PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING OCTOBER 11, 2007

Prepared by: Tricia Stewart, Associate Planner

ITEM IV-B: CONDITIONAL USE PERMIT COMPLIANCE REVIEW - 531 ELEFA STREET (BRICE HAIR SALON) - FILE# 2005PL-104 (CUP- 000016)

REQUEST

The Planning Commission approved a conditional use permit to allow customer contact associated with a home occupation (hair salon) at a single-family residence on January 26, 2006. A condition of project approval required that a compliance hearing be held to ensure that the home occupation is being operated in compliance with the conditions of approval.

Applicant – Angela Brice Property Owner – Linda Dunne

SUMMARY RECOMMENDATION

Staff recommends that the Planning Commission find the use has been operating in compliance with the approved conditions and that the use has not adversely affected the adjacent residences.

BACKGROUND

The home occupation is operated out of a single family home located within the Los Cerritos subdivision within the Infill area of the City (Figure 1). On January 26, 2006, the Planning Commission unanimously approved a conditional use permit to allow customer contact associated with a home occupation for a hair salon per Section 19.42.020 of the Zoning Ordinance. One of the conditions of approval required a compliance review after one year to ensure that the home occupation is being operated in compliance with the conditions of approval. While the CUP was approved in January 2006, the applicant did not begin operation of the hair salon until July 2006 and therefore the compliance review was delayed.



Figure 1: Project Site

EVALUATION

The purpose of this review is to ensure that the use is operating in compliance with the approved conditions and is not impacting the neighborhood related to traffic, parking and/or noise. Staff has contacted the Police and Code Enforcement Departments to inquire about complaints at the residence since July 2006. According to the these departments there have not been any calls for service or complaints for 531 Elefa Street related to the current home occupation.

Since the hair salon has been in operation, staff has visited the site on multiple occasions and has never noticed any issues related to traffic, parking, and/or noise. The applicant indicated that she is operating in compliance with the conditions of approval with the exception that at times a client will park on the street in front of her house instead of in the driveway since there has been ample parking available. While staff has noted during site visits that there is no shortage of parking on Elefa Street during the day, clients should still be directed to park in the driveway so as to avoid any future impacts if parking demands in the neighborhood were to change. The applicant has agreed to comply with this condition.

The number of clients that the applicant sees per month is significantly less than what was anticipated originally and for the last twelve months has been ranging from only 10-15 people per month. The conditions also required that only one client be scheduled at a time to prevent parking issues. The applicant noted that at times she will schedule more than one client at a time only if they intend to arrive in the same vehicle (most of her clients are family and friends). The applicant confirmed that there is never more than one client's vehicle on the premises at any one time. The applicant commented that she has not received any complaints regarding the home occupation from any of her neighbors.

Public notices were mailed to property owners within a 300-foot radius of the project site. To date, no comments have been received from the public. Given these findings, staff has determined that the home occupation is operating in compliance with the conditions of approval and confirms that the cosmetology services provided are incidental to the primary use and are not impacting the character of the surrounding residential neighborhood.

CONCLUSION

From the information provided in this report, staff concludes that the project is in compliance with the approved conditions of approval. Staff does not believe that future compliance reviews need to be scheduled at this time. In the case that there are any future complaints, staff will work with the applicable parties to resolve any issues. If any future issues were to remain unresolved, the Zoning Ordinance provides that a compliance review can be initiated and brought before the Planning Commission for review and action.

ENVIRONMENTAL DETERMINATION

On January 26, 2006, the Planning Commission determined that the project was exempt from environmental review per Section 15061(b)(3) of the California Environmental Quality Act (CEQA) as a project that clearly does not have the potential to have a significant effect on the environment. No additional environmental review is required for the purpose of conducting a compliance review.

RECOMMENDATION

The Planning Department recommends that the Planning Commission take the following actions:

Find that:

- 1) The use has been operating in compliance with the approved conditions;
- 2) The use has not adversely affected the adjacent residences; and
- 3) The subject conditional use permit may continue with no additional compliance reviews required.

ATTACHMENTS

1. Brice Hair Salon Conditional Use Permit Staff Report (dated January 26, 2006)

Note to Applicant and/or Developer: Please contact the Planning Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.