



Agenda

Planning Commission Meeting

7:00 P.M. on Tuesday, May 22, 2012

Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton

CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG

Administrative

- 1A. Review of agenda items.
- 1B. Commissioner Manning to report at the City Council meeting on June 5, 2012.

Public Comment

Approval of Minutes

2. Approval of minutes from the meeting of May 8, 2012.

Public Hearing

3. **HOP 05-12, Home Occupation Permit, Debra Marion, 50 Mt. Olympus Place, APN 119-212-034.** A request for a Home Occupation Permit to consider allowing a permanent cosmetic business to operate in a single-family residence.

Proposed Action: Approve, with conditions.

Old Business

4. None.

New Business

5. None.

Communications

- 6A. Staff.
- 6B. Commission.

Adjournment

7. The next meeting of the Planning Commission is scheduled for **Tuesday, June 12, 2012.**

Most Planning Commission decisions are appealable to the City Council within ten (10) calendar days of the decision. Please contact Community Development Department staff for further information immediately following the decision. If the decision is appealed, the City Council will hold a public hearing and make a final decision. If you challenge a final decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s), either in oral testimony at the hearing(s) or in written correspondence delivered to the Community Development Department at or prior to the public hearing(s). Further, any court challenge must be made within 90 days of the final decision on the noticed matter. If you have a physical impairment that requires special accommodations to participate, please contact the Community Development Department at least 72 hours in advance of the meeting at 925-673-7340. An affirmative vote of the Planning Commission is required for approval. A tie vote (e.g., 2-2) is considered a denial. Therefore, applicants may wish to request a continuance to a later Commission meeting if only four Planning Commissioners are present.

Any writing or documents provided to the majority of the Planning Commission after distribution of the agenda packet regarding any item on this agenda will be made available for public inspection in the Community Development Department located at 6000 Heritage Trail during normal business hours.

Minutes
Clayton Planning Commission Meeting
Tuesday, May 8, 2012

Call to Order

Chair Dan Richardson called the meeting to order at 7:00 p.m. at Hoyer Hall, 6125 Clayton Road, Clayton.

Present: Chair Dan Richardson, Commissioner Bob Armstrong, Commissioner Sandra Johnson, and Commissioner Gregg Manning

Absent: Vice Chair Keith Haydon

Staff: Community Development Director David Woltering
Assistant Planner Milan Sikela, Jr.

Administrative

1A. Review of agenda items.

1B. Commissioner Armstrong to report at the City Council meeting on May 15, 2012.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the meeting of April 10, 2012.

Commissioner Manning moved and Commissioner Johnson seconded a motion to approve the minutes, as submitted. The motion passed 3-1 (Commissioner Armstrong abstained since he did not attend the April 10, 2012 Planning Commission meeting).

Public Hearing

3. The following public hearings pertain to the Safeway building in the Clayton Station Shopping Center. The applicant is Safeway, Inc. The project site is located at 5431 Clayton Road (APN 118-031-056) in Clayton.

- **SPR 01-12, Site Plan Review Permit.** Consideration of proposed exterior modifications which entail a new paint scheme, masonry treatments, light sconces, and lattice in the entryway gable features.
- **SP 01-12, Sign Permit.** Consideration of seven new wall signs on the front and side elevations.

Assistant Planner Sikela presented the staff report. He began by reviewing the exterior modifications being proposed by the applicant. Mr. Sikela indicated staff was supportive of the proposed changes with the exception of the masonry treatments. He indicated staff believed the base masonry treatments should be placed on all thirteen of the exterior columns on the Safeway store and that the applicant agreed with that position. He stated further that staff did not believe the masonry material proposed by the applicant complemented the existing stone treatments used for the adjacent seat walls within the shopping center. He pointed out that the stone used for the seat walls was lighter in color and less uniform in appearance. He mentioned that staff included a recommended condition of approval that the applicant work with staff to determine a more complementary exterior masonry material for the Safeway store.

Assistant Planner Sikela then presented an overview of the proposed signage. He indicated that the proposed signage would replace the existing signage. He stated the proposed signage conformed to the Clayton Station Master Sign Plan sign criteria and would be of an appropriate proportion for the size of the Safeway building.

Assistant Planner Sikela concluded by indicating that, during a site visit, staff observed the Safeway store at Clayton Station had vending machines and merchandise for sale outside in front of the store. Mr. Sikela indicated such outdoor uses and activities would need approval of a Use Permit in accordance with Condition of Approval 11 from the Clayton Station Project Final Development Plan which states:

“Unenclosed uses, outside storage and commercial activities are prohibited. Safeway may display Christmas Trees, and pumpkins outside the store in season, in a tasteful manner. Any exception to the foregoing would require a Use Permit.”

Mr. Sikela indicated that, in order to address this issue, an Advisory Note had been provided in the staff report regarding this requirement and the applicant had been contacted by staff prior to tonight’s Planning Commission meeting about the matter.

Commissioner Manning commented that, according to the sign plans, the Wells Fargo sign appeared as if it was protruding from the wall, which gave the sign some depth and presence, and asked if the Safeway sign would protrude from the wall as well? *Mr. Sikela responded that, yes, all the proposed signs would protrude from the wall in a consistent manner.*

Commissioner Armstrong explained that, while he understood the intent of Condition of Approval 11 from the Clayton Station Project Final Development Plan, he didn’t want to over-regulate the Safeway store and was concerned that the Condition would preclude such uses as Girl Scout cookie sales and similar uses. *Director Woltering indicated that the Condition would not preclude Girl Scout cookie sales but, instead, was intended to regulate prolonged outdoor storage of items for sale as well as vending machines and other such items that could result in a cluttered and unattractive appearance for the development.*

The public hearing was opened.

