



PREPARED FOR THE PLAN COMMISSION

Proposal: Zoning Text Amendment

Legistar File ID #: [48611](#), [48622](#)

Prepared By: Planning and Zoning Staff

The following is a summary of the proposed zoning text amendment related to Tattoo Shops as Service Business and Garden Centers.

[48611](#) Remove Tattoo Shop as a separate use and, instead, treat it as a subcategory of Service Business.

This ordinance removes *Tattoo Shop* as a separately identified use from the use lists and includes it in the list of *Service Business* uses.

A *Service Business* is a permissible use in certain mixed-use and commercial districts, downtown districts and employment districts. A *Tattoo Shop* is a permissible use in certain mixed-use and commercial districts, downtown districts, but not employment districts. Rather than insert *Tattoo Shop* into employment districts, it is appropriate to group this use with other similar uses, service business uses, which are already allowed in certain mixed-use and commercial districts, downtown districts and employment districts.

The use *Service Business* includes: barber and beauty shops, dry-cleaning pick-up station, interior decorating/upholstery, locksmith, mailing and packaging services, photocopying, document reproduction services, consumer electronics and repair, shoe repair, tailor shop; and watch repair, other small goods repair. Rather than maintain a separately listed use for *Tattoo Shop* in the various zoning districts, it seems reasonable to group this with the subcategory *Service Business*, and allow the use accordingly. Further, the following supplemental regulations apply to *Service Business*:

Sec. 28.151, Supplemental Regulations, Service Business.

- (a) In the TE and SE Districts, service businesses shall not exceed five thousand (5,000) square feet in floor area unless approved as a conditional use.
- (b) In the SEC, EC, IL, and IG Districts, service businesses shall be located only within a mixed-use building that includes office or other employment uses.

The amendment also deletes the listed use *Tattoo Shop* for the use list charts in the ordinance. The amendment will not affect the status, permitted or conditional, where the *Service Business* is allowed.

Staff supports this amendment.

[48622](#) Allow garden centers as a Conditional Use in Industrial - Limited District

This amendment allows garden centers as a conditional use in Industrial - Limited District. A garden center is defined as follows: *Garden Center. An establishment that includes indoor and outdoor retail sales of plants not grown on the site, lawn furniture and garden supplies.* Further, the following supplemental regulations apply to garden centers:

Sec. 28.151, Supplemental Regulations, Garden Center, Greenhouse, Nursery.

- a) In the NMX, TSS and MXC Districts, there shall be no exterior storage of bulk materials such as dirt, sand, gravel and building materials.
- b) In all other districts bulk materials shall not be stored within the front yard setback and shall meet standards for outdoor storage and display.

Garden Center uses tend to be retail establishments with a higher intensity of use than a typical retail place, due to large/bulk item sales and associated storage and display, deliveries and truck traffic. General Retail uses are allowed in the IL District as a Conditional Use, and it seems reasonable to include Garden Center as an allowable use of a property zoned IL.

Staff supports this amendment.