

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> May 28, 2024	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Admin	<b>Prepared By:</b> Dave McCorquodale

**Subject**

Consideration and possible action on renewal of a Special Use Permit granted to Candace Welsh for a micropigmentation tattoo business located at 401 College Street Suite 110-B, Montgomery, Texas 77356.

**Recommendation**

Staff recommends a motion to renew the SUP and removal of the following conditions:

- Section 2 (e) related to number of employees allowed
- Section 2 (i) related to bonding & insurance
- Section 2 (j) related to special inspections of the Property
- 5-year expiration portion of Section 2 (l).

**Discussion**

Issue:

The city granted Candace (Cory) Welsh an SUP in 2019 with a 5-year term that expires 05/14/24.

Regulations:

The SUP ordinance (attached) provides city/local terms and provisions. Intradermal cosmetics, also known as microblading, is licensed and regulated by the state (Dept. of State Health Services). This activity falls generally under tattooing according to state regulations and local land use regulations. This type of use requires special approval from city council to operate (Sec. 98-88 Table of Uses).

Analysis & Conclusion:

Staff recommends renewal of the SUP. Additionally, certain terms and provisions required by the SUP appear to place an undue regulatory compliance burden on the applicant. Staff recommends removing the following conditions from the SUP:

- Section 2 (e): “No more than one additional person, other than residents residing on the Premises, shall be employed or engaged in the micropigmentation tattoo business of eyebrows and eyeshades.”
- Section 2 (i): “Candace Welsh shall be bonded and insured, and shall maintain general liability insurance in an amount of \$1,000,000 as required by the City during the entire term of the permit. A certificate of such insurance shall be provided to the City.”
- Section 2 (j): “The City shall have the authority to inspect the Property from time to time to confirm Candace Welsh’s compliance with the terms and conditions of this special use permit.”
- Section 2 (l): “This permit shall expire five (5) years from the date of its issuance, subject to the City Council’s right to renew the permit upon request by Candace Welsh.”

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<b>Approved By</b>		
Assistant City Administrator & Planning & Development Director	Dave McCorquodale	Date: 05/25/2024