

**ORDINANCE NO. 2023XXXXXXXXXXXX**

**AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, APPROVING SPECIFIC USE PERMIT TO ALLOW FOR A TATTOO AND BODY PIERCING STUDIO AT 117 W. MYRTLE STREET, ANGLETON, TX, BRAZORIA COUNTY, TEXAS, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR REPEAL AND EFFECTIVE DATE, AND FINDINGS OF FACT.**

**WHEREAS**, On February 2, 2023, the City of Angleton Planning & Zoning Commission held a public hearing and approved the Specific Use Permit (SUP) submitted by Seven Souls, for a Tattoo and Body Piercing Studio to be located in the Commercial- General District (C-G), at 117 W. Myrtle Street, Angleton, TX.; and

**WHEREAS**, on February 2, 2023, the City of Angleton Planning & Zoning Commission, after conducting a public hearing, discussed and considered the written recommendation of staff, responses to questions of the applicant regarding the proposed tattoo and body piercing studio; and

**WHEREAS**, on February 15, 2023, the City of Angleton City Council conducted a public hearing, discussed and considered the written recommendation of staff, responses to questions of the applicant regarding the proposed tattoo and body piercing studio; and

**WHEREAS**, the City considered the factors and provisions set forth in the City of Angleton Code of Ordinances, Chapter 28 Zoning, Sec. 28-63 Specific Use Permits, and considered the proposed tattoo and body piercing studio to be located at 117 W. Myrtle Street, Angleton, TX., as shown on Exhibit “A”;

**WHEREAS**, the City Council desires to grant the Specific Use Permit (SUP) submitted by Seven Souls Tattoo Studio, at 117 W. Myrtle Street, to allow a tattoo and body piercing studio.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:**

**Section 1.** That all of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof, as if copied herein verbatim.

**Section 2.** City Council approves the Specific Use Permit in accordance with City of Angleton Code of Ordinances Sec. 28-63 Specific Use Permits (SUP), subject to the following conditions:

- 1.) Hours of Operation for the Tattoo Studio and Body Piercing Studio shall be 8:00 a. m. to 2:00 a. m., Monday through Saturday;
- 2.) Revocation of the Specific Use Permit may occur at any time if one or more of the conditions set forth in this Ordinance have not been met or are violated;

3.) Specific Use Permit is conditioned upon a valid lease -hold interest being held by the business granted the Specific Use Permit; and

4.) The term of the granting of this SUP shall be temporary, expiring one year from date of the approval of this SUP is granted, to allow the applicant, Seven Souls, to demonstrate compliance with of the above cited terms and conditions of the SUP and all City Codes of Ordinances. Upon it' s one- year review, the Council may extend the approval of the SUP for an additional temporary term, or may revoke the approval of the SUP immediately, or after the one- year original SUP term lapses.

5.) Commencement of the use shall not be carried out until the applicant has secured all the permits and approvals required by these zoning regulations, the city's Code of Ordinances, and any permits that may be required by regional, state or federal agencies.

**Section 3. Repeal.** All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

**Section 4. Severability.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 4. Effective date.** That this Ordinance shall be effective and in full force immediately upon its adoption.

**Section 5: Proper Notice & Meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED, APPROVED and ADOPTED this 15th day of February, 2023.**

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Jason Perez, Mayor

**ATTEST:**

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Michelle Perez, TRMC