

**Honorable Chairman and Members of the
Hermosa Beach Planning Commission**

**Regular Meeting of
April 15, 2003**

SUBJECT: CONDITIONAL USE PERMIT 03-2

LOCATION: 1200 PACIFIC COAST HIGHWAY, SUITE #102

APPLICANT: QUINCY CHEN
 8914 MARSHALL STREET #3
 ROSEMEAD, CA 91770

REQUEST: TO ALLOW A MASSAGE THERAPY BUSINESS (ACUPRESSURE)

Recommendation

To approve the request subject to the conditions contained in the attached resolution.

Background

PROJECT INFORMATION:

ZONING:	C-3, General Commercial
GENERAL PLAN:	General Commercial
FLOOR AREA:	884 square feet
PARKING:	52 Spaces Shared in Center
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

The applicant proposes to operate an acupressure business within a multiple tenant commercial center. The subject location is on the first level of the two-story building adjacent to the “Siam Cha Cha” restaurant.

Acupressure is considered a “massage therapy business” pursuant to the definitions of the Zoning Ordinance. The City adopted an ordinance to allow massage therapy businesses, subject to a Conditional Use Permit in 1997, and with that action adopted fairly restrictive regulations for obtaining a business license to conduct massage therapy¹ (as set forth in Chapter 5.74) and standard CUP conditions. This is the first application for a C.U.P. under these new provisions, as other massage businesses in this City are secondary uses to a health club, spa, beauty salon, or medical related uses. Pursuant to the massage ordinance these business offering massage as a secondary use do not require a C.U.P. since the massage therapy portion occupies less than 25% of the floor area of the primary business.

Analysis

The applicant is proposing to offer acupressure or massage therapy treatment as the primary function of the business. The plan shows four proposed workrooms, a small lobby and waiting area, a washroom, and a single bathroom. The location would appear to be suitable for this type of business, as it is within a commercial center with adequate parking, in a fairly visible location along P.C.H.

To address concerns related with inappropriate behavior associated with massage businesses, Chapter 5.74 of the Business License section of the Municipal Code was established, since these concerns are related to hygiene and the potential for criminal

activity, not land use or planning concerns. In addition, Section 17.40.160 of the Zoning Ordinance provides standard conditions for operation of a massage therapy business, requiring that a licensed massage therapist be on the premises at all times the business is open, that management inform patrons and employees of all rules of Chapter 5.74, and that hours limited to between 7:00 A.M. and 10:00 P.M.² Staff is including these conditions in the attached resolution, as well as a condition requiring a more detailed floor plan prior to permit issuance, identifying a private dressing room, separate closet storage for soiled and sanitary towels and linens, and specifying the types of massage tables and seats used in the workrooms.

If the CUP is approved, the following additional steps are necessary prior to opening the proposed massage therapy business:

- ❑ Submit detailed floor plans to the Community Development Department for plan check, and when approved, obtain a building permit for the proposed alterations to the interior.
- ❑ Submit an application pursuant to Chapter 5.74 to the Finance Department for a business license.
- ❑ The City Police Chief will review the application and conduct appropriate investigations of the applicant's submittal and record to determine if the business license can be issued in accordance with Chapter 5.74. If the applicant does not comply with these conditions the Police Chief may deny the application.
- ❑ The City will have to inspect the premises to ensure compliance with Chapter 5.74 with respect lighting, sanitary conditions, proper storage for towels and linens etc. prior to issuing a business license.

Ken Robertson
Senior Planner

CONCUR:

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Proposed Resolution
2. Location Map
3. Application w/ attachments
4. Chapter 5.74 of the HBMC

¹The requirements in Chapter 5.74, among other things, requires 500 hours of massage therapy training; CPR certification; Police Chief approval based on the applicant's record; dressing room and wash room facilities; sanitary towel service, etc. A copy of Chapter 5.74 is attached for reference.

² **Section 17.40.160 Massage Therapy Business**

The following conditions and standards of operation, in addition to any other deemed necessary or appropriate to ensure compatibility with existing or permitted uses in the vicinity, shall be required: A. A licensed Massage Therapist, pursuant to **Chapter 5.74** of the Hermosa Beach Municipal Code, shall be on the premises at all times when the business is open. The business may employ technicians or aides only if supervised by a licensed Massage Therapist.

B. Management shall adopt, inform patrons and employees of, and strictly enforce all requirements of the Conditional Use Permit and all regulations as set forth in **Chapter 5.74**.

C. Hours of operation shall be limited to between 7:00 A.M. and 10:00 P.M. or other hours as established by the Planning Commission if deemed necessary because of proximity to residential uses.
