

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2024-001043-(1)
CONDITIONAL USE PERMIT NO. RPPL2024001544

RECITALS

1. **HEARING DATE(S).** The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit ("CUP") No. **RPPL2024001544** on May 27, 2025.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT REQUESTED.** The Permittee, Marco Prado ("Permittee"), requests the CUP to authorize the continued operation of an existing tattoo and body piercing parlor within a 1,991-square-foot ground-floor tenant space ("Project") of an existing 6,305-square-foot multi-tenant commercial building. The Project is located on a property located at 4736 Whittier Boulevard in the unincorporated community of East Los Angeles ("Project Site") in the C-3 (General Commercial) Zone pursuant to Los Angeles County Code ("County Code") Section 22.20.030 (Land Use Regulations for Commercial Zones).
4. **ENTITLEMENT REQUIRED.** The CUP is required to authorize a tattoo and body piercing parlor in the C-3 Zone pursuant to County Code Section 22.20.030 (Land Use Regulations for Commercial Zones).
5. **LOCATION.** The Project Site is located at 4736 Whittier Boulevard within the East Side Unit No. 1 Zoned District and Metro Planning Area.
6. **PREVIOUS ENTITLEMENT(S).** CUP No. 200800128 authorized the existing tattoo and body piercing parlor from January 19, 2010, through January 19, 2020. Plot Plan No. 48413 approved business signage on the Project Site.
7. **LAND USE DESIGNATION.** The Project Site is located within the CG (General Commercial) land use category of the Metro Area Plan ("Area Plan") Land Use Policy Map, a component of the General Plan.
8. **ZONING.** The Project Site is located in the East Side Unit No. 1 Zoned District and is currently zoned C-3. Pursuant to County Code Section 22.20.030 (Land Use Regulations for Commercial Zones), a CUP is required for operation of a tattoo and body piercing parlor in the C-3 zone.
9. **SURROUNDING LAND USES AND ZONING**

LOCATION	METRO AREA PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	MU (Mixed Use), H30 (Residential 30 – 30 Dwelling Units per Net Acre Maximum Density)	MXD (Mixed Use Development), R-3- P (Limited Density Multiple Residence - Parking), R-3 (Limited Density Multiple Residence)	Professional office, retail stores, school, parking, multifamily residences ("MFRs")
EAST	CG (General Commercial), H30	C-3 (General Commercial), C-2 (Neighborhood Business), R-3-P	Retail stores, parking
SOUTH	CG, H30	C-2, R-3	Horizontal mixed use commercial / residential, parking, MFRs
WEST	CG, H30	C-3, R-3-P	Retail stores, single-family residence, MFRs

10. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 7,967 square feet (0.18 acres) in size and consists of one legal lot. The Project Site is rectangular in shape with flat topography and is developed with a two-story multi-tenant commercial building fronting Whittier Boulevard with two commercial units on the ground floor and a vacant commercial unit on the second floor, and a single-story multi-tenant commercial building in the rear fronting South Kern Avenue with three commercial units.

B. Site Access

The Project Site is accessible via Whittier Boulevard to the north and South Kern Avenue to the east. Access to the ground-floor tenant space on the Project Site will be via a pedestrian entrance/exit on Whittier Boulevard.

C. Site Plan

The site plan depicts the Project Site with two buildings. The two-story 6,305-square-foot building fronting Whittier Boulevard contains two commercial units on the ground floor, including the existing 1,991-square-foot tattoo and body piercing parlor, and a vacant commercial unit on the second floor. The 2,325-square-foot building in the rear fronting South Kern Avenue contains three commercial units. The space between the buildings is used as waste storage and loading area.

D. Parking

The Project Site does not provide any off-street parking spaces. The Project Site was developed in 1923, prior to the current parking requirements. There are on-street parking spaces in the public right-of-way adjacent to the Project Site and a

County-owned public parking lot with 92 spaces located to the southeast within 60 feet of the Project Site.

11. CEQA DETERMINATION.

Prior to the Hearing Officer's public hearing on the Project, Department of Regional Planning ("LA County Planning") Staff determined that the Project qualifies for Class 1 and Class 5 Categorical Exemptions from the California Environmental Quality Act ("CEQA") under State CEQA Guidelines Section 15301 (Existing Facilities). The Permittee requests the continued authorization of an existing tattoo and body piercing parlor within a commercial tenant space of an existing building. No construction or intensification of land use is proposed. None of the exceptions to an exemption apply to the Project because it is not located in an environmentally sensitive area, is not known to contain scenic or historic resources, and there are no unusual circumstances that would indicate a reasonable possibility that the Project could have a significant effect on the environment. Therefore, the Hearing Officer finds that the Project is categorically exempt from CEQA.

12. COMMUNITY OUTREACH. Staff is not aware of any community outreach conducted by the Permittee that occurred before the Report to the Hearing Officer was issued on May 15, 2025.

