

CITY OF
FOLSOM
DISTINCTIVE BY NATURE

PLANNING COMMISSION AGENDA
April 20, 2022
CITY COUNCIL CHAMBERS
6:30 p.m.
50 Natoma Street
Folsom, California 95630

Members of the public wishing to participate in this meeting via teleconference may participate either online or by telephone via WebEx.

Meeting Number: 2550 299 7700
Meeting Password: 04 20 2022

Join the meeting by WebEx online:

<https://cityoffolsom.my.webex.com/cityoffolsom.my/j.php?MTID=m63356db68f3be470592d071b94482c56>

To make a public comment using the WebEx online platform, please use the “raise hand” feature at the bottom center of the screen. Please make sure to enable audio controls once access has been given by the Commission Clerk to speak. Please wait to be called upon by the Commission Clerk.

Join the meeting by WebEx telephone: Dial 1-415-655-0001

To make a public comment by phone, please press *3 to raise your hand. Please make sure to enable audio controls by pressing *6 once access has been given by the Commission Clerk to speak. Please wait to be called upon by the Commission Clerk.

Verbal comments via virtual meeting must adhere to the principles of the three-minute speaking time permitted for public comment at Planning Commission meetings.

CALL TO ORDER PLANNING COMMISSION: Ralph Peña, Barbara Leary, Daniel West, Bill Romanelli, Justin Raithel, Bill Miklos, Eileen Reynolds

Any documents produced by the City and distributed to the Planning Commission regarding any item on this agenda will be made available at the Community Development Counter at City Hall located at 50 Natoma Street, Folsom, California and at the table to the left as you enter the Council Chambers. The meeting is available to view via webcast on the City’s website the day after the meeting.

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: The Planning Commission welcomes and encourages participation in City Planning Commission meetings, and will allow up to five minutes for expression on a non-agenda item. Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public; however, California law prohibits the Commission from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Commission.

MINUTES

The minutes of the April 6, 2022 meeting will be presented for approval.

PUBLIC HEARING

1. PN 21-062, 6987 Oak Avenue Tentative Parcel Map and Determination that the Project is Exempt from CEQA (Recommending Continuation to the May 18, 2022 Planning Commission Meeting)

A Public Hearing to consider a request from Roger and Gail Zittel for approval of a Tentative Parcel Map to subdivide a 1.03-acre single-family residential property located at 6987 Oak Avenue into two individual parcels. The site is zoned R-1-ML (A) (Single-Family Residential, Medium Lot District, Agricultural Combining District) and has a General Plan designation of SF (Single Family). The Planning Commission will take final action unless the decision is appealed to the City Council. The project is exempt from environmental review under Section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) Guidelines. **(Project Planner: Josh Kinkade)**

2. PN 22-037, Auctorem Tattoo Conditional Use Permit and Determination that the Project is Exempt from CEQA

A Public Hearing to consider a request from Folsom Central, LLC for the approval of the Auctorem Tattoo business at an existing 1,300-square foot commercial building located at 1175 Riley Street. The zoning classification for the site is C-2 (PD), while the General Plan land-use designation is CC. The Planning Commission will take final action unless the decision is appealed to the City Council. The project is exempt from environmental review under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines. **(Project Planner: Josh Kinkade)**

PLANNING COMMISSION / PLANNING MANAGER REPORT

The next Planning Commission meeting is scheduled for **May 4, 2022**. Additional non-public hearing items may be added to the agenda; any such additions will be posted on the bulletin board in the foyer at City Hall at least 72 hours prior to the meeting. Persons having questions on any of these items can visit the Community Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at City Hall, 2nd Floor, 50 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 461-6203 and FAX number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact the Community Development Department at (916) 461-6203, (916) 355-7274 (fax) or ksanabria@folsom.ca.us. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

NOTICE REGARDING CHALLENGES TO DECISIONS

The appeal period for Planning Commission Action: Any appeal of a Planning Commission action must be filed, in writing with the City Clerk's Office no later than ten (10) days from the date of the action pursuant to Resolution No. 8081. Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, the public hearing



CITY OF
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PLANNING COMMISSION MINUTES
April 6, 2022
CITY COUNCIL CHAMBERS
6:30 P.M.
50 Natoma Street
Folsom, CA 95630

CALL TO ORDER PLANNING COMMISSION: Bill Miklos, Ralph Peña, Barbara Leary, Eileen Reynolds, Daniel West, Bill Romanelli, Justin Raithel

ABSENT: Justin Raithel, Ralph Peña

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: None

MINUTES: The minutes of the December 15, 2021 meeting were approved as submitted.