Representative of and store designer for the applicant, Jason Gomes, indicated the following:

- We wanted to use natural colors (e.g., tan, beige, and brown tones) for the Safeway store which were complementary with the rest of the Clayton Station buildings while, at the same time, would provide the store with its own separate identity.
- The exterior masonry treatments being proposed are a stacked ledgestone which tie in with the existing horizontal siding of the Safeway building.
- The Condition of Approval requiring that the proposed masonry treatments be integrated with the existing masonry on the adjacent seat walls should be removed.
- All the proposed signs will protrude approximately two inches from the wall of the store facade.

The public hearing was closed.

Commissioner Johnson indicated she believed the overall proposed project was attractive. She asked if the light sconces were to be installed flat against the wall. *The project architect indicated that they would project out from the facade and light up the entries.*

Commissioner Manning indicated his general support for the proposed project. He stated, however, that if the shopping center were being designed as a whole, the two different masonry treatments would not be used. He suggested that a different masonry treatment be specified for the Safeway building that would better blend with the existing stone seat walls in the shopping center.

Chair Richardson agreed that a different masonry treatment should be identified for the Safeway building and he supported the Condition being recommended by staff that the applicant work with staff to identify an alternative masonry treatment that better matches the existing stone seat walls. Chair Richardson indicated he believed the proposed lattice work in the gabled entries of the Safeway store are very attractive.

Commissioner Armstrong moved and Commissioner Manning seconded the motion to approve the Site Plan Review Permit (SPR 01-12) and Sign Permit (SP 01-12), subject to the findings, conditions, and advisory notes recommended by staff. The motion passed 4-0.

Old Business

4. None.

New Business

5. None.

Communications

6A. Staff.

Community Development Director Woltering indicated that staff had received written authorization and the necessary funds from the Clayton Community Church to restart the processing of the environmental impact report (EIR) for the congregation's proposed sanctuary and mixed-use project in Clayton's Town Center. Director Woltering indicated he would be working with representatives of the environmental consultant, LSA Associates, to prepare a new schedule for completing the EIR and to bring the project forward to public hearings.

6B. Commission.

Commissioner Armstrong mentioned that he had been contacted about the Stice property. The party that contacted him had two concerns: one was that the manure from the horses being kept on the property was not being cleaned up in an appropriate or timely manner as had been conditioned for the keeping of the horses on the property; and, two, there was concern about the loss of solar access on neighboring properties because of the growth of trees on the Stice property. *Director Woltering indicated that the City does not have a solar access ordinance pertaining to trees. He did indicate, though, that there are subdivision and development standards that address solar rights as related to new construction but these standards would not apply to the Use Permit for the keeping of horses on the Stice property. Assistant Planner Sikela indicated that he would contact Mrs. Stice regarding complying with the conditions pertaining to keeping and maintaining her horses.*

Adjournment

7. The meeting was adjourned at 7:50 p.m. to the following regularly-scheduled meeting of May 22, 2012.


Submitted by
David Woltering, AICP
Community Development Director

Approved by
Dan Richardson
Chair

Plng Comm\Minutes\2012\0508

**PLANNING COMMISSION
STAFF REPORT**

Meeting Date: May 22, 2012

From: Milan J. Sikela, Jr. 
Assistant Planner

Subject: Marion Home Occupation Permit (HOP 05-12)

REQUEST

A request for consideration of a home occupation permit to allow a permanent cosmetic business to operate in a single-family residence.

PROJECT INFORMATION

Applicant/Location: Debra Marion
50 Mt. Olympus Place
Clayton, California 94517
APN 119-212-034
(See **Attachment 1** for Location Map)

General Plan Designation: Low Density – Single Family Residential (1.1 to 3.0 units per acre).

Zoning: Single Family Residential R-10 District (10,000 square-foot minimum lot area).

Environmental Review: Categorically exempt per Sections 15305 of the California Environmental Quality Act (CEQA) Guidelines.

Public Notice: On May 11, 2012, a public hearing notice was posted at the notice boards and mailed to property owners within 300 feet of the site.

Agency Referrals: Comments received from the Contra Costa County Environmental Health Department have been integrated into the staff report.

Authority: Section 17.44.020 of the Clayton Municipal Code (CMC) authorizes the Planning Commission to approve a home occupation permit in accordance with the standards of review in CMC Section 17.70.030.B.

DISCUSSION

The applicant/property owner is requesting approval of a home occupation permit for a permanent cosmetic business that involves clients visiting the subject residence and storage of chemicals and materials beyond that associated with normal household activities. According to the written supplement submitted by the applicant (see **Attachment 2**), the business would be conducted the last ten days of each month (Monday through Saturday, excluding Sundays), with a maximum of one client at a time receiving treatment on-site and a total maximum of two clients per day. All clients would be 21 years of age or older. The business is proposed to operate between the hours of 10:00 a.m. and 5:00 p.m., with the applicant being the only on-site employee. Staff has provided conditions for the above-mentioned operating parameters of the proposed home occupation.

In summary, the written supplement describes the home occupation as the application of permanent “micro pigmentation” for eyebrows, eyeliner, lip liner, scar repair, and other restorative cosmetic procedures. The supplement describes the application of permanent cosmetics as being a method of “depositing hypoallergenic mineral pigments into the dermal layer of the skin” and indicates that the procedure utilizes devices (e.g., needles that are part of an integrated cartridge system) that are digitally computerized and prevent cross-contamination. The items used include the following:

- Nouveau Contour needle cartridges;
- Nouveau Digital Machine;
- Hypo-allergenic pigments;
- Over-the-counter numbing agent known as Lidocaine;
- Hospital-issue disinfectant wipes known as “Cavi-Wipes”;
- Small surgical tray with “tidy” towels used for tray liner;
- Gloves;
- Table paper; and
- Disposable pillow cases.

