



## Legislation Text

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File #: ORD 2019-002, Version: 1

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## AGENDA ITEM REPORT

### **TITLE:**

AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ZONING REGULATIONS," DIVISION 1, "GENERALLY," SECTION 13-295, "DEFINITIONS," TO PROVIDE DEFINITIONS FOR PERSONAL SERVICE ESTABLISHMENTS, TATTOOING, AND TATTOO ARTIST; AND DIVISION 4, "ACCESSORY USES AND STRUCTURES," SUBDIVISION I, "IN GENERAL," SECTION 13-371, "ACCESSORY USES GENERALLY," TO ALLOW LICENSED TATTOOING AS AN ACCESSORY USE SUBJECT TO CERTAIN REQUIREMENTS. (SECOND PUBLIC HEARING)

### **BACKGROUND:**

**This item was approved on First Reading at the April 25, 2019, City Commission Meeting.**

The City Commission gave City staff direction to implement changes to the City's Land Development Code to provide for licensed tattooing as a new land use within the City. After research and review of the intensities and effects of the proposed use, the City finds that it is appropriate as an accessory use to personal service establishments and medical offices. The City finds that it is in the public interest and the health, safety, and welfare of the community to protect the unique character and aesthetics of our community as well as to ensure the safety of particularly vulnerable and valued populations, such as children and families, by providing for the use in this manner. The Planning and Zoning Board considered an earlier version of this ordinance at its February 13, 2019 meeting. At that time, the Board recommended approval of the ordinance permitting the use within certain zoning districts subject to certain conditions. On March 14, 2019, the City Commission tabled the matter to allow City staff more time to review alternative avenues toward allowing the use.

### **DISCUSSION:**

The City submits that the requirements do not unreasonably restrict licensed tattooing activities in the City, and that it allows reasonable access for these uses within the City.

### **RECOMMENDATION:**

On April 10, 2019, the Planning and Zoning Board considered City staff's current proposal wherein tattooing may be permitted as an accessory use to personal service establishments, and the board recommended approval with the addition of tattooing as an eligible accessory use to medical offices. At this time, City staff recommends approval of this ordinance.

### **FISCAL IMPACT: N/A**