Oath of Office Administered to Bill Romanelli

Election of Chair and Vice Chair

COMMISSIONER MIKLOS MOVED TO RECOMMEND EILEEN REYNOLDS TO SERVE AS CHAIR AND DAN WEST TO SERVE AS VICE CHAIR FOR THE PLANNING COMMISSION

COMMISSIONER LEARY SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: MIKLOS, LEARY, REYNOLDS, WEST, ROMANELLI
NOES: NONE
RECUSED: NONE
ABSENT: PEÑA, RAITHEL

PRESENTATIONS

1. Draft Active Transportation Plan (Brett Bollinger, Parks and Recreation Department)

PUBLIC HEARING

2. PN 21-120, Folsom Corporate Center Apartments General Plan Amendment, Rezone and Planned Development and Determination that the Project is Exempt from CEQA

A Public Hearing for approval of a General Plan Amendment, Rezone, and Planned Development Permit for the Folsom Corporate Center Apartments project. The proposed project includes development of a 253-unit market-rate apartment community on two sites (Lot 1: 7.24-acre parcel and Lot 6: 4.68-acre parcel) within the Folsom Corporate Center, which is located on the south side of Iron Point Road, slightly east of the intersection of Iron Point Road and Oak Avenue Parkway. A General Plan Amendment to change the General Plan land use designation for the two project parcels (Lot 1 and Lot 6) from IND (Industrial/Office Park) to MHD (Multi-Family High Density) and A Rezone to change the zoning designation for Lot 1 from M-L PD (Limited Manufacturing, Planned Development District) to R-4 PD (General Apartment, Planned Development District) and to change the zoning designation of Lot 6 from BP PD (Business and Professional, Planned Development District) to R-4 PD (General Apartment, Planned Development District). This project is exempt from the California Environmental Quality Act in accordance with Section 15315 of the CEQA Guidelines. **(Principal Planner: Steve Banks / Applicant: Cole Partners**

COMMISSIONER WEST MOVED TO RECOMMEND CITY COUNCIL APPROVAL OF THIS PROJECT, SUBJECT TO THE PROPOSED FINDINGS (FINDINGS A – U) AND CONDITIONS OF APPROVAL ATTACHED TO THIS REPORT (CONDITIONS 1-69). SPECIFICALLY, COMMISSIONER WEST MOVED TO RECOMMEND THAT CITY COUNCIL TAKE THE FOLLOWING ACTIONS TO APPROVE THIS PROJECT:

- ADOPT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR THE FOLSOM CORPORATE CENTER APARTMENTS PROJECT (PN 21-120) PER ATTACHMENT 23; AND
- APPROVE A GENERAL PLAN AMENDMENT TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FOR LOT 1 (APN NO. 072-3120-023) AND LOT 6 (APN NO. 072-3120-023) FROM IND (INDUSTRIAL/OFFICE PARK) TO MHD (MULTI-FAMILY HIGH DENSITY); AND
- APPROVE A REZONE TO CHANGE THE ZONING DESIGNATION FOR LOT 1 (APN NO. 072-3120-026) FROM M-L PD (LIMITED MANUFACTURING, PLANNED DEVELOPMENT DISTRICT) TO R-4 PD (GENERAL APARTMENT, PLANNED DEVELOPMENT DISTRICT) AND TO CHANGE THE ZONING DESIGNATION OF LOT 6 (APN NO. 072-3120-023) FROM BP PD (BUSINESS AND PROFESSIONAL, PLANNED DEVELOPMENT DISTRICT) TO R-4 PD (GENERAL APARTMENT, PLANNED DEVELOPMENT DISTRICT); AND
- APPROVE A PLANNED DEVELOPMENT PERMIT TO ESTABLISH DETAILED DEVELOPMENT AND ARCHITECTURAL STANDARDS FOR THE 253-UNIT FOLSOM CORPORATE CENTER APARTMENTS PROJECT.