The home occupation is proposed to occur in one room within the subject residence. In the written supplement, the applicant indicates that the room and all items used will be thoroughly sterilized in accordance with Society of Permanent Cosmetics Professionals standards. Furthermore, the work environment and operation are proposed and are conditioned to comply with all applicable codes, regulations, and/or requirements of the Contra Costa County Environmental Health Department, other County agencies, State, Federal, and/or other governing bodies of the permanent cosmetic business. Various certifications and the experience of the applicant are identified in the attached written supplement and include the following:

- Blood Borne Pathogen course completion from the American Academy of CPR and First Aid (see **Attachment 3**);
- Certificate of Achievement qualification as an Advanced Intradermal Cosmetic Technician issued by the American Institute of Intradermal Cosmetics (see **Attachment 4**); and
- Medical background in dermatology and vascular surgery.

The applicant indicates that the four uncovered off-street parking spaces in the driveway of the subject residence will be available for clients so as not to create an impact to on-street parking in the neighborhood. Staff has provided a condition that the applicant encourage clients to park their vehicles in the off-street parking spaces in the driveway of the applicant’s residence.

CONTRA COSTA COUNTY ENVIRONMENT HEALTH COMMENTS

Staff contacted the Contra Costa County Environmental Health Department (CCCEHD) regarding the proposed home occupation. In summary, staff was informed that, based on information submitted by the applicant to the City, the home occupation, as conditioned, would be in compliance with CCCEHD regulations and requirements and, through the CCCEHD review and approval process, the permanent cosmetic business would be required to comply with all applicable codes, regulations, and/or requirements of the CCCEHD, other County agencies, State, Federal, and/or other governing bodies related to the operation of the permanent cosmetic business. Staff has provided a condition that, prior to commencing the home occupation, the applicant obtain approval from the CCCEHD and all pertinent agencies, as applicable, and provide documentation of applicable agency approval to the Community Development Director.

CCCEHD personnel indicated to staff that applicable requirements for permanent cosmetic services are becoming increasingly regulated, given the passage of Assembly Bill 300 which goes into effect on July 1, 2012. The subject home occupation would be required to comply with these more restrictive requirements which, in turn, provides further support that the home occupation, as conditioned, would comply with the City's standards of approval.

In order to ensure ongoing compliance with City standards, staff has provided a condition that, if other changes occur to CCCEHD or other outside agency regulations that would in any way allow the home occupation to operate in a manner that would violate City standards, the applicant would be required to cease the permanent cosmetic business and return to the Planning Commission for additional review. Based on information obtained by staff during research in preparation of this staff report, the applicable regulations for permanent cosmetic services are evolving toward becoming more restrictive, not more lenient. Although changes toward leniency are not anticipated, this condition would allow the City the authority to re-assess the home occupation in the circumstance that outside agency allowances would create a situation where the home occupation would violate City standards.

ANALYSIS AND CONCLUSION

Staff has reviewed the proposal and found that the home occupation, as conditioned, would comply with the Home Occupation Permit Standards of Approval listed in Clayton Municipal Code Sections 17.71.020.B.1 through 12 and 17.71.030.B.2 through 4 (see **Attachment 7**). The home occupation would use only one room in the residence; provide sufficient off-street parking; would not create noise, odor, dust, fume, vibration, or interference impacts to adjacent residential properties and public areas; would have no signage or exterior indication of the home occupation; and would have no outside display or storage of goods and materials. As a result, the home occupation would be compatible with and not change the character of the adjacent residential areas in the neighborhood. Furthermore, Section 17.71.030.B.2 allows a maximum of six clients per day; the applicant is proposing a maximum of two, and the two clients would only be on-site the last ten days of each month, excluding Sundays. Regarding anticipated clientele, the applicant has indicated that providing services to two clients per day is a "best case" scenario with the reality being that, during the initial stages of establishing the home occupation, client visits would be less than two per day. Lastly, Sections 17.71.030.B.3 and 4 allow chemicals, materials, and mechanical equipment beyond that associated with normal household activities as long as the chemicals, materials, and mechanical equipment do not create a hazard or nuisance. Based on the proposed business parameters, applicable compliance requirements, and established regulatory mechanisms, the home occupation, as conditioned, complies with City standards.

RECOMMENDATION

Staff recommends that the Planning Commission approve Home Occupation Permit HOP 05-12 to allow the operation of a permanent cosmetic business at 50 Mt. Olympus Place in Clayton, based upon the following Findings of Approval and subject to following Conditions of Approval.

PROPOSED FINDINGS OF APPROVAL

Based upon the evidence set forth in the staff report, which includes relevant information from the project file, as well as testimony at the public hearing, the Planning Commission makes the following findings that Home Occupation Permit HOP 05-12, as conditioned:

1. Is consistent with the General Plan designation and policies.
2. Meets the Home Occupation Permit Standards of Approval listed in Chapter 17.71 of the Clayton Municipal Code, assuming conformance with the proposed Conditions of Approval.

The above-stated findings assume acceptance and approval of the proposed conditions of approval listed below.

