

Zoning and Local Coastal Program Amendment (PA2020-030) Tattoo Establishments



**Planning
Commission**

May 6, 2021

Background

- Over the past decade there have been several legal decisions related to the zoning of tattoo establishments
 - Anderson v. City of Hermosa Beach
 - Real v. City of Long Beach
- Tattooing is considered protected speech under the First Amendment of the United States Constitution
- Reasonable time, place and manner restrictions

Background

- Current regulations define tattoo services as a Restricted Personnel Services Use
- Allowed in all office zones, commercial zones(except CM zone) and mixed-use zones subject to a Minor Use Permit
- April 14, 2020 - Zoning amendment initiated by City Council
 - Ministerial process
 - Objective standards

Proposed Amendments

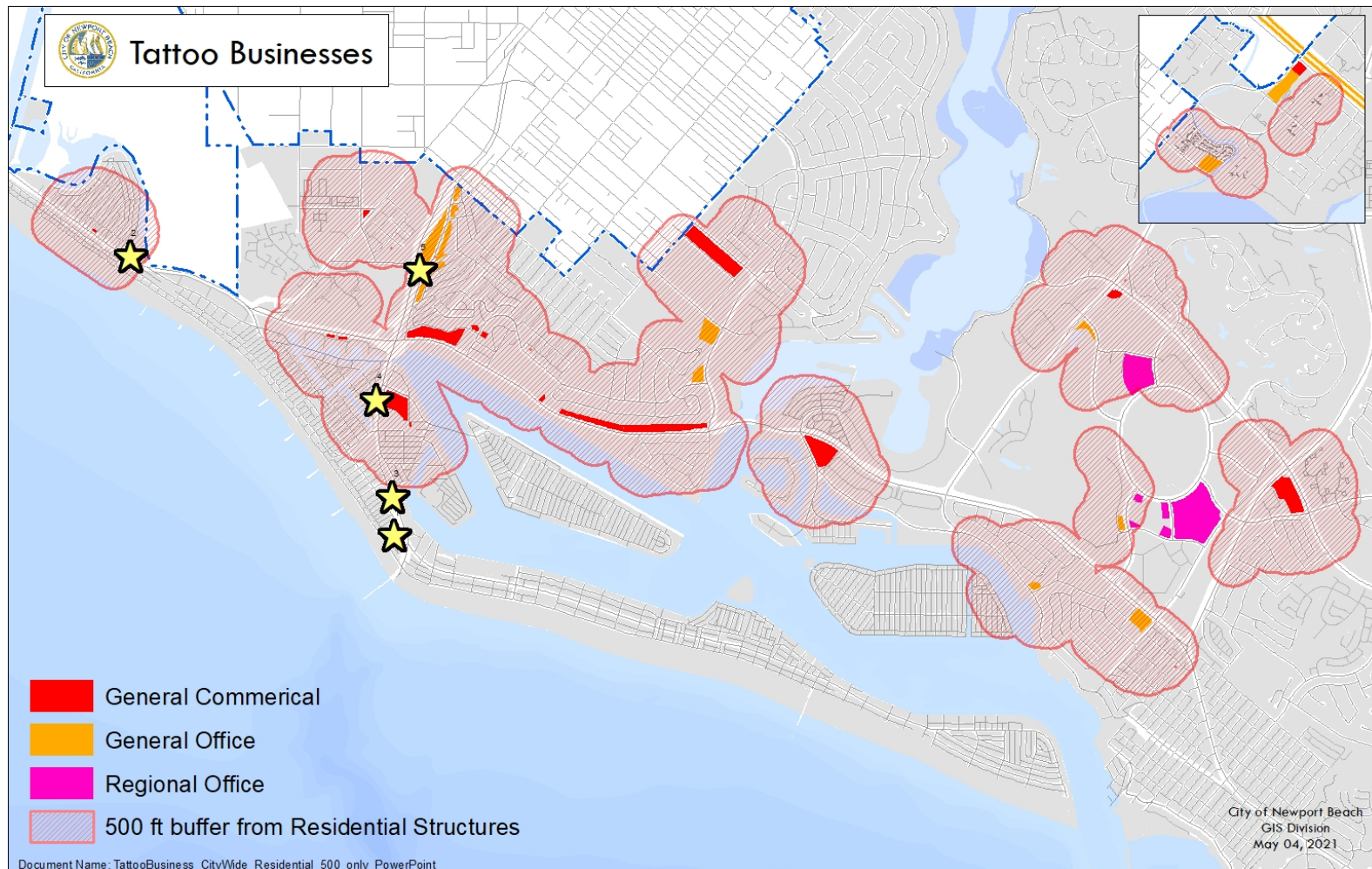
- Defines “Tattoo Establishments” as its own use type
- Permitted in the General Commercial, Office General and Office Regional zoning districts
- Allowed as a ministerial use subject to Standards for Specific Land Uses (Sect. 20.48.230 of NBMC)

