 to allow for a tattoo/piercing parlor for an existing tenant space located at 1030 6th Street Unit 7 (APN 778-081-002); and

WHEREAS, the establishment has a land use designation of Downtown Center pursuant to the City of Coachella General Plan; and

WHEREAS, the establishment has a zoning designation of Downtown Pueblo Viejo (DT-PV) pursuant to the City of Coachella Municipal Code (CMC); and

WHEREAS, Chapter 17.18 of the CMC (DT-PV zoning designation) allows for a tattoo parlor with the approval of a conditional use permit pursuant to Section 17.74.05 of the City of Coachella Municipal Code; and

WHEREAS, the proposed use is consistent with and intended to implement the vision of the City's General Plan and the Municipal Code as the Downtown Center supports a diverse mix of uses, including spaces for local startup business and entrepreneurs; and

WHEREAS, the proposed use is consistent with and intended to implement the vision of the Downtown Center General Plan by providing a unique shopping experience as a local-serving commerce; and

WHEREAS, the proposed project is exempt from the California Environmental Quality Act (CEQA) Guidelines Section 15301 – Existing Facilities, as amended; and,

WHEREAS, a notice of a public hearing to consider the Conditional Use Permit application (CUP No. 394) and Variance No. 25-04, was issued in accordance with Coachella Municipal Code Section 17.74.010.G, inclusive of the publication on July 6th, 2025, of a legal public hearing notice published in the Desert Sun, the City's newspaper of record, and the mailing of a public hearing notice to a certified list of property owners within 300 feet of the subject properties on June 30th, 2025; and

WHEREAS, on July 16th, 2025, the Planning Commission of the City of Coachella held a duly noticed public hearing on the subject application, considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties; and

WHEREAS, at the Planning Commission hearing, the Applicant and members of the public were present and were afforded an opportunity to testify regarding the Project; and,

WHEREAS, at the conclusion of the public hearing and following discussion, the Planning Commission approved this Resolution for the conditional approval of the tattoo/piercing parlor for 6th Street Tattoo Co. (CUP No. 394 and Variance 25-04) as conditioned, with the motion vote outcome specified in the meeting minutes for the July 16th, 2025, Planning Commission meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Coachella, California hereby resolves, finds, and determines as follows:

Section 1. Incorporation of Recitals. The Planning Commission hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the Planning Commission as fully set forth in this resolution.

Section 2. CEQA Findings. The Planning Commission has independently reviewed the Notice of Exemption and the administrative record for the Proposed Use, including all oral and written comments received during the public hearing, the staff report, and all attachments thereto, which are all incorporated herein by reference and are on file with the Development Services Department for the City of Coachella, and the Planning Commission finds that:

The City of Coachella, as Lead Agency, has reviewed the Project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, outlining the three-step process for determining which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, which provides procedures for determining if a project is exempt from CEQA. It can be seen with certainty that implementing the Project would not cause a significant adverse effect on the environment because the Project involves the issuance of a Conditional Use Permit for a liquor license to an existing restaurant establishment. This action involves a negligible expansion of use. Therefore, the Project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 – Existing Facilities.

Section 3. Conditional Use Permit Findings. Based upon the evidence presented at the hearing, including the staff report and written and verbal testimony, which are all incorporated herein by reference, the Planning Commission hereby finds that:

Finding 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 shop would not be in conflict with, but will be in harmony with and in accordance with the objectives of the general plan because the proposed tattoo/piercing parlor is within the Downtown District land use designation according to the General Plan 2035, which envisions to bring the entire community together in a one-of-a-kind Coachella center

that is the civic heart of the City, and to bring unique local goods, services, culture and society. The proposed project would provide a unique local serving commerce to what is identified as a major gateway to the downtown per the Pueblo Viejo Revitalization Plan.