PROPOSED CONDITIONS OF APPROVAL

1. The applicant shall comply with the Home Occupation Permit Standards of Approval listed in Clayton Municipal Code Sections 17.71.020.B.1 through 12, and 17.71.030.B.2 through 4.
2. A maximum of two (2) clients per day are allowed.
3. All clients shall be twenty-one (21) years of age or older.
4. The business shall operate the last ten (10) days of each month, excluding Sundays.
5. The applicant shall encourage clients to park their vehicles in the off-street parking spaces in the driveway of the applicant's residence.
6. Prior to commencing the home occupation, the applicant shall obtain approval from the Contra Costa County Environmental Health Department and all pertinent agencies, as applicable, and shall submit documentation of applicable agency approval to the Community Development Director.
7. At all times during conduct of the permanent cosmetic business, the applicant shall obtain and maintain any required Contra Costa County Environmental Health Department permits as a condition of operating the home occupation, to the satisfaction of the Community Development Director.
8. The applicant shall conduct the home occupation in compliance with all applicable City, County, State, Federal, and other pertinent agency codes, regulations, and/or requirements.
9. In the circumstance that any codes, regulations, and/or requirements of the Contra Costa County Environmental Health Department, other County agencies, State, Federal, and/or other governing bodies of the permanent cosmetic business precludes the applicant from conforming with City standards and/or conditions of approval, the use shall cease until and unless the Planning Commission allows, or allows with satisfaction of conditions, the permanent cosmetic business to continue operating, to the satisfaction of the Community Development Director.
10. If future changes occur to Contra Costa County Environmental Health Department or other outside agency regulations that would in any way allow the home occupation to operate in a manner that would violate City standards, the applicant shall inform the Community Development Director, in accordance with Condition of Approval 9 above.

11. The applicant shall replenish deposit monies, as needed, for staff processing and follow-up related to this Home Occupation Permit, in accordance with the City's adopted fee schedule.
12. The applicant agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including, but not limited to, attorney's fees, costs, and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, and any environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

ADVISORY NOTE

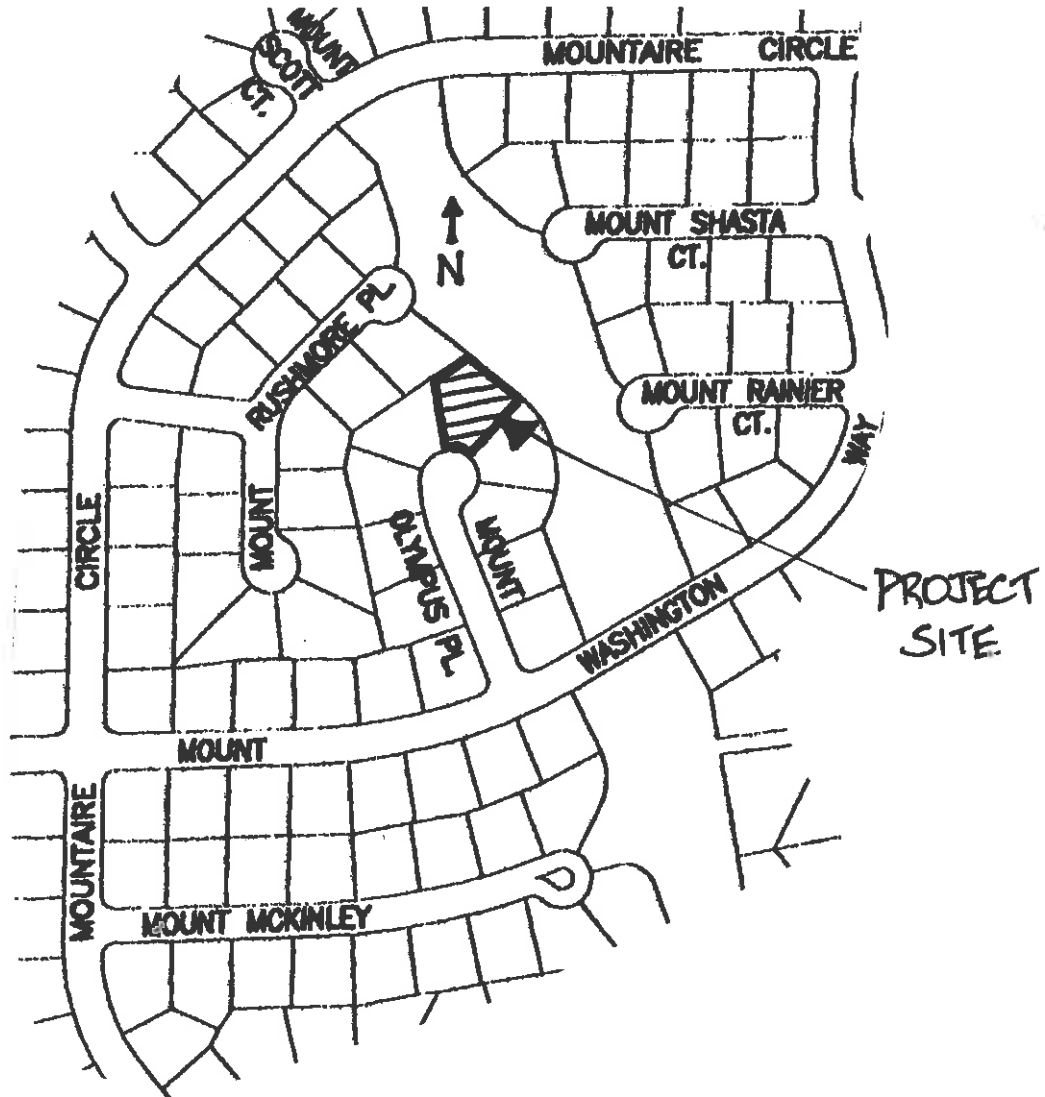
This Advisory Note is provided to inform the applicant of Clayton Municipal Code requirements that may be in addition to the Conditions of Approval.