COMMISSIONER ROMANELLI SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: MIKLOS, REYNOLDS, WEST, ROMANELLI

NOES: LEARY

RECUSED: NONE

ABSENT: PEÑA, RAITHEL

PLANNING COMMISSION / PLANNING MANAGER REPORT

The next Planning Commission meeting is scheduled for April 20, 2022.

RESPECTFULLY SUBMITTED,

Karen Sanabria, ADMINISTRATIVE ASSISTANT

APPROVED:

Eileen Reynolds, CHAIR

PLANNING COMMISSION STAFF REPORT

DATE: April 20, 2022
TO: Planning Commission
FROM: Community Development Department
SUBJECT: **6987 Oak Avenue Tentative Parcel Map (PN 21-062)**

STAFF RECOMMENDATION

The applicant has requested that this item be continued off calendar to allow for time to make additional modifications to the map.

PLANNING COMMISSION ACTION

MOVE TO CONTINUE PN 21-062, A TENTATIVE PARCEL MAP APPLICATION TO SUBDIVIDE AN EXISTING 1.03-ACRE SINGLE-FAMILY RESIDENTIAL PROPERTY LOCATED AT 6987 OAK AVENUE INTO TWO INDIVIDUAL PARCELS, TO THE MAY 18, 2022 PLANNING COMMISSION MEETING.

ATTACHMENT

E-mail message from the applicant's agent (enclosed).

From: [Christopher Johnson](#)
To: [Josh Kinkade](#)
Cc: [Steve Krahn](#)
Subject: RE: Zittel Parcel Map
Date: Wednesday, April 13, 2022 3:08:51 PM
Attachments: [image016.png](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image022.png](#)
[image023.png](#)
[image024.png](#)
[image025.png](#)
[image026.png](#)
[image028.png](#)
[image029.png](#)
[image030.png](#)
[image031.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Josh,

Could you please let staff know we are requesting to be removed from this coming hearing on the 20th. We need more time to address the utility easement locations, structure removals, and tentative map modifications.

Please let me know if this email is satisfactory in giving you authorization to push our hearing to the May calendar.

Thank you.

Sincerely,

Chris

Christopher D. Johnson, PLS
Licensed – CA, AZ, NV, CO
chris@geo-landinc.com



A GEO LEGAL COMPANY



CITY OF
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AGENDA ITEM NO. 2
Type: Public Hearing
Date: April 20, 2022

Planning Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: Auctorem Tattoo Conditional Use Permit
File #: PN 22-037
Request: Conditional Use Permit
Location: 1175 Riley Street
Parcel(s): 071-0690-050
Staff Contact: Josh Kinkade, Associate Planner, 916-461-6209
jkinkade@folsom.ca.us

Property Owner

Name: Folsom Central, LLC
Address: 540 Fulton Ave.,
Sacramento CA 95825

Applicant

Name: Taylor Ritberger/Josh Turpin
Address: 1175 Roades Wy./1595 Ballou Cir.
Folsom, CA 95630

Recommendation: Conduct a public hearing and upon conclusion approve a Conditional Use Permit application to operate a tattoo parlor at 1175 Riley Street (PN 22-037) subject to the findings included in this report (Findings A-G) and attached conditions of approval (Conditions 1-15).

Project Summary: The proposed project includes operation of a tattoo parlor business within an existing 1,300-square-foot commercial building located at 1175 Riley Street.

Table of Contents:

- 1 - Description/Analysis
- 2 - Background
- 3 - Conditions of Approval
- 4 - Vicinity Map
- 5 - Proposed Floor Plans
- 6 - Applicant's Narrative
- 7 - Photographs of the Project Site



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AGENDA ITEM NO. 2
Type: Public Hearing
Date: April 20, 2022

Submitted,

PAM JOHNS
Community Development Director

**ATTACHMENT 1
DESCRIPTION/ANALYSIS**

APPLICANT’S PROPOSAL

The applicants, Taylor Ritberger and Josh Turpin, are requesting approval of a Conditional Use Permit (PN 22-037) to operate a tattoo parlor business (Auctorem Tattoo) within an existing 1,300-square foot commercial building located at 1175 Riley Street, within the Folsom Central Shopping Center. According to the attached project narrative (Attachment 6), the applicant would have four tattoo stations and would perform tattoos by appointment only. The applicant is also proposing to sell clothing and art pieces. The applicant is asking to operate Tuesday through Saturday between the hours of 12:00 pm and 7:00 pm. Existing on-site parking would be utilized. No exterior modifications to the building are proposed other than future installation of a wall sign.

