

7/6/93
DATE

4.
AGENDA ITEM #

() APPROVED () DENIED

TO: RICHARD J. RAMIREZ, CITY MANAGER CONTINUED TO _____
FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR *RLA*
SUBJECT: EXTENSION OF URGENCY ORDINANCE ON TATTOO PARLORS
DATE: JUNE 22, 1993

Needs: For the City Council to consider adopting an ordinance extending the interim urgency ordinance which established a moratorium on tattoo parlors.

- Facts:
1. On June 1, 1993, the City Council unanimously adopted an urgency ordinance which established a moratorium on tattoo parlors within the City limits.
 2. Government Code sets forth procedures for extending an urgency ordinance beyond the initial 45 day period allowed. In order to extend the ordinance, the City Council must hold a noticed public hearing (beyond the 72 hour notice required for an urgency ordinance) and make specific findings regarding the immediate danger to public health, safety or welfare resulting from additional land use entitlements for tattoo parlors.
 3. If an extension of the urgency ordinance is adopted, the City would then have a period of 10 months and 15 days to consider adoption of an ordinance regulating tattoo parlors. This period may be extended by the City Council for an additional one (1) year period.
 4. Staff is proceeding with steps to author an ordinance regulating tattoo parlors to bring before the City Council for action. However, the initial period of 45 days established by the urgency ordinance does not provide an adequate amount of time to bring forward a comprehensive ordinance, meeting the needs of the City of Paso Robles.

Analysis and Conclusion:

The urgency ordinance which was unanimously approved on June 1, 1993 established findings that the City does not currently have in place adequate

RLA

land use regulations as they relate to tattoo parlors, which would ensure compliance with the adopted goals and policies of the City's General Plan. In the continued absence of the ability to control the number, location, health and development standards of tattoo parlors, there appears to be grounds for finding that there exists an immediate danger to public health, safety, or welfare.

Policy

Reference: Section 65858 of the Government Code.

Fiscal

Impact: It does not appear that there ~~would be~~ a negative fiscal impact as a result of approving an extension to the urgency ordinance relating to tattoo parlors.

Options: After consideration of all public testimony, that the City Council consider the following options:

Option 1:

Adopt the attached ordinance extending the existing moratorium on tattoo parlors;

Option 2:

Take no action on the proposed ordinance, thereby terminating the established moratorium on tattoo parlors on July 16, 1993.

Attachment:

1. Ordinance extending the moratorium on tattoo parlors

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ORDINANCE NO. _____ N.S.
AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
EXTENDING THE URGENCY MEASURE
AMENDING THE MUNICIPAL AND ZONING CODES REGARDING SUSPENSION
CONSIDERATION OF TATTOO PARLORS

SECTION 1. The City Council does hereby find, determine and declare as follows:

- a. The City of El Paso de Robles is currently up-dating the Municipal and Zoning Codes, and
- b. As part of the codes up-date process, there will be consideration of changes to provisions relative to commercial-land uses, particularly in relation to General Plan Goals relative to preservation of Paso Robles' unique small town character and high quality of life, including but not limited to preservation of residential neighborhoods, downtown revitalization; and
- c. Pursuant to General Plan goals, the General Plan policies and programs call for preservation of the "small town" character that the City has historically enjoyed, including revitalizing of the historic downtown area including but not limited to the quality of development; and
- d. Concerns have been expressed regarding the adequacy of certain existing provisions the Municipal and Zoning Codes of the City of El Paso de Robles, and in particular their ability to meet the purpose and intent of General Plan Goals and Policies; and
- e. Those concerns center on the adequacy of existing code provisions and development standards to control the number, location, health and land use related impacts of tattoo parlors; and
- f. For the purposes of this Resolution, tattoo parlors are defined as the class of land use that includes but is not limited to a place of business where indelible marks or figures are affixed to the body by insertion of pigment under the skin; and
- g. Consideration of new tattoo parlors in advance of the adoption of adequate Municipal and Zoning Code provisions, to appropriately control the number, location, health and development standards, could be not only counter-productive but also contrary to the purpose and intent of the General Plan; and
- h. On June 1, 1993, the City Council unanimously adopted an urgency measure ordinance which directed that the City staff suspend the acceptance or processing of applications for Business Licenses and/or Planning approvals for new or additional tattoo parlors. The effective time and date of said suspension is applications that are determined to be complete by 5:00 PM on Tuesday, June 1, 1993; said suspension shall continue in effect

until City Council adoption of the current revisions to the Municipal and Zoning Codes, along with implementing measures including but not limited to zoning consistency and development standards, designed to insure that tattoo parlors do not exceed the ability of the community to provide services without adversely impacting service levels to the current resident and business community; and

i. The 45 day period established under the urgency ordinance has not provided adequate time for the City staff to bring forward to the City Council a comprehensive tattoo parlor ordinance which adequately addresses the General Plan Goals and Policies of the City of Paso Robles.

SECTION 2. The City Council does hereby find, determine and declare as follows:

In the absence of a comprehensive tattoo parlor ordinance which would limit the number, location, health and development standards of tattoo parlors, the approval of additional land use entitlements for tattoo parlors is an immediate danger to public health, safety and/or welfare.

SECTION 3. NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of El Paso de Robles, California, that this ordinance shall remain in effect until June 1, 1994 and as of such date is repealed, unless a later enacted ordinance, which is effective before June 1, 1994, deletes or extends such date.

PASSED AND ADOPTED THIS 6th day of July, 1993, by the following roll call vote:

AYES:

NOES:

ABSENT:

MAYOR CHRISTIAN E. IVERSEN

ATTEST:

RICHARD J. RAMIREZ, CITY CLERK

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