1. This Home Occupation Permit shall be used, exercised, or established within twelve (12) months after the granting of the Permit, or a time extension must be obtained from the Planning Commission. Otherwise, the Permit shall be null and void (Clayton Municipal Code Sections 17.64.010-17.64.030).

ATTACHMENTS

- 1 Location Map
- 2 Written project description supplement, submitted by the applicant, date stamped May 18, 2012
- 3 Blood Borne Pathogen course completion from the American Academy of CPR and First Aid, submitted by the applicant, date stamped April 20, 2012
- 4 Certificate of Achievement qualification as an Advanced Intradermal Cosmetic Technician issued by the American Institute of Intradermal Cosmetics, submitted by the applicant, date stamped April 20, 2012
- 5 Example of Release Agreement, submitted by the applicant, date stamped April 20, 2012
- 6 Permanent Makeup excerpt from Wikipedia, provided by staff
- 7 Chapter 17.71 of the Clayton Municipal Code, Home Occupation Permits, provided by staff

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Location Map
50 Mt. Olympus Place
APN 119-212-034

From: Debi Marion <perm.mk.bydebi@gmail.com>
Sent: Friday, May 18, 2012 9:29 AM
To: msikela@ci.clayton.ca.us
Subject: second one for safety

City of Clayton
6000 Heritage Trail Clayton, CA 94517

April 3, 2012

Scope of Business / planned operation
RE:
50 Mt Olympus Pl. Clayton, CA 94517
Residential Home Owners Joseph A. Marion
Debra G. Marion, SPCP
925-672-7348/253-509-0482

RECEIVED

MAY 18 2012

**CLAYTON COMMUNITY
DEVELOPMENT DEPT**

Forever Young Permanent Makeup by Debi Marion, LLC #201211610314
Debi Marion/Permanent Makeup Artist Owner

I have lived at this residence since 1973 and I am an original home owner.

1. As a Permanent Makeup Artist who applies tattoo ink with both Nouveau Digital Machine and on rare occasions "Softap." I wish to perform micro pigmentation on the Eyebrows, Eyeliner, and Lip Liner, since 2009. I use Hypo-allergenic pigments and display on my web site all the Federal guidelines to each companies product used. I am the sole person to operate my business. I have no employees.

I carry Liability insurance and I am a LLC.

Permanent Cosmetics, or Permanent Makeup, is the revolutionary method of depositing hypoallergenic mineral pigments into the dermal layer of the skin. All procedures are performed using Nouveau Contour devices: "state of the art", fully computerized, digital machines that provide less trauma and excellent results.

Needles I use are:

The Nouveau Contour needle cartridges are especially designed to achieve the same quality throughout the entire procedure. Even at the end of the procedure, the points of the needles are in the exact position as at the beginning of the procedure. Nouveau Contour guarantees quality every time.

Tests have proven that the risk of cross contamination with traditional machines due to possible backflow of liquids and circulation of contaminated air within the hand-piece is not just possible, but likely. For the safety of both the technician and the client, the Nouveau Contour Needle Cartridge System works unlike anything on the market today. The needle and the needle "tube" are integrated in one disposable cartridge system. Internal diaphragms halt and prevent fluid and airborne contaminants from entering the hand piece, which is therefore completely independent of the disposable cartridge. The system is therefore void of any possibility of cross-contamination. When the cartridge is detached from the hand piece the needle automatically retracts back into the cartridge, preventing an accidental "stick" to the technician, or client. They are used only one time.

I apply a 5% Lidocaine as a numbing agent it is an over the counter product. No other products are used for numbing other than over the counter and FDA approved for tattoo artists.

2. I wish to operate in my home the last 10 days of each month @ 50 Mt Olympus Pl Clayton, CA

Monday thru Saturday 10-6 PM

I do not accept under the age of 21 years.

With a maxim amount of clients to be seen of 20 per month. I expect to see less than 10 clients per month.

Thus generating is considerably less traffic than the young teens on the court now bring to the area. My clients would come one at a time and stay no longer than 2 hours.

It is necessary for me at this time to help support my disabled husband to retain our home. To deny my request would be devastating to us.

The home will not change and will not effect any adjacent homes, no signage would be displayed. Unless permitted by the city. I will use one room of the six bedroom home.

There will be no deliveries, no noise, no fumes, no hazardous materials used or stored, no use of utilities beyond the normal home use. There will be no sale of any merchandise or shipping of any such merchandise. No products are offered for any sale. I am the only employee. It is doubtful that the neighbors will notice any difference in traffic or have any knowledge that a business is operational. There is parking in the driveway for four cars at one time, so there is no street parking needed.

3. I offer free consultations to one client a day. I cannot work on more than 2 clients in one day.

4. Please Read Permanent Makeup is the process of depositing hypoallergenic mineral pigments into dermal layer of the skin. It is a very precise procedure and generally irreversible.

Debi Marion uses the Nouveau Contour Digital 700/1000. It is the very first computer-controlled device for the Permanent makeup worldwide. The digitally controlled microprocessor assures stable needle frequency resulting in more accurate pigment placement and higher pigment color retention.

Worldwide, this is the first permanent make-up machine that virtually eliminates the possibility of cross contamination. Internal diaphragms prevent fluid and airborne contaminants from entering the hand piece. Therefore, the system is void of any chance of cross-contamination.

I use all disposal products including gloves, table paper, disposal pillow cases, and have the utmost respect for semi-sterile room, all safe for our environment. I use only Hospital grade disinfectant wipes "Cavi-Wipes". Which kill MERSA in less than 3 minutes. All of my equipment is wiped down each time with a Cavi Wipe. All of my power cords are covered in disposal plastic covers and used one time only. My furniture is all Scrub able. It is limited to two closed cabinets where supplies are stored. All counter equipment or needed supplies are contained in containers. I use specially made eye glasses. I use a surgical tray and a set-up like most dental offices, using TIDDY towels as the tray liner. Disposable. I use sterilized water to wipe away excess pigments when I tattoo.