Finding 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 use will be located, designed, constructed, operated and maintained so as to be compatible with the existing character of the general vicinity and shall not change the essential character of the same area because the proposed use is within a zoning designation of DT-PV (Downtown Pueblo Viejo) which permits the tattoo/piercing parlor use subject to obtaining a Conditional Use Permit. The proposed use is located along Cesar Chavez Street and is compatible with the adjoining commercial uses and the Conditional Use Permit can be revoked if any of the conditions of approval are violated.

Finding 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.

Consideration has been 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 development, because the existing commercial tenant space is within an existing commercial building with all infrastructure available on-site for the proposed tattoo/piercing parlor use and the existing commercial parking lot.

Finding 4 – Where the proposed use may be potentially hazardous or disturbing to existing or reasonably expected neighboring uses, it must be justified by the common public interest as a benefit to the community as a whole.

Where the proposed use may be potentially hazardous or disturbing to existing or reasonably expected neighboring uses, it must be justified by the common public interest as a benefit to the community as a whole. The Riverside County Sheriff indicated that there are no concerns about the operations of this establishment. The Sheriff's Department does not recommend conditions related to public safety concerns. As such, there are no anticipated hazardous or disturbing effects to the existing and neighboring uses.

Finding 5 – The proposed use will include vehicular approaches to the property designed for reasonable minimal interference with traffic on surrounding public streets or roads.

The proposed use provides vehicular approaches to the property designed for reasonable minimal interference with traffic on surrounding public streets or roads as the commercial center that the subject business is located in is already existing and traffic and vehicular approaches were already considered and approved by the City Engineer and the Planning Commission. The City of Coachella has determined that the proposed project is categorically

exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as an “Existing Facilities” project (CEQA Guidelines, Section 15301a) as the proposed tattoo/piercing parlor use will occur in an existing private commercial structure involving negligible or no expansion of existing or former commercial use on the property.

Section 4. Variance Findings.

Finding 1 – That the strict application of the provisions of this chapter would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the chapter.

The strict application of the tattoo parlor regulations would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code. The proposed site for the “6th Street Tattoo Co.” tattoo parlor is located along Cesar Chavez Street. While 6th Street is within the DT-PV (Downtown Center) zone which allows tattoo parlors with approval of a CUP, much of the developed Cesar Chavez Street corridor and the downtown is adjacent to or at least within 500 feet of residential neighborhoods with the exception of a few retail centers along Cesar Chavez Street, such as on Avenue 50. The strict application of Chapter 17.87 Tattoo and Body Piercing Parlors would prevent a viable retail/service business from operating for this entire sector of Cesar Chavez Street which is a primary arterial street in the City. The Zoning Code seeks to allow a wide variety of multi-family residential housing, office, and retail uses in the DT-PV zone along Cesar Chavez Street. The proposed tattoo/piercing parlor is not anticipated to create any adverse impacts on surrounding residential uses due to the project conditions of approval, and the project would be required to meet all the other applicable regulations contained in Chapter 17.87.080.

Finding 2 – That there are special circumstances applicable to the subject property such as size shape, topography, location or surroundings, that do not apply generally to other property in the same zone and vicinity;

There are special circumstances applicable to the subject property, particularly related to its location and surroundings, that do not generally apply to other properties within the same zone and vicinity. The proposed site for the “6th Street Tattoo Co.” is located at the intersection of Cesar Chavez Street, a primary commercial corridor within the city, and 6th Street, a major commercial hub for retail and other uses as described in the Pueblo Viejo Revitalization Plan. The intersection is described as a “major gateway” for the downtown. The community vision statement of the Pueblo Viejo Revitalization Plan describes the gateways on sixth street as an entrance to unique shopping experiences. The proposed tattoo parlor would be a unique retail business for the downtown. Further, the Harrison Street Corridor Study identified that development of this intersection is critical to the success of both the Study and the Revitalization Plan. This specific intersection is identified as a critical to both the downtown and Cesar Chavez Street, as a result the proposed retail business would provide a unique shopping experience that is supported by the guidelines of each of the above city guidance documents. Additionally, the Harrison Street corridor is identified in the