13. PUBLIC COMMENTS. Staff did not receive any public comments before the Report to the Hearing Officer was issued on May 15, 2025.

14. AGENCY RECOMMENDATIONS.

A. County Department of Public Health: Recommended clearance to public hearing with no conditions in a letter dated May 21, 2024.

B. County Sheriff Department: Recommended clearance to public hearing with no conditions in a letter dated October 1, 2024.

15. LEGAL NOTIFICATION. Pursuant to County Code Section 22.222.120 (Public Hearing Procedure), the community was properly notified of the public hearing by mail and newspaper (Daily Journal and La Opinion). On April 21, 2025, approximately one month prior to the public hearing, a "Notice of Public Hearing" sign was posted on the Project Site's window, facing from the public right-of-way on Whittier Boulevard. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On April 10, 2025, a total of 358 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 12 notices to those on the courtesy mailing list for the East Side Unit No. 1 Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

16. LAND USE POLICY. The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan and Area Plan because the CG designation is

intended for local-serving commercial uses, including personal services such as this Project.

17. **GOALS AND POLICIES – GENERAL PLAN.** The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan, including the following:

- **Policy LU 5.2:** Encourage a diversity of commercial and retail services, and public facilities at various scales to meet regional and local needs.

The Project would allow the continued operation of a tattoo and body piercing parlor within an existing building. The Permittee would provide a service to the community from a local small business owner and continue to utilize space within an existing building. The Project would contribute to the variety of commercial services available to the surrounding community. The Permittee has operated on the Project Site for more than 20 years with no reports of adverse impacts to the surrounding area.

18. **GOALS AND POLICIES – AREA PLAN.** The Hearing Officer finds that the Project is consistent with the goals and policies of the Area Plan, including the following:

- **Areawide Policy LU 2.5:** Small-Scale Commercial. Ensure that established commercial and mixed-use corridors continue to provide small and moderate-sized commercial spaces for neighborhood serving uses, while expanding opportunities for small-scale commercial uses.
- **East Los Angeles Policy 5.2:** Existing Commercial Businesses. Preserve existing markets and small businesses that provide specialty goods and services and/or desirable commercial uses or cultural institutions that cater to the community.

The Project would allow the continued operation of a local tattoo and body piercing parlor, providing a niche service to the surrounding community. The business has been in operation for more than 20 years in the community without zoning violations on record which would indicate incompatibility with the surrounding area or adverse impact. The Project provides specialty artistic and cultural services to the community in the form of tattoos and body piercing.

ZONING CODE CONSISTENCY FINDINGS

19. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the C-3 zoning classification as tattoo and body piercing parlors are permitted in such zone with a CUP pursuant to County Code Section 22.20.030 (Land Use Regulations for Commercial Zones).

20. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.20.050 (Development Standards for Commercial Zones) because no yards are required for non-residential and mixed use developments in the C-3 zone.

21. **LOT COVERAGE.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.20.040 (Development Standards for Commercial Zones) which allows a maximum 90 percent lot coverage. The two existing buildings cover approximately 5,478 square feet of the 7,967-square-foot lot, or 69 percent, within the allowable lot coverage.
22. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Sections 22.20.040 (Development Standards for Commercial Zones) and 22.364.080.C.2.h (Maximum Building Height in Zones C-3, C-M and MXD) which allow a maximum height of 40 feet. The existing two-story building is 25 feet and nine inches tall, within the allowable height limit.
23. **LANDSCAPING.** The Hearing Officer finds that the Project is not consistent with respect to the standard identified in County Code Section 22.20.040 (Development Standards for Commercial Zones), which requires a minimum 10 percent of the lot to be landscaped. The Project Site was developed in 1923, prior to the current requirements, and therefore is considered legal nonconforming with respect to this standard.
24. **PARKING.** The Hearing Officer finds that the Project is not consistent with respect to the standards identified in County Code Section 22.112.070 (Required Parking Spaces), which requires one parking space per 250 square feet, or 35 spaces, although no parking spaces are provided. The Project Site was developed in 1923, prior to the current requirements, and therefore is considered legal nonconforming with respect to this standard. Pursuant to County Code Section 22.364.070.B.1.b (Parking and Loading for Existing Structures), so long as the gross floor area is not increased, no additional parking is required to continue operation of the tattoo and body piercing parlor.
25. **LOADING SPACES.** The Hearing Officer finds that the Project is not consistent with respect to the standards identified in County Code Section 22.112.070 (Required Parking Spaces), which requires one Type A loading space for commercial buildings over 5,000 square feet, or one space, although no loading spaces are provided. The Project Site was developed in 1923, prior to the current requirements, and therefore is considered legal nonconforming with respect to this standard. Pursuant to County Code Section 22.364.070.B.1.b (Parking and Loading for Existing Structures), so long as the gross floor area is not increased, no additional loading space is required to continue operation of the tattoo and body piercing parlor.
26. **SIGNS.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Sections 22.114.110 (Wall Business Signs) and 22.364.070.B.1.f.i(4) (Wall Signs) which allows up to three square feet of signage per linear foot of building frontage and a maximum letter height limit of two feet. The ground floor tenant space is 30 feet and nine inches wide, allowing up to 92.25 square feet of wall signage. An existing business sign is approximately 19.33 square feet in area, with one-foot-tall letters, which is within the allowable sign area and maximum letter height.