5. My room has been painted with scrub able paint on all walls. The door remains locked when I am not there. There are no house pets.

6. A restroom is provided to my clients that meets the same safety guidelines as a clinic. It is used primarily for clients. I offer only bottled water to my clients. It is a ground Floor room and restroom, 10 and 2 feet from the back door of the house.

7. Any Bio Hazard blood that might be in countered is taken to John Muir Hospital for disposal. Per CA code. Or as code requirements. I do not have anymore than 1 pound Of Bio Hazard in a 10 day combined total. My needles are encapsulated and do not require a sharps container.

I keep a medical history patient information chart on all my clients, which is signed by them. I also have a signed release of liability and each client is given after care instruction sheet with my phone #. I record our visits and pigments used and any pertinent notes needed are applied to my chart. I follow HIPPA guidelines.

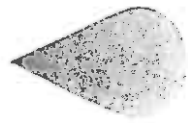
8. I have my own NPI National Provider Identification Federal number 1285902866
I hold a current Tattoo License in the state of WA.
Federal Taxonomy # 174400000X
Federal EIN # 45-5265825

9. I am Blood Born Certified and you can view my certification on my web site
@ www.foreveryoungpermanentmakeup.com good through 10/13
I post all my licenses and certification for my clients to view in plan site.

10. My bio is attached., I have over 25 years medical background in CA. background is in Dermatology and Vascular Surgery.

11. I built a surgical Center in 1984 in WC, and have expert experience on how things are ran. My regard to obtain a safe clean area goes beyond the average persons scope.
I practice all standards outlined by SPCP.
Society of Permanent Cosmetics Professionals

12. I am hopeful my business will generate income.



American Academy of CPR & First Aid, Inc.

This is to certify that

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APR 20 2012

DEBRA MARION

CLAYTON COMMUNITY
DEVELOPMENT DEPT

has completed the course in

Blood Borne Pathogens

This student has successfully completed the above mentioned course, and has demonstrated proficiency in the subject by passing the examination, in accordance with the terms and condition of American Academy of CPR and First Aid, Inc.

ATTACHMENT 3

AB82164-BBP

10/07/2011

10/07/2013

Certification Number

Issue Date

Renewal Date

J. Gowari MD

*Director of Training
Jebangir Gowari, MD*

American Institute of Intradermal Cosmetics

Debra Marion
Advanced Intradermal Cosmetics

The American Institute of Intradermal Cosmetics
hereby certifies that

Debra Marion

has successfully completed twenty-four hours of Advanced
Training and has exhibited the essential level of excellence
as deemed necessary by AICC to qualify as

Advanced Intradermal Cosmetic Technician

Landi Hammons
DIRECTOR OF EDUCATION



In witness whereof

April 1, 2011
DATE OF ISSUE

RECEIVED

APR 2 0 2012

CLAYTON COMMUNITY COLLEGE
DEVELOPMENT

Forever Young

Permanent Make Up
3417 Harborview Drive NW, Suite 301
Gig Harbor, WA 98332

50 Mt Olympus Pl
Clayton, CA 94517

RECEIVED

Name: _____
Address: _____ City: _____ Zip: _____
Phone (H): _____ (W): _____ (C): _____
Procedure: _____ Amount: _____ Ck ^{Csh} Chg

APR 20 2012

CLAYTON COMMUNITY
DEVELOPMENT DEPT

The Releasor understands the following:
In rare cases permanent pigments may cause a mild reaction to MRI's
The procedure(s) noted on this release are purely elective
It is important that you understand that no person is perfectly symmetrical from one side to the other and you should not expect to be after this procedure. Every attempt will be made during the procedure to minimize your side-to-side dissimilarities, but such differences always persist to some degree even after the most successful procedures(s).

RELEASE AGREEMENT

Whereas Releasor shall perform application of dyes and pigments to the skin of Releasor
Whereas Releasor has been fully informed as to the methods and procedures concerning the results of such treatments. A patch test has also been performed prior to procedure to detect any signs of allergies.
I hereby release acquit and discharge Debra Marion and any and all other persons, firms, partnerships, and corporations which are or might be claimed to be liable to me from all claims and demands of whatever nature actions and causes of actions, damages, cost, loss of services, expenses and compensation on account of or in any growing out of personal injuries and property damage to result at any time in the future whether or not they are the contemplation of the parties at the present time and whether or not they arise following the execution of the release as the result of treatment procedure rendered. Releasor agrees to identify and hold harmless Debra Marion for any loss, damage, claim, injury or expense asserted against Debra Marion.

The Releasor understands that the facility in which the procedure is performed is not responsible in any way. The Releasor is an independent agent and is completely separate from the facility.

- Are you presently on any medication? _____ • Are you allergic to any food/medications? _____
- Do you have fever blisters, cold sores, Herpes? _____ • Are you Diabetic? _____
- Are you aware of having Blood Disease? _____ • Heart Condition? _____
- Do you have an illness or history of one? _____ • Do you Kelloid? _____
(I.e., Lupus, Crones, or anything that would impair the immune system)

Patch Test Consent

I _____ have received a Patch test on _____ and no resulting adverse effects have occurred. The patch test has been received prior to the procedure and releases Forever Young from any liability related to any allergies or other reaction to applied pigments.

