



# CITY OF BURNET

## PLANNING & ZONING

### ITEM BRIEF

#### **Meeting Date**

February 3, 2025

#### **Agenda Item**

Discuss and consider action: A determination by the Planning and Zoning commission, whether a “Tattoo Parlor” is an authorized use in Code of Ordinances, Section 118 (entitled “Zoning”), Article II (entitled “Zoning Districts and Regulations): L. Kimbler

1. Staff Presentation
2. Discuss and consider

#### **Information**

An inquiry has been made as to whether a “Tattoo Parlor” is an authorized use in a Light Commercial – District “C-1” Zoning District. The list of authorized uses is found in Section 118-45 of the Code of Ordinances (See Exhibit A). Although “Tattoo Parlor” is not listed as an authorized use, the code does allow *“Personal service uses including barber shops, beauty parlors, photographic or artist studios, ... and other personal service uses of similar character.”*

Since the use “Tattoo Parlor” is not listed in the Code, staff is requesting that a determination be made by the City Council pursuant to Section 118-45(a)(12) of the Code of Ordinances. In this section, Commission and City Council may determine whether a use is authorized in the Light Commercial “C-1” Zoning District, *“which are closely related and similar to those listed and that are not likely to create any more offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences than the minimum amount normally resulting from listed uses permitted.”*

#### **Recommendation**

Because the proposed use is similar to a barber shop or beauty parlor, and the use is not expected to create any additional noise, light, or traffic, staff recommends determining that a “Tattoo Parlor” is an authorized use in a Light Commercial – District “C-1” Zoning District.

## Exhibit A

### **Sec. 118-45. Light commercial—District "C-1".**

(a) *Purpose and permitted uses.* This district allows a mix of commercial uses including retail, office, light commercial, and similar uses excluding residential and multifamily. This district allows the retail sale of goods and products (in the following listed use areas) to which value has been added onsite, including those uses permitted in the "NC" neighborhood commercial district (except single-family dwellings, residential accessory buildings and uses, duplex, triplex, and fourplex or multi-family uses), sales of goods and services outside of the primary structure as customary with the uses specifically listed, and the following:

(1) Bakeries with goods primarily prepared for in-store retail sales on site, with no drive-thru service.

(2) Banks, savings and loans, credit unions and financial services.

(3) Business and commercial schools.

(4) Convenience store, retail food store, grocery stores and supermarkets (including gasoline and/or alcohol sales with a conditional use permit).

(5) Packaging of honey, herbs, spices and peppers produced in the region; limited to small business operations having less than 5,000 square feet of enclosed building area and not more than five employees onsite.

(6) Personal service uses including barber shops, beauty parlors, photographic or artist studios, messengers, newspaper or telegraphic agencies, dry cleaning and pressing substations, dressmaking, tailoring, shoe repairing, repair of household appliances, electronics and bicycles, catering and other personal service uses of similar character.

(7) Pet stores.

(8) Professional services including architecture, legal services, psychological, real estate, consulting and other services deemed similar in nature by the council.

(9) Public utilities substations.

(10) Restaurant, café or cafeteria, drive-in eating establishment with alcoholic beverage sales, winery and brewery.

(11) Telephone exchange, postal facilities and communication service.

(12) Uses as determined by the commission and the council which are closely related and similar to those listed and that are not likely to create any more offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences than the minimum amount normally resulting from listed uses permitted.

(b) *Uses permitted with conditional use permit.* Uses listed in this section may be permitted in the Light Commercial—District C-1 zoning district if first granted a conditional use permit obtained in accordance with the provisions of section 118-64.

(1) Carwash.

(c) *Site development regulations.*

(1) Development of any use permitted in the "C-1" district shall conform to the site development regulations established for that district.

(2) Paved sidewalks, driveways and parking areas are required.

(3) Screening of loading and storage facilities is required.