POLICY/RULE

Section 17.60.010 of the Folsom Municipal Code states that the Planning Commission shall have final authority relating to the issuance of Conditional Use Permits for any of the uses or purposes for which such permits are required or permitted by the terms of this title. FMC section 17.22.030 states that tattoo establishments require issuance of a Conditional Use Permit in C-2 and C-3 zones. FMC 17.60.020 states that application for a use permit shall be made to the Community Development Department in writing, on a form prescribed by the department, and shall be accompanied by plans and elevations necessary to show details of the proposed land use activities on the subject property. FMC 17.60.040 states that the Commission’s findings shall be that the establishment, maintenance or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the city.

GENERAL PLAN AND ZONING CONSISTENCY

The General Plan land use designation for the project site is CC (Community Commercial) and the zoning designation for the project site is C-2 (PD): Central Business (Planned Development). The Folsom Municipal Code states that tattoo/body art establishments are a permitted use within a Central Business District zoning district (C-2) upon the issuance of a Conditional Use Permit by the Planning Commission. Therefore, staff has determined that the proposed use requires a Conditional Use Permit (CUP).

ANALYSIS

In order to approve a request for a Conditional Use Permit, the Commission must find that the “establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the

neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City” (FMC, Section 17.60.040).

In reviewing this request for a Conditional Use Permit, staff took into consideration the proposed use and the compatibility of the proposed business in relation to surrounding land uses and businesses. The Auctorem Tattoo establishment is proposed to be located within an existing commercial/retail space located at 1175 Riley Street. Existing uses within the Folsom Central Shopping Center include restaurants, retail, a daycare, a pharmacy, a spa and an auto parts store. Residential uses are not located in the general vicinity of the project site. Proposed hours of operation (Tuesday through Saturday, 12:00 p.m. to 7:00 p.m.) are compatible with those of existing businesses in the area, which are generally open Monday through Sunday between 7:00 a.m. and 10:00 p.m. To account for potential future expansions in business or flexibility in appointment times, staff has conditioned that the allowable hours be limited to Monday through Sunday from 11:00 a.m. and 8:00 p.m. Condition No. 1 reflects these hours. Furthermore, there is no proposed entertainment or outdoor use associated with the business (which is prohibited by Condition No. 12).

Based on the commercial nature of the project area and the operational characteristics of Auctorem Tattoo, staff has determined that the proposed use is compatible with the surrounding land uses and businesses and would not produce any additional impacts to nearby uses beyond any other business allowed by right in the C-2 zone. Existing and prior tattoo studios in Folsom have not generated any significant impacts to nearby properties as conditioned based on the absence of Code Enforcement cases associated with these uses in recent years.

In considering the request by the applicant for a Conditional Use Permit, staff also evaluated potential health and safety-related impacts that may be associated with operation of a tattoo business at the subject commercial location in relation to existing State regulations. On October 9, 2011, Governor Brown signed AB 300, also known as the “Safe Body Art Act”, which has been amended since its passage. The intent of the law is to provide fair, safe, and enforceable standards across California for body art, including tattooing, permanent makeup, body piercing, and branding. The law requires a person performing body art work to register annually with the local enforcement agency, requires blood-borne pathogen training, establishes sanitation requirements, and requires the owner of a body art facility to obtain and annually renew a health permit.

In this particular case, the Sacramento County Environmental Management Department is the local enforcement agency relative to the aforementioned requirements. Staff recommends that the owner/applicant provide evidence that they have filed a Certificate of Registration with the Sacramento County Environmental Management Department for each individual tattoo artist working at 300 Reading Street. In addition, staff recommends that owner/applicant comply with all requirements of the Safe Body Art Act, Health & Safety Code § 119300, et seq. Conditions No. 10 and No. 11 are included to reflect these requirements.

Planning staff consulted with the City of Folsom Police Department to determine if there are any potential issues associated with operation of the tattoo parlor business as proposed. The Police Department does not have any safety-related concerns about the proposed operation of a tattoo parlor as described by the applicant at the subject location.