Procedure Consent

I am over the age of 18 am not under the influence of any drugs or alcohol and desire to receive the indicated permanent cosmetic procedure. I have been explained the general nature of cosmetic tattooing as well as the specific procedure to be performed.
I understand the permanent skin pigmentation procedure carries with it possible complications and consequences associated with this type of cosmetic procedure including continuous lightening of said pigments due to lymphic system and/or Ultra Violet Rays risk of infection, scarring, eye damage, inconsistent color, and possible spreading or fanning of pigments. I understand the actual color of the pigment may be modified slightly due to the tone and color of my skin. I fully understand this is a tattoo process and therefore not a science but an art. I request the permanent skin pigmentation procedure(s) and accept the permanence of the procedure as well as the possible complications and consequences of said procedure(s).
I will strictly adhere to all pre- and post- procedure instructions. If I have or ever had a cold sore I will consult my doctor and strictly follow his/her instructions before contemplating any permanent cosmetic procedure around the lupus. For purposes of documentation I consent to the taking and after photographs of said procedure(s).

Releasor: _____ Date: _____ Witness: _____ Date: _____

PLEASE EMPTY YOUR BLADDER BEFORE ANY PROCEDURE! Thank You.

Permanent makeup

From Wikipedia, the free encyclopedia

Permanent makeup is a cosmetic technique which employs tattoos (permanent pigmentation of the dermis) as a means of producing designs that resemble makeup, such as eyelining and other permanent enhancing colors to the skin of the face, lips, and eyelids. It is also used to produce artificial eyebrows, particularly in people who have lost them as a consequence of old age, disease, such as alopecia, chemotherapy, or a genetic disturbance, and to disguise scars and white spots in the skin such as in vitiligo. It is also used to restore or enhance the breast's areola, such as after breast surgery.

Most commonly called **permanent cosmetics**, other names include **dermapigmentation**, **micropigmentation**, and **cosmetic tattooing**,^[1] the latter being most appropriate since permanent makeup is, in fact, tattooing. In the United States and other countries, the inks used in permanent makeup and the pigments in these inks are subject to FDA or similar agency regulation as cosmetics and color additives.

Contents

- 1 Regulations and oversight
- 2 History
- 3 Results
 - 3.1 Immediate results
 - 3.2 Long term results
 - 3.3 Imperfections
- 4 Removal
- 5 Adverse effects and complications
- 6 Examples
- 7 References
- 8 External links



Regulations and oversight

Permanent makeup regulations vary from country to country: sometimes by state, province, county or even city to city. For instance, in the US, while in most areas it falls under the cognizance of the Department of Health, State Boards of Cosmetology are often the oversight agency. In fact, in some areas a cosmetology or esthetics license is required, while in other areas, cosmetologists are prohibited from conducting these procedures. Exclusive to Australia, practitioners are prohibited from advertising the procedures as "permanent" since it is commonly known that tattoos will fade over time and it is their opinion that the "...benefits of cosmetic tattooing are not permanent and will generally only last three to five years." The purpose of the ACCC action was to alert the consumer public to the fact that touch ups may be required to maintain optimal appearance.^[2] Some believe this position is not consistent with the fact that permanent makeup is tattooing and tattooing is a permanent process.^[3]

Before undergoing any form of cosmetic tattooing, it is essential to ensure that a salon has appropriate approvals from their local health authorities for skin penetration procedures. It is important to note that just because a salon has local health approvals for general beauty therapy services does not necessarily mean that they have approval for cosmetic tattooing procedures, it is prudent to insist on seeing the certificate of registration.

Mobile tattooing (in home) services may be a breach of Health Guidelines in some locations, for example in Melbourne Australia they prohibit mobile tattooing services.^[4]

History

Permanent makeup dates back at least to the start of the 20th century, though its nature was often concealed in its early days. The tattooist George Burchett, a major developer of the technique when it became fashionable in the 1930s, described in his memoirs how beauty salons tattooed many women without their knowledge, offering it as a "complexion treatment ... of injecting vegetable dyes under the top layer of the skin."^{[5][6]}

Results

Immediate results

Permanent makeup results in enhanced features of the face—definition is rendered to eyebrows, eyes and lips by the use of colours. Results can imitate topically applied cosmetics or can be quite unnoticeable, depending upon the design, color value and amount of pigment used.

At first, permanent makeup results may look darker. This is due to colour remaining in the outermost epidermal layers of skin at the start. Colour softens within a few days during the healing process as the upper layers of epidermis slough and are replaced by new epidermal cells.

Long term results

The best possible colour results can perform for many years or may begin to fade over time. How much time is individual per person. While permanent makeup pigment remains in the dermis its beauty-span may be influenced by several possible factors. These can be environmental, procedural and/or individual factors.^[3] Sun exposure fades colour. The amount and colour of pigment deposit at the dermal level can affect the length of time that permanent makeup looks its best. Very natural looking applications are likely to require a touch-up before more dramatic ones for this reason. Individual influences include lifestyles that find an individual in the sun regularly such as with gardening or swimming. Skin tones are a factor in colour value changes over time.

Imperfections

Permanent makeup is a welcome enhancement for most recipients. There are cases, however, of undesired results.^[7] The 4 most common complaints are "too dark," "wrong colour," "uneven" and "too big." A skilled, experienced, permanent makeup professional is able to adjust the colour and evenness of permanent makeup results in most cases. A design that is too large presents a serious challenge, however. Costly pigment lightening techniques and/or removal may be the only solutions.

However, before embarking on the aforementioned removal/correction procedures, it should also be noted that one still has the option of applying conventional makeup to correct any imperfections or to further enhance the overall effect.

