



CITY COUNCIL COMMUNICATION

November 13, 2012

SUBJECT: Amending Chapter 84, "Unified Development Code" Revising Article I, "General Provisions", and Article IV, "Zoning District Regulations.

SUBMITTED BY: Mike Collins, Director Planning and Economic Development

REFERENCE NO: Ordinance No. 1977

ACTION REQUESTED:

Hold Public Hearing and Consider First and Final Reading of Ordinance No. 1977, amending Chapter 84, "Unified Development Code", of the Code of Ordinances, by revising Article I, "General Provisions", Section 84-7, "Definitions and word usage" by providing a definition for tattoo and/or body modification studios; amending Article IV, "Zoning District Regulations", Section 84-84, "Permitted uses table" and Section 84-85, "Special conditions by use type".

ALTERNATIVES:

- Approve the request with modifications
- Deny the request

SUMMARY OF SUBJECT:

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, Eules 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, 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.

The Planning and Zoning Commission held a public hearing on November 6, 2012 and by a vote of 7-0 recommended approval of the ordinance.

SUPPORTING DOCUMENTS:

- Ordinance No. 1977
- Draft Minutes – P & Z

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **KS** _____

City Secretary's Office