Pursuant to Sections 17.60.050 of the Folsom Municipal Code, in any case where the conditions to the granting of a Use Permit have not been, or are not, complied with, the Planning Commission may revoke the permit after a public hearing on the matter. Therefore, the Auctorem Tattoo Conditional Use Permit is subject to ongoing review by the Community Development Department to ensure that it does not result in adverse impacts to the community. If the Community Development Director finds evidence that conditions of approval for the Auctorem Tattoo business have not been fulfilled or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property or have a substantial adverse impact on public facilities or services or the general welfare of the City, the Director will refer the Use Permit to the Planning Commission for review. If, upon such review, the Planning Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit following a hearing on the matter. Condition No. 2 is included to reflect this requirement.

Regarding parking, FMC Section 17.57.040(6) requires one off-street parking space per 200 square feet of commercial use. Given the 1,300 square feet of building space, this would result in a requirement of 6.5 spaces for this use. The existing private parking lot was approved as part of the Planned Development Permit for Folsom Central and is shared with the other tenants of the Folsom Central commercial center. Furthermore, the proposed use will retain the same commercial parking standard as a commercial use allowed by right, and therefore will not create additional parking demand beyond that of an allowed use. As such, adequate off-street parking currently exists on the project site for the proposed use.

Finally, signage for the proposed use is not included in this application. Signage is subject to FMC Chapter 17.59. Condition No. 13 is included to reflect this requirement.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Section 15301 Existing Facilities of the California Environmental Quality Act (CEQA). Based on staff's analysis of this project, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case.

RECOMMENDATION

Staff recommends approval of the proposed project, subject to the following findings and the conditions of approval attached to this report.

PLANNING COMMISSION ACTION

Move to approve the Auctorem Tattoo Conditional Use Permit (PN 22-037), subject to the findings included in this report (Findings A-G) and attached conditions of approval (Conditions 1-15).

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.

- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE ZONING CODE OF THE CITY.

CEQA FINDINGS

- C. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15301 (EXISTING FACILITIES) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.

- D. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.

- E. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.

CONDITIONAL USE PERMIT FINDING

- F. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE OR OPERATION OF THE USE APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, AS THE PROPOSED BUSINESS WILL HAVE NOT HAVE NEGATIVE IMPACTS TO NEARBY USES THAT HAVE NOT BEEN MITIGATED.

ATTACHMENT 2 BACKGROUND

BACKGROUND

A Planned Development Permit and Tentative Parcel Map for the Folsom Central Shopping Center was approved by the Planning Commission in 1995 (PN 94-044). The development was constructed in 1997 according to Sacramento County Assessors records. The center includes various restaurants and retail uses, along with a daycare, a spa and an auto parts store.

GENERAL PLAN DESIGNATION

CC, Community Commercial

ZONING

C-2 PD, Central Business (Planned Development)

ADJACENT LAND USES/ZONING

North: Commercial buildings (C-2)

South: Riley Street Alley with the Folsom Aquatic Center (C-2) beyond

East: Commercial buildings (C-2 PD)

West: Commercial Buildings (C-2 PD)

SITE CHARACTERISTICS

The 2.2-acre parcel consists of a one-story 21,255-square-foot multi-tenant commercial and retail building with a parking lot and associated landscaping.

APPLICABLE CODES

FMC Chapter 17.22; Commercial Land Use Zones

FMC Chapter 17.60; Use Permits

ATTACHMENT 3

Conditions of Approval

**CONDITIONS OF APPROVAL FOR
AUCTOREM TATTOO CONDITIONAL USE PERMIT
(PN 22-037)**

CONDITIONS OF APPROVAL FOR AUCTOREM TATTOO CONDITIONAL USE PERMIT (PN 22-037)				
Cond. No.	Mitigation Measure	GENERAL REQUIREMENTS	When Required	Responsible Department
1.		<p>This Conditional Use Permit is approved for the establishment of the Auctorem Tattoo business at 1175 Riley Street, which includes operation of a tattoo parlor within a 1,300-square-foot commercial space. Hours of operation for the business shall not exceed the hours of 11:00 a.m. through 8:00 p.m. Monday through Sunday. Sales of clothing and art pieces are included in this business. The Auctorem Tattoo business shall substantially conform to the exhibit referenced below:</p> <ul style="list-style-type: none"> • Floor Plans, attached to the April 20, 2022 staff report <p>Any expansion of the days and/or hours of operation or plans shall be subject to review and approval by the Planning Commission through a Conditional Use Permit Modification.</p>	OG	CD (P)
2.		<p>If the Community Development Director finds evidence that conditions of approval for the Auctorem Tattoo Conditional Use Permit have not been complied with or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or has a substantial adverse impact on public facilities or services, the Director will refer the use permit to the Planning Commission for review. If, upon such review, the Planning Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit.</p>	OG	CD (P)
3.		<p>This Conditional Use Permit shall be deemed revoked without further action by the Planning Commission if the operation of the facility in the manner described in the Conditional Use Permit ceases for any consecutive period of six (6) months.</p>	OG	CD