Removal

See also: Tattoo removal

As with tattoos, permanent makeup can be difficult to remove. Common techniques used for this are laser resurfacing, dermabrasion (physical or chemical exfoliation), and surgical removal. Camouflaging—adding a new pigment which counteracts the tattoo color and attempts to emulate normal skin color is considered a poor choice by professionals. Removal is more painful and laborious than the tattooing itself.

Adverse effects and complications

See also: Tattoo health risks

As with tattoos, permanent makeup may have complications, such as allergies to the pigments, formation of scars, granulomas and keloids, skin cracking, peeling, blistering and local infection.^[8] The use of unsterilized tattooing instruments may infect the patient with serious diseases such as HIV and hepatitis. Removal problems may also ensue, due to patient dissatisfaction or regret, and they may be particularly difficult to remove in places such as eyelids and lips without leaving permanent sequelae.

On very rare occasions, people with permanent makeup have reported swelling or burning in the affected areas when they underwent magnetic resonance imaging (MRI).

Examples

This client had her eyebrows and top eyeliner permanently tattooed. The eyebrow tattooing is an example of a "powdery filled" technique as opposed to individual hairline strokes since the client already has eyebrow hair but simply wanted an enhancement and shaping. The top eyeliner represents a thin eyeliner tattoo and a "lash enhancement" procedure that is used to define the eye without making it look excessively made up.



Eyebrow & Top Eyeliner Procedure

Chapter 17.71HOME OCCUPATION PERMITSSections

17.71.010	Purpose
17.71.020	Administrative Review
17.71.030	Planning Commission Review

17.71.010 Purpose. The purpose of the home occupation permit is to allow residents in residential districts to conduct limited commercial activities within the dwelling unit. The limited commercial activities must be subordinate and incidental to the residential use of the property.

17.71.020 Administrative Review.

A. Review Procedure. The Community Development Director may approve, approve with conditions, or deny a home occupation permit upon receipt of a completed application form and payment of a fee established by resolution of the City Council, provided that any approval of a proposed home occupation shall meet the standards set forth in subsection B. Decisions of the Community Development Director shall be documented in a notice of decision. The notice of decision shall be mailed on the day of the decision to the applicant and all owners of real property, as shown on the latest equalized assessment roll, within 300 feet of the subject site.

The Community Development Director shall refer any application to the Planning Commission for a decision if, in the judgment of the Community Development Director, the application may potentially have an adverse effect on the neighborhood residents.

B. Standards of Approval. Home occupation permits approved by the Community Development Director shall meet the following standards at all times.

1. The home occupation shall be subordinate and incidental to the primary use of the dwelling unit for residential-purposes.
2. The home occupation shall be compatible with and not change the character of adjacent residential areas.
3. The dwelling unit shall be located in an Agricultural, Residential, or Planned Development (Residential) District.
4. The home occupation shall not use more than one (1) room, or twenty-five percent (25%) of the habitable floor area of the principle structure, whichever is greater. Garage areas and living areas within accessory structures and secondary dwelling units shall not be considered as part of the habitable floor area of the principal structure.
5. No persons shall be employed, except the applicant and members of the resident family, in the conduct of the home occupation.
6. There shall be no merchandise or services for sale, except that produced or made on the premises, and which can be shipped directly, electronically, or sold at another location.
7. There shall be no signage or exterior indication of the home occupation.
8. There shall be no outside display or storage of goods or materials.

9. The home occupation shall not create any noise, odor, dust, fumes, vibrations, electrical interference, or other interference with the residential use of adjacent areas.

10. There shall be no use of utilities or community facilities beyond that normal to the residential use of the property.

11. The home occupation shall not decrease the number or size of parking spaces below that needed to meet the minimum off-street parking requirements for the residence.

12. Delivery vehicles shall be limited to those types of vehicles, which typically make deliveries to residential neighborhoods, such as postal service, parcel deliveries, pickup trucks, and light vans. A maximum of four deliveries per day is allowed.

13. The home occupation shall not generate client/student traffic to the residence.

14. Any chemicals or hazardous materials used or stored on the property shall not exceed that associated with normal household activities or hobby uses.

15. Any use of materials or mechanical equipment shall not exceed that associated with normal household activities or hobby uses.

C. Appeal Procedure. Any decision of the Community Development Director regarding a home occupation permit may be appealed to the Planning Commission within ten days of the notice of decision.

17.71.030 Planning Commission Review

A. Review Procedure. In accordance with the provisions of section 17.64.110, the Planning Commission may approve, approve with conditions, or deny a home occupation permit upon receipt of a completed application form and payment of a fee established by resolution of the City Council, provided that any approval of a proposed home occupation shall meet the standards set forth in subsection B. Decisions of the Planning Commission shall be filed in accordance with the provisions of section 17.68.010.

B. Standards of Approval. Home occupation permits approved by the Planning Commission shall meet the following standards at all times.

1. Standards listed in subsection 17.71.020.B.1 through 17.71.020.B.12.

2. The home occupation shall not generate client/student traffic to the residence in excess of six (6) clients/students per day, unless the number is reduced by the Planning Commission. On Saturdays, client/student traffic may only occur between 9:00 a.m. and 5:00 p.m.) Client/student traffic is prohibited on Sundays.

3. Any chemicals or hazardous materials used or stored on the property, beyond that associated with normal household activities or hobby uses, shall not create a hazard for the applicant or neighborhood residents.

4. Any use of materials or mechanical equipment beyond that associated with normal household activities or hobby uses, shall not create a nuisance for neighborhood residents.

C. Appeal Procedure. Any decision of the Planning Commission regarding a home occupation permit may be appealed to the City Council in accordance with the provisions of section 17.68.020. (Ordinance 357, 2001)