

Meeting Minutes

The City of Bastrop Planning and Zoning Commission met Thursday, May 26, 2016 at 6:00 p.m. in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. Call to order.

Lisa Patterson called the meeting to order at 6:00 p.m.

2. Roll call and confirmation of a quorum of Commission members.

Richard Kindred	Present
David Bragg	Present
Lisa Patterson	Present
Bryan Whitten	Present
Tish Winston	Absent
Connie Schroeder	Absent
William Ennis	Present
Debbie Moore	Present

3. Citizen comments.

There were no citizen comments.

4. Consider, discuss and/or approve the Planning and Zoning Commission meeting minutes of January 28, 2016 and March 31, 2016.

David Bragg made a motion to approve the meeting minutes for January 28, 2016. Richard Kindred seconded the motion and the motion carried unanimously.

David Bragg made a motion to approve the meeting minutes for March 31, 2016. Bill Ennis seconded the motion and the motion carried unanimously. Debbie Moore abstained from the motion.

5. AO: 16-01: Public Hearing: Discussion and possible action on amendments to Chapter 14 of the Zoning Ordinance:

- Section 43 Supplemental Regulations, Section 43.9 Uses classified as sexually oriented business or as tattoo studio or body piercing studios, Item B, to modify phrasing referencing “tattoo studio or body piercing studios”; and
- Section 36 Use Regulation (Charts) Section 36.10 to add Tattoo Studio and Body Piercing Studio to the Use Chart; and
- Section A-3 Definitions to update the definitions for 270.1 Tattoo and 270.2 Tattoo Studio, and to add a new definition for Barber Shop/ Hair Salon that will reference micropigmentation (permanent makeup) as an allowable incidental/accessory use in the Barber Shop/Hair Salon definition.
 - a. Open the Public Hearing
 - b. Presentation by City staff
 - c. Comments and input from the public concerning the proposed amendments
 - d. Close the Public Hearing
 - e. Discussion, evaluation and possible recommendation to City Council regarding amendments to Chapter 14 of the Zoning Ordinance.

Melissa McCollum addressed the Commission stating the City’s zoning code limits tattoo or tattoo studios to the industrial zoning classification with a Conditional Use Permit (CUP). Tattooing is regulated by the State and must get a State License. We have had requests to have “makeup” tattoos as an accessory use to the “Barber Shop/Hair Salon” primary use. “Permanent makeup” includes eyeliner, eyebrows, lip liner etc.

Permanent Makeup, (i.e. micropigmentation, permanent cosmetics, cosmetic tattooing, dermagraphics), combines art and science to produce long lasting cosmetic enhancements by tattooing pigments into the skin to accentuate the color and shape of eyes, brows and lips.

She stated, our code will need to be amended to allow this as an accessory use to existing proposed barber shop/hair salon, as well as create “primary uses” for tattoo and body piercing studios. These code amendment changes are a result of discussions among staff and Planning and Zoning Commission. Staff is revising the Use Chart to allow Tattoo Studios and Body Piercing Studios as well as allowing permanent makeup, these changes were discussed at a Workshop with the Planning and Zoning Commission on March 31, 2016.

Code Amendments:

SECTION 36.10 ZONING USE CHART – Retail and Service Type Uses

Industrial Related Uses	AOS	SF20	SF9	SF8	SF7	2F	SFA	MF1	MF2	MH	O	NS	GR	CBD	CF	CT	C-1	C-2	IP	LI	PD	MHO
Barber Shop/Hair Salon											X	X	X	X		X	X	X				

SECTION 36.11 ZONING USE CHART – Commercial Related Uses

Commercial Related Uses	AOS	SF20	SF9	SF8	SF7	2F	SFA	MF1	MF2	MH	O	NS	GR	CBD	CF	CT	C-1	C-2	IP	LI	PD	MHO
<u>Tattoo Studio</u> (Sec. 43.9)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	-
<u>Body Piercing Studio</u> (Sec. 43.9)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	-

SECTION 36.12 ZONING USE CHART – Industrial Related Uses

Primary Industrial Uses	AOS	SF20	SF9	SF8	SF7	2F	SFA	MF1	MF2	MH	O	NS	GR	CBD	CF	CT	C-1	C-2	IP	LI	PD	MHO
Sexually Oriented Business (Sec. 43.9)																			C			

SECTION 43 SUPPLEMENTAL REGULATIONS

43.9 USES CLASSIFIED AS SEXUALLY ORIENTED BUSINESS OR AS TATTOO STUDIO OR BODY PIERCING STUDIOS

A. General Regulations

On-premises advertisements, displays, or other promotional materials for sexually oriented business which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas shall not be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other public or semi-public places outside the business.