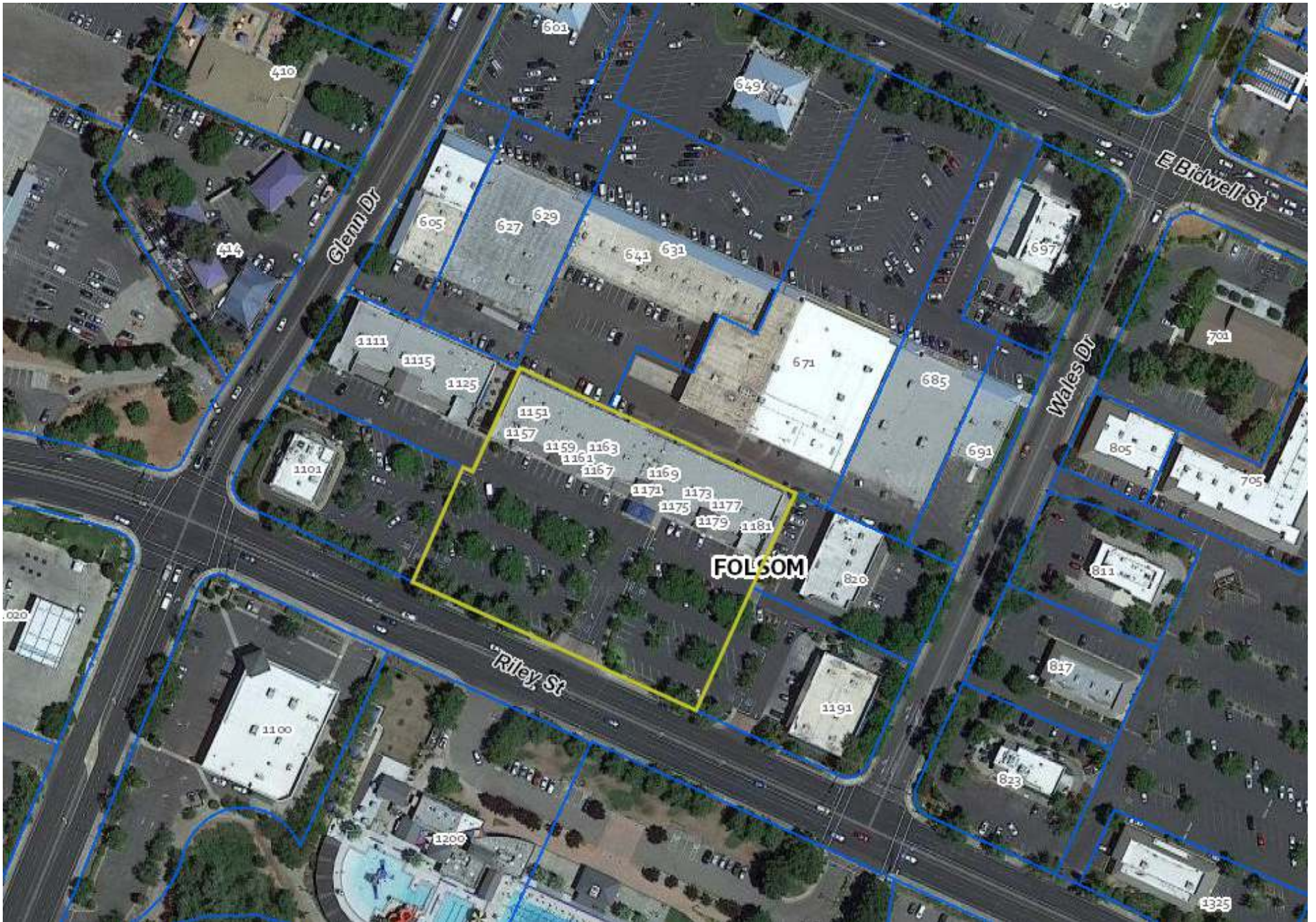
4.		<p>The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney’s fees and costs; and • The City defends the claim, action or proceeding in good faith <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD
DEVELOPMENT COSTS AND FEE REQUIREMENTS				
5.		The owner/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.	B	CD (P)(E)
6.		The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.	B	CD (P)(E)
7.		This project approval shall remain in effect for one year until April 20, 2023. If a Conditional Use Permit is not vested within the identified time frame prior to the expiration date and the applicant has not demonstrated substantial progress towards the development of the project, this approval shall be considered null and void. The owner/applicant may file an application with the Community Development Department for an extension not less than 30 days prior to the expiration date of the permit, along with appropriate fees and necessary submittal materials pursuant to Chapter 17.60 of the <u>Folsom Municipal Code</u> .	B	CD (P, B)

