

DATE: December 21, 2017
TO: Mayor and City Council
FROM: Planning Director *KA*
SUBJECT: Zoning Ordinance Amendment
Tattoo and Body Piercing



SUGGESTED ACTION

Recommend approval of the zoning ordinance amendment to allow tattoo and body piercing establishments as a special use with restrictions in the general business (BG) zoning district and update associated restrictions as discussed.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a scheduled public hearing on 12/18/17. No one spoke in opposition or support of the proposal.

Planning Commission recommends APPROVAL of the amendment as presented by staff on 12/18/17 with the following changes;

- 1. Tattoo and body piercing establishments to remain a permitted use only in the HM-2 district with a special use permit.**
- 2. Change Restrictions on Permitted Uses #2 location in proximity to establishment licensed to sell alcohol from 100' to 500'.**
- 3. Change Restrictions on Permitted Uses #8 to amend the language to better reflect the City's intent for this restriction. 3 for, 1 opposed (Jeremy White).**

DISCUSSION

- Current Sugar Hill zoning ordinance requires tattoo and body piercing establishments to be approved as a special use on property that is zoned heavy industry (HM2).
- Outside of Sugar Hill, tattoo businesses appear to be commonly allowed as a special use or conditional use within general business or commercial zoning districts.
- General business (BG) is likely to be the most appropriate zoning classification for a tattoo and body piercing establishment to locate within the city.
- Special use permit approval should continue to be required for a tattoo and body piercing establishment.
- Updated use restrictions are recommended to coincide with the change in zoning classification.
- Additions are shown in double underline text. Deletions are shown in ~~stricken~~ text.

A = Allowed by right.
A-R = Allowed with restrictions.

SU = Special use permit required.
SU-R = Special use permit required and subject to restrictions.

T-R = Temporary Use and subject to restrictions.

Principal Uses	Zoning Districts											
	AF	RS150, RS175, RS200	RS100	RS72	RM	MH	OI	HSB	BG	LM	HM1	HM2
Retail shopping center over 50,000 square feet gross floor area.								A	A	A	A	A
Retirement community (To include nursing home, cafeteria, care facilities and accessory uses).					A		SU	SU	SU			
Rubber tire retreading plant.												A
Salvage operation or junk yard.												SU-R
School, Business college or business school operated as a business enterprise.							A	SU	SU	A	A	A
School, Educational facility, trade or vocational school.							A	SU	SU	A	A	A
Scrap tire processing plant.												SU
Shelter, commercial.									SU-R			
Shelter, residential and community.					SU		SU	SU		A	A	A
Shoe store and shoe repair shop.								A	A			
Shopping center, including food store.								SU	A			
Small appliance repair shop.								A	A	A	A	A
Soft drink bottling and distribution plant.											A	A
Solid waste transfer station.												SU
Stadium, concert hall, amphitheater. (County Board of Education Schools excepted)											SU	A
Sugar refinery.												A
Tannery, leather processing.												A
Tattoo and body piercing establishment.									SU-R			SU-R
Taxi or limousine service.									A	A	A	A
Telephone exchange building.										A	A	A
Theater and other place of entertainment and amusement enclosed in a building.								A	A			
Title Pawn Sales									SU			
Transportation terminal for freight.										SU		

Table 4.1 - Permitted Uses

Tattoo and body piercing establishment.

1. A tattoo and body piercing establishment shall not be located closer than 500 feet to any tract or parcel of land which has a residential use or zoning. In addition, no tattoo and body piercing establishment shall be located within ~~1,000 feet from the center line of the right-of-way along West Broad Street~~the Town Center or Central Business District overlay zoning districts.

2. No tattoo and body piercing establishment shall be licensed to sell alcoholic beverages within the City of Sugar Hill. A tattoo and body piercing establishment shall not be located closer than 100 feet to any tract or parcel of land upon which is located an establishment which is licensed and authorized to sell alcoholic beverages within the City of Sugar Hill.

3. Consumption of alcoholic beverages shall be prohibited on the premises of a tattoo and body piercing establishment.

3. No tattoo and body piercing establishment shall be located within 500 feet of any other tattoo and body piercing establishment.

4. No minors shall be allowed on the premises of a tattoo and body piercing establishment at any times.

5. Required parking and all public entrances shall be limited to the front yard and front of the entrance.

6. Product advertisement, display, or other promotional material shall not be shown or exhibited so as to be visible to the public from the exterior of the structure, including the interior of windows.

7. A tattoo and body piercing establishment shall be subject to the rules and requirements of all other current and future pertinent Federal, State, and Local Ordinances.

8. Signs shall contain the registered business name on file with the Secretary of State and/or the City of Sugar Hill. No generic or information type signs shall be allowed. The signage should reflect the individual business and not the type of business.