General Plan Land Use Policy 9.4 to support local service commerce, which the proposed project would contribute towards achieving this general plan policy. The General Plan Subarea 2 – Downtown also envisions unique shopping experiences. Due to the unique location of the proposed use, there is a special circumstance that do not generally apply to other property in the same zone and vicinity. Also, as described in the above variance finding, most commercial properties along Cesar Chavez and in the greater Downtown area directly abut established residential neighborhoods. This makes it uniquely challenging for properties in this corridor to meet the separation and buffer requirements outlined in Chapter 17.87 of the Zoning Code, which governs the location of tattoo and piercing parlors. Therefore, the site's context presents a special circumstance not common to most properties in the same zoning district for proposed tattoo/piercing parlors.

Finding 3 – That such variance is necessary for the preservation and enjoyment of substantial property right or use generally possessed by other property in the same zone and vicinity, but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question;

The variance is necessary to preserve the applicant's ability to operate a personal services business—such as a tattoo/piercing parlor—which is a use generally permitted within other commercial zones throughout the City. Due to the unique location of this property at the intersection of Cesar Chavez Street and 6th Street, where commercial centers are commonly adjacent to residential neighborhoods and other sensitive uses, strict application of the separation requirements in Chapter 17.87 creates an unnecessary hardship not typically experienced by other similarly zoned properties that would allow for a tattoo parlor with a conditional use permit. For example, there are certain areas within the city that include General Commercial and Neighborhood Commercial areas along Avenue 48, and Neighborhood Commercial areas along Avenue 54 that would not be impacted by the distance requirements. These zones also allow for tattoo parlors with a conditional use permit. Without the variance, the property would be denied a reasonable and customary commercial use that is otherwise allowed in the same zoning district, limiting its full economic potential and the applicant's right to continue serving their long-standing client base in the community.

Finding 4 – That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located, and;

The proposed tenant space is situated within an existing commercial center along 6th Street and does not directly face any religious institutions or residential properties. Its orientation and placement within the commercial corridor help minimize any potential visual or operational impacts on nearby sensitive uses. Additionally, the proposed use will operate entirely indoors and is subject to standard City regulations, ensuring compatibility with surrounding properties. As such, the granting of this variance is not anticipated to result in any detriment to public welfare or negatively impact adjacent properties or improvements in the vicinity.

Finding 5 – That the granting of the variance will not adversely affect any element of the

general plan.

The proposed use is located within the Downtown Center land use designation, which is intended to support a diverse mix of uses, including spaces for local startup businesses and entrepreneurs. The applicant has operated within the City of Coachella for the past 15 years and is seeking to continue serving their established clientele at the proposed 6th Street location. The project aligns with the General Plan's vision of fostering local business growth and activity within the downtown core, and therefore, the granting of this variance would not adversely affect any element of the General Plan.

Section 5. Planning Commission Approval. Based on the foregoing, the Planning Commission hereby **CONDITIONALLY APPROVES** the Conditional Use Permit application (CUP No. 394) and Variance No. 25-04 finds that the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15301 – Existing Facilities. The Applicant shall demonstrate compliance with ALL Conditions of Approval, as set forth in “Exhibit A” and “Exhibit B” of this Resolution. Failure to demonstrate compliance with these conditions of approval may result in the delay of the Proposed Use or the rescinding of the City of Coachella's conditional use permit approval. Where the term “Applicant” is used in any condition of approval, this term shall also apply to the Property Owner, any developer, or any successor in the interest of the Applicant. It is the Applicant's or Applicant's successor in interest responsibility to fully comply with the conditions of approval unless subsequently modified in accordance with the City's required processes and procedures.

PASSED APPROVED and ADOPTED this 16th day of July 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Isela Murillo
Planning Commission Chairperson

ATTEST:

Kendra Reif
Planning Commission Secretary

APPROVED AS TO FORM:

City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)

I HEREBY CERTIFY that the foregoing Resolution No. PC 2025-12 was duly adopted by the Planning Commission of the City of Coachella at a regular meeting thereof, held on this 16th day of July 2025 by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kendra Reif
Planning Commission Secretary