27. **TREE PLANTING.** The Hearing Officer finds that the Project is not subject to the standards identified in County Code Section 22.126.030 (Tree Requirements), which requires a minimum of three on-site trees. The Project Site was developed in 1923, prior to the current requirements, and therefore is considered legal nonconforming with respect to this standard. Pursuant to County Code Section 22.126.020 (Applicability), no tree planting is required if there is no expansion or new primary building proposed.
28. **PLANNING AREA STANDARDS DISTRICT (“PASD”).** The Hearing Officer finds that the Project is not consistent with respect to the standards identified in County Code Chapter 22.364 (Metro PASD), which include various area-wide, community-specific, and zone-specific development standards. The Project Site was developed in 1923, prior to the current requirements, and therefore is considered legal nonconforming with respect to this standard. Pursuant to County Code Section 22.364.040 (Applicability), the Project is not subject to these standards because it does not involve expansion to the building nor change of use.
29. **COMMUNITY STANDARDS DISTRICT (“CSD”).** The Hearing Officer finds that the Project is not consistent with respect to the standards identified in County Code Section 22.364.080 (East Los Angeles CSD) with respect to frontage design because the Project Site was developed in 1923 prior to the current requirements. However, the Project Site is consistent with operational standards such as outdoor display and certain development standards such as ground floor transparency facing Whittier Boulevard. The Project Site is located within the Whittier Boulevard Sub Area of the East LA CSD, which does not explicitly prohibit tattoo and body piercing uses.

CONDITIONAL USE PERMIT FINDINGS

30. **The Hearing Officer finds that the proposed use at the site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.** The Permittee has operated for more than 20 years with no reported adverse impacts on the surrounding community. The tattoo and body piercing parlor will continue to operate out of an existing building on Whittier Boulevard, an established commercial corridor. The Project contributes to a variety of commercial and retail services on Whittier Boulevard available to local residents. The commercial unit is adequate in size for the requested operation of a tattoo and body piercing parlor. As such, the Project is not anticipated to adversely impact or endanger persons in the nearby vicinity, nor to constitute a menace to the public health, safety, or general welfare.
31. **The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.** The Project Site is consistent with applicable required standards in Title 22, although legal nonconforming with respect to certain standards such as parking and

landscaping, because the Project Site was developed in 1923. Despite the Project Site's lack of off-street parking, there is a County-owned parking lot with approximately 92 spaces located to the southeast within 60 feet. The use is sufficiently buffered from sensitive uses because it operates within a 1,991-square-foot first-floor tenant space which does not directly face a residential use or zone. The existing floor plan provides adequate space to carry out all administrative and business activities in a sanitary manner and in compliance with County regulations. The Project integrates well into the surrounding area due to its proximity to a variety of other local-serving commercial uses along Whittier Boulevard.

32. The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required. The Project Site is served by Whittier Boulevard, which is an existing 80-foot-wide Secondary Highway mapped on the County's Master Plan of Highways, and a high-quality transit corridor, served by LA Metro (Los Angeles County Metropolitan Transit Authority) Bus Line 18. The Project Site is also served by two El Sol (East Los Angeles Shuttle) circulator bus lines. The adjacent roads and sidewalks are adequate in size and width for vehicle and pedestrian traffic, respectively, to and from the Project Site. The Project Site is adequately served by public water and sewer systems, and no public infrastructure improvements are necessary because no expansion is proposed.

33. The Hearing Officer finds that, to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 15 years.

ENVIRONMENTAL FINDINGS

34. The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities categorical exemption). The Project involves the continued operation of an existing use within an existing building. No new construction, physical alteration, or change of existing land use is proposed. None of the exceptions to an exemption apply to the Project because it is not located in an environmentally sensitive area, is not known to contain scenic or historic resources, and there are no unusual circumstances that would indicate a reasonable possibility that the Project could have a significant effect on the environment. Therefore, the Hearing Officer finds that the Project is categorically exempt from CEQA.

ADMINISTRATIVE FINDINGS

35. LOCATION OF DOCUMENTS. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Metro Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities categorical exemption); and
- 2. Approves **CONDITIONAL USE PERMIT NO. RPPL2024001544**, subject to the attached conditions.

ACTION DATE: May 27, 2025

EMR:ES

May 15, 2025

c: Zoning Enforcement