B. Location of Sexually Oriented Business or Body Piercing Studio or Tattoo Studio

1. A sexually oriented business shall not be located on any lot within five hundred feet (500') of any lot on which there is located another sexually oriented business. A body piercing studio or tattoo studio shall not be located on any lot Bastrop Code of Ordinances within five hundred feet (500') of any lot on which there is located another body piercing studio or tattoo studio.
2. A sexually oriented business or a ~~body piercing studio or tattoo studio~~ shall not be located on any lot within one thousand feet (1,000') of any lot on which there is located any school, church, public park or playground or licensed day-care center.
3. A sexually oriented business or a body piercing studio or tattoo studio shall not be located on any lot within five hundred (500') of any lot which is zoned or used for residential purposes.
4. For purposes of measuring a distance related to the location of a sexually oriented business, a tattoo studio or a body piercing studio, in relation to schools, churches, public parks, playgrounds, licensed day care centers, residential lots/properties and/or other sexually oriented businesses, tattoo studios or body piercing studios, the distance shall be determined by measuring the shortest possible distance between the property lines of properties involved, whether corner to corner, boundary to boundary, etc.

A-3 DEFINITIONS

75. *CUSTOM PERSONAL SERVICE SHOP* - Tailor, dressmaker, shoe shop, barber shop, beauty shop or similar shop offering custom service. Other services such as dermagraphics, or permanent makeup may be offered as an accessory/incidental use to primary use.

270.2 TATTOO STUDIO means an establishment or facility in which tattooing is performed. Secondary services such as dermagraphics, or permanent makeup may be offered as an accessory/incidental use to primary use of a Custom Personal Service Shop.

Melissa McCollum concluded her presentation by stating Staff is recommending the above changes to Zoning Ordinance.

Debbie Moore asked what generated the need for this change. Melissa McCollum stated there had been several citizen requests for doing tattooing/permanent makeup within the city limits. She stated in particular for salon owners to do permanent makeup, it does require a tattoo license from the state, and part of the requirements for the license is business owner has to show proof that permanent makeup is an allowed use for that business. Melissa McCollum stated currently in our code the only place she could sign off on the use being allowed is light industrial since it's classified as a Sexually Oriented Business

in our code. She stated there was also a request for a tattoo studio, and it too was limited as to where it could go because of its association with a Sexually Oriented Business.

Lisa Patterson asked for a motion.

Debbie Moore made a motion to recommend approval to City Council the amendments to Chapter 14 of the Zoning Ordinance:

- Section 43 Supplemental Regulations, Section 43.9 Uses classified as sexually oriented business or as tattoo studio or body piercing studios, Item B, to modify phrasing referencing “tattoo studio or body piercing studios”; and
- Section 36 Use Regulation (Charts) Section 36.10 to add Tattoo Studio and Body Piercing Studio to the Use Chart; and
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Bill Ennis seconded the motion and the motion carried unanimously.

6. Workshop Session: The Planning and Zoning Commission will adjourn from the Regular Session and convene into a Workshop Session to discuss the following:
a) **XS Ranch**

Melissa McCollum introduced John Landwehr, the Developer of XS Ranch, to the Commission to give a presentation to the Commission in regards to the XS Ranch development.

John Landwehr presented a slideshow regarding the Development Agreement, and overall plan for the XS Ranch Development. He then presented to the Commission maps detailing the Conceptual Master Plan, Parks and Recreation Plan, Sub Area Plan, and Transportation Plan.

Discussion commenced between the Developer, Staff, and the Commission in regards to these items.

7. Adjourn from the Workshop Session.

No action was taken.

8. Director of Planning and Development report.

Debbie Moore gave an update to the Commission in regards to the Main Street Board. She stated the Board had received from City Council approval for the Main Street Manager to manage the Farmers Market.

Melissa McCollum gave the following updates to the Commission:

- The Comprehensive Plan Chapters are online for the Commission to view, and Staff had recently received Chapter 7, Parks and Recreation, and Chapter 6, Transportation Plan and Land Use Plan, was in the works.
- The Form Based Code Task force would be meeting next week, and would be looking at coming up with a small Form Based Code area, that would speak more to a modification of the guidelines

and standards for the North End. She stated the Task Force was also going to do a letter of support for the Bond Projects that would have a positive impact on the North End.

- The Commissioners received a preliminary Fee Schedule study that was done by the Planning Department in regards to the Subdivision Fees for the City of Bastrop and the surrounding communities. She stated she would be bringing this study comparison back before the Commission in a Workshop, to discuss increasing the City's Subdivision Fees.
- The Tiny House discussion would also be in the next Commission Workshop schedule.

David Bragg requested in the future the Commission have a workshop to discuss the Development Agreement process to see if there's a way the Commission could be included in the preliminary discussions prior to adoption, since they have to make recommendations based on the Development Agreements.

9. Adjourn.

David Bragg made a motion to adjourn the meeting. Debbie Moore seconded the motion and the meeting adjourned at 7:00 p.m.

Lisa Patterson, Chair

Bill Ennis, Co-Chair