

ITEM 3 HOLD PUBLIC HEARING AND CONSIDER A RECOMMENDATION REGARDING CASE NO. 12-12-CC TO AMEND PORTIONS OF CHAPTER 84 “UNIFIED DEVELOPMENT CODE” BY ADOPTING NEW DEFINITIONS, USES AND SPECIAL CONDITIONS BY USE TYPE FOR TATTOO AND/OR BODY MODIFICATION STUDIOS.

Receive public input and consider a recommendation for an Ordinance to amend Chapter 84 “Unified Development Code” by amending Article I, Section 84-7 by providing a definition for tattoo and/or body modification studios; amending Article IV, Section 84-84 the permitted use table; and amending Article IV, Section 84-85 the special conditions by use type.

Chairman McNeese opened the public hearing.

Stephen Cook, Senior Planner, gave a brief description of the case. The City of Euless is requesting a modification to the Unified Development Code to provide specific definitions for tattoo and/or body modification studios, establish locations for those uses to be permitted in and to create conditions in which the uses must comply with in order to be permitted. The City has determined that a proliferation and clustering of these uses can have an unreasonable adverse effect on the citizens of Euless.

The definitions of the tattoo and/or body modification studios would include any businesses which are licensed by the State to operate tattooing, piercing and other body modifications. The definition excludes places which only perform piercings for ears. A separate definition is given for permanent make-up studios which are usually in conjunction with beauty salons and spas.

The proposed ordinance would require all future tattoo and/or body modification studios to be located within the industrial zoning districts through the approval of a Specific Use Permit.

Additionally, tattoo and/or body modification studios would be required to be setback five-hundred feet from the right-of-way of Airport Freeway, SH 121, Euless Boulevard, and Industrial Boulevard and setback five hundred feet from any residentially zoned property. Lastly, any tattoo and/or body modification studios would be required to be setback one thousand feet from one another.

All existing tattoo and/or body modification studios as defined in the ordinance, if they are not in compliance with the new ordinance, would become legally existing non-conforming uses. They would be required to register as non-conforming uses and would not be allowed to be issued a new Certificate of Occupancy through change of ownership or similar circumstances, unless the use is brought into conformance with the ordinance.

Staff recommends approval of the zoning change.

Chairman McNeese asked for any proponents/opponents to come forward for any comments. Seeing none, the public hearing was closed.

There were no comments or questions presented by the Commission.

Commissioner Huffman made a motion to recommend approval of Case #12-12-CC. Commissioner Tompkins seconded the motion. The vote was as follows.

Ayes: Chairman McNeese, Vice Chairman Mennis, Commissioners Brown, Huffman, Portugal, Tompkins, and Zahn.

Nays: None

Abstention: None

The motion carried (7-0-0)