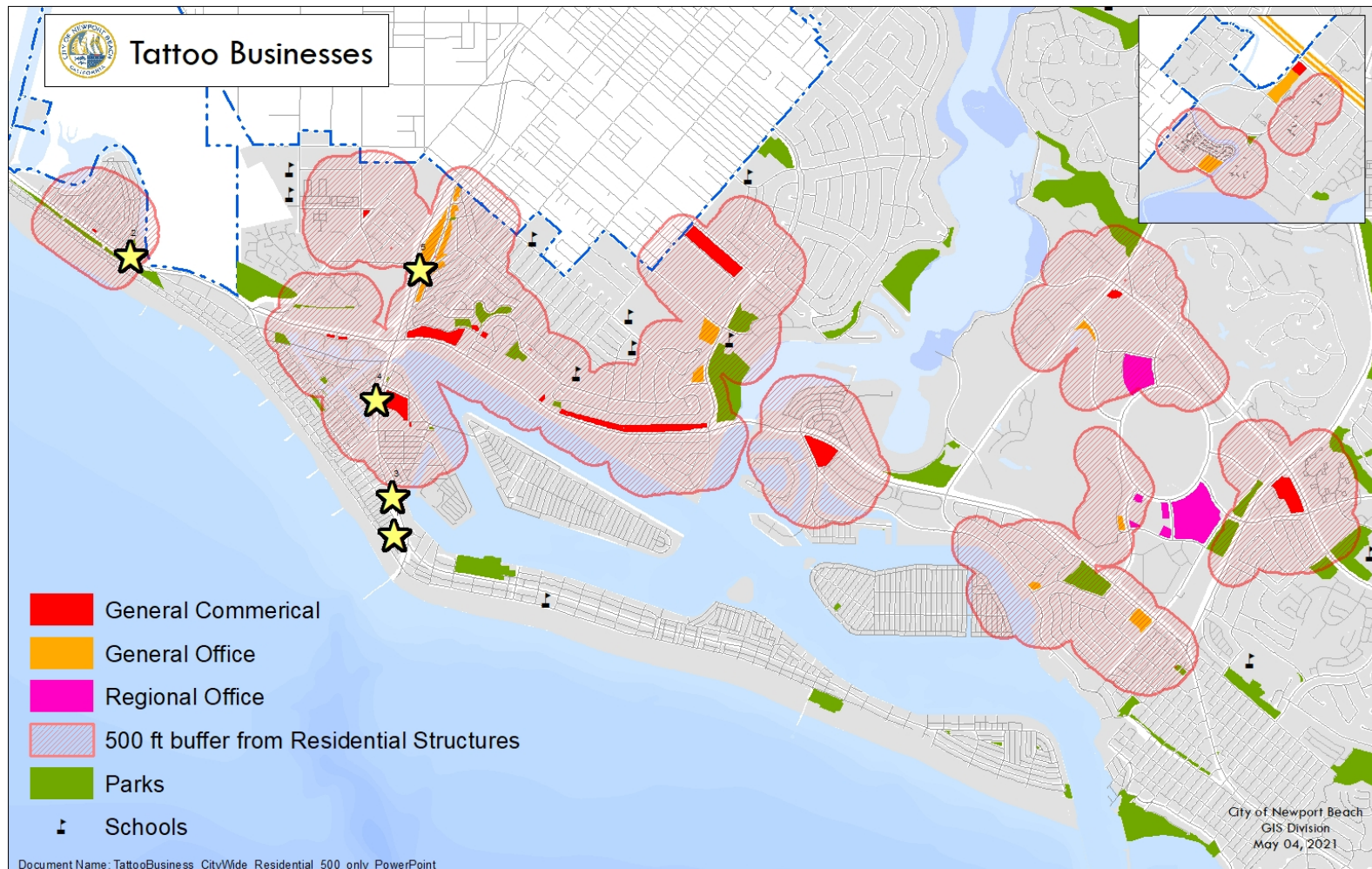
Proposed Amendments

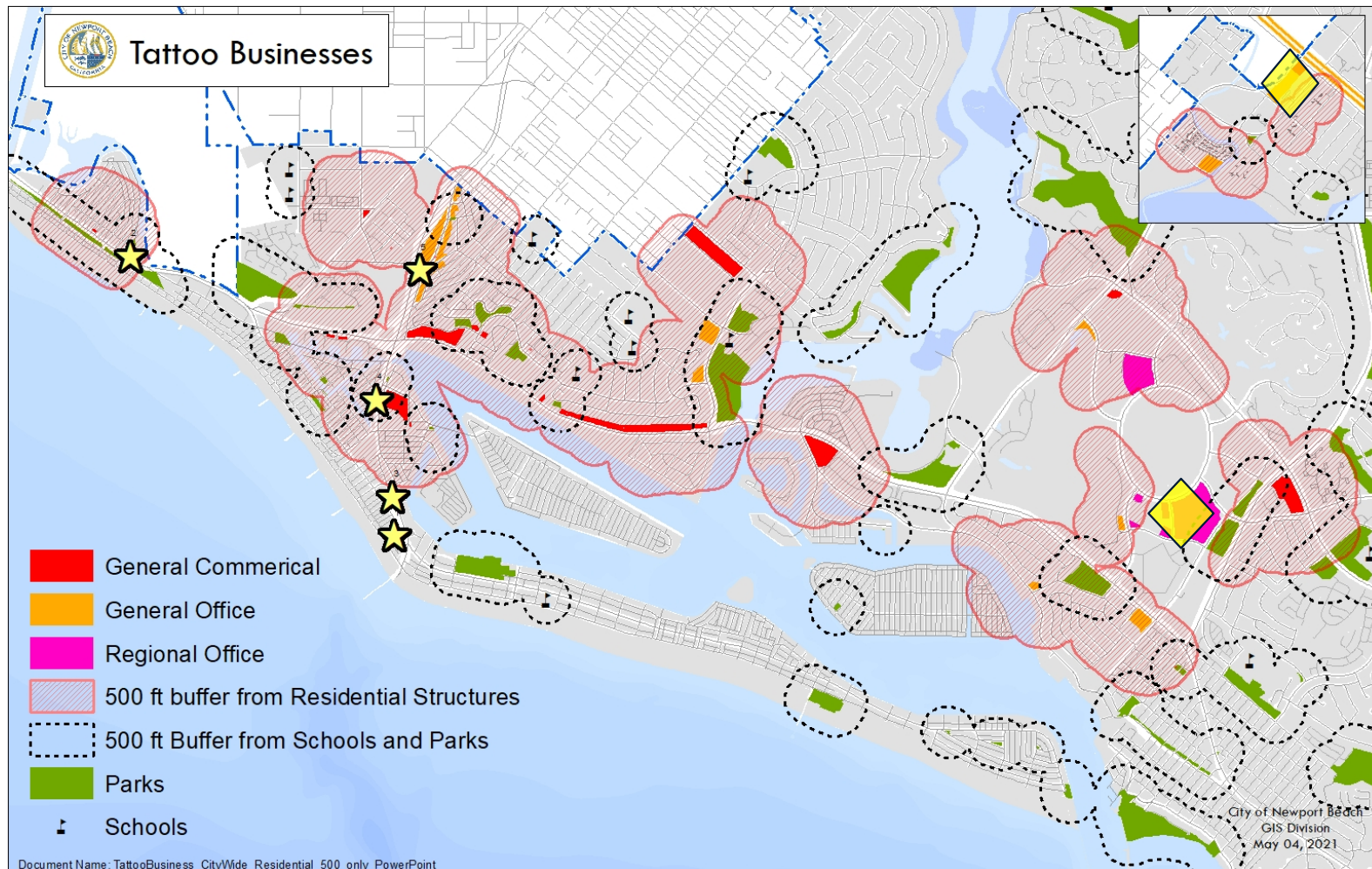
Development Standards

- Location Requirements
 - One thousand (1,000) feet from another tattoo establishment;
 - Five hundred (500) feet from any primary or secondary school or park or playground as measured from lot line to lot line; or
 - Five hundred (500) feet from the boundary of any residential structure or residential use, including residential uses in mixed-use zoning districts.
- Operating Standards
 - Hours 10 a.m. - 10 p.m.
 - Security camera system required
 - Screen from public view, no outdoor seating/waiting areas
 - Alcohol and marijuana use prohibited
 - Noise, signs and parking
 - All applicable State, County and City Health regulations













Existing Tattoo Establishments

- Notice was provided to the property owner and business operators of the City's five existing Tattoo Establishments
- Existing tattoo establishments would become legal non-conforming uses as a result of adopting the proposed code amendment
 - May continue to operate
 - Require discretionary approval to expand or intensify their use

Recommended Actions

- Find the project exempt from CEQA (Section 15061(b)(3))
- Adopt Resolution No. PC2021-012, recommending the City Council adopt Zoning Code Amendment No. CA2020-002
- Adopt Resolution No. PC2021-013, recommending the City Council adopt Local Coastal Program Amendment No. LC2020-002 and authorize staff to submit the amendment to the California Coastal Commission

**For more
information
Contact**

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Questions?