CONDITIONAL USE PERMIT REQUIREMENTS

9.		Any intensification or expansion of the use approved and conditioned herein will require a Use Permit modification approval by the Planning Commission.	B, OG	FD NS (B)
10.		The owner/applicant shall provide evidence that they have filed a Certificate of Registration with the Sacramento County Environmental Management Department for each individual tattoo artist working at Auctorem Tattoo prior to approval of each tattoo artist’s business certificate.	B, OG	CD (P)
11.		The owner/applicant shall comply with all requirements of California Health & Safety Code sections 119300, et seq. (“Safe Body Art Act”) including but not limited to: registering annually with the local enforcement agency, complying with vaccination, blood borne pathogen training, conforming to sanitation requirements, and obtaining and annually renewing a health permit.	OG	CD (P)
12.		Entertainment (as defined in Section 5.90 of the <u>Folsom Municipal Code</u>) and outdoor activity of any kind at Auctorem Tattoo shall be prohibited.	OG	CD (P)
13.		Signage for the site shall comply with the <u>Folsom Municipal Code</u> Chapter 17.59.	OG	CD (P, B)
14.		Compliance with the City of Folsom’s Noise Control Ordinance (<u>Folsom Municipal Code</u> Chapter 8.42) and General Plan Noise Element shall be required.	OG	CD (P)
15.		If the building is sprinklered, this applicant shall meet all National Fire Protection Association (NFPA) 13 Standards and California Fire Codes with regards to the 19-foot wall with archway being constructed.	B	CD (B)

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD (P) (E) (B) (F)	Community Development Department Planning Division Engineering Division Building Division Fire Division	I	Prior to approval of Improvement Plans
		M	Prior to approval of Final Map
		B	Prior to issuance of first Building Permit
		O	Prior to approval of Occupancy Permit
		G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

