

City of Bastrop

Agenda Information Sheet:



**Planning and Zoning Commission Meeting Date:
Public Hearing**

**May 26, 2016
Agenda Item 5**

Amendment to the Zoning Ordinance, Chapter 14, Section 36.2, Zoning Use Charts and A-3, Definitions.

- Section 43 Supplemental Regulations, Section 43.9 Uses classified as sexually oriented business or as tattoo studio or body piercing studios, 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 270.2 Tattoo Studio, to reference micropigmentation (permanent makeup) as an allowable incidental/accessory use in the 75. Custom Personal Service Shop definition.

Item Summary:

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, (ie. 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.

Currently, 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 studio.

Background:

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 was 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 (See [Sec.] 43.9)</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	-
<u>Body Piercing Studio (See [Sec.] 43.9)</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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 (See [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.

Staff Recommendation: Staff recommends the above changes to Zoning Ordinance

City Contact:

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Attachments:

None