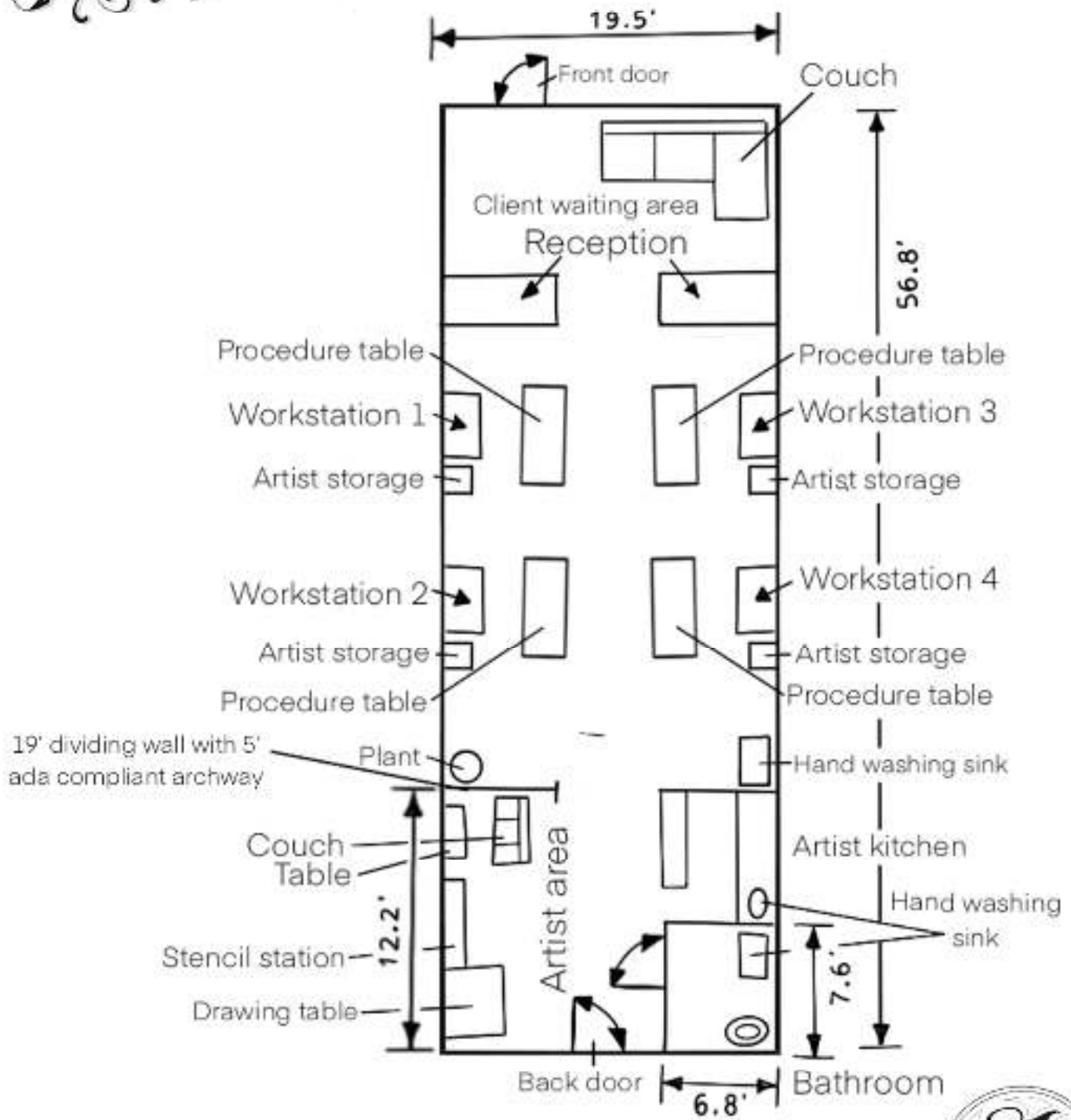
Attachment 4 Vicinity Map



ATTACHMENT 5

Proposed Floor Plans

AUCTOREM TATTOO



Attachment 6

Applicant's Narrative

Project Summary for Auctorem Tattoo

Auctorem Tattoo will open a small, high end, salon style studio in Folsom, California where both experienced clients and new clients will have a comfortable and clean atmosphere to get tattooed in. The business will provide medium to large scale projects that take multiple sessions to complete. Everything this shop has to offer will be custom, and specifically tailored to the client. The business is a private studio, and will be by appointment only. Auctorem Tattoo will eventually sell a wide range of clothing and art pieces designed by the two owners, and eventual other artists. The founders, Josh Turpin and Taylor Marie both individually share over 10 years of professional experience, and are Folsom locals. Taylor Marie grew up in Folsom, attending Folsom Hills Elementary, Folsom Middle School, and Vista De Lago High School. Josh Turpin has lived in Folsom since 2003, attending Folsom High School. He recently purchased his first home with his wife, here in the heart of Folsom. Together they are raising a beautiful baby girl.

Auctorem Tattoo will create safe and impressive artwork for all current and potential new clients residing in Folsom, and the surrounding cities. As well as states away, and so on. The business seeks to continue creating full time livelihood for both Josh and Taylor, and other artists that will work with us in the future. Josh and Taylor are on a mission to positively change the industry. Their shop will be artist based, artist owned, and all inclusive, unlike many shops that are not owned by Tattoo artists. They strive to help other artists work in a comfortable, non judging environment, where they can profit off of their own work to fully support their families, and express their own individuality and freedom creating works of art for clients.

Our business hours are Tuesday-Saturday from 12-7pm

Attachment 7

Photographs of the Project Site

