



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: March 1, 2018

Staff Contact: Hope Sullivan, Planning Manager

Agenda Title: For Possible Action: To adopt Bill No. 103, on second reading, Ordinance No. 2018 - _____, an ordinance amending Title 18 of the Carson City Municipal Code to include Tattoo Parlors as a conditional use in the Retail Commercial use district. (Hope Sullivan, hsullivan@carson.org)

Staff Summary: The proposed ordinance would make a Tattoo Parlor a Conditional Use in the Retail Commercial zoning district. As uses conditionally allowed in the Retail Commercial zoning district are allowed in the General Commercial, Limited Industrial, and General Industrial zoning districts, the proposed amendment would result in a Tattoo Parlor being a Primary Permitted Use in those zoning districts. Currently, a Tattoo Parlor is a Conditional Use in the Limited Industrial zoning district, and a Primary Permitted Use in the General Industrial zoning district.

Agenda Action: Ordinance - Second Reading

Time Requested: 10 Minutes

Proposed Motion

I move to adopt Bill No. 103, on second reading, Ordinance No. 2018- _____, an ordinance amending Title 18 of the Carson City Municipal Code to include Tattoo Parlors as conditional use in the Retail Commercial use district.

Board's Strategic Goal

Economic Development

Previous Action

At its meeting of November 29, 2017, the Planning Commission voted 6 - 0, 1 absent to recommend adoption of the proposed Ordinance.

At its meeting of December 21, 2017, the Board of Supervisors considered the proposed amendment. The Board sent the application back to the Planning Commission with direction that the Planning Commission consider (1) making a Tattoo Parlor a conditional use in Retail Commercial, (2) the advisability of separation requirements between Tattoo Parlors, and (3) the advisability of separation requirements between Tattoo Parlors and other uses such as schools or parks.

At its meeting of January 31, 2018, the Planning Commission re-considered the proposed amendment, and voted 5 - 1, 1 absent to recommend that the Ordinance be adopted as requested with a Tattoo Parlor being an allowed use in the Retail Commercial zoning district. This is the same recommendation that the Planning Commission made when it reviewed the application at its meeting of November 29, 2017.

At its meeting of February 15, 2018, the Board of Supervisors introduced the subject Ordinance by a vote of 5 - 0.

Background/Issues & Analysis

The proposed Ordinance is requested by Jason Meindl, owner of Jason's Bizarre located at 2049 California Street, #2, Carson City.

Applicable Statute, Code, Policy, Rule or Regulation

Chapter 18.02.075 (Zoning Map Amendments and Zoning Code Amendments)

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number: N/A

Is it currently budgeted? Yes No

Explanation of Fiscal Impact:

Alternatives

- 1) Adopt the proposed ordinance as presented.
- 2) Do not adopt the ordinance

Attachments:

- 1) Ordinance

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

Summary: An ordinance amending the Retail Commercial use district to include tattoo parlors as a conditional use.

BILL NO. 103

ORDINANCE NO. 2018 - _____

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE TO INCLUDE TATTOO PARLORS AS A CONDITIONAL USE IN THE RETAIL COMMERCIAL USE DISTRICT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 18 (Zoning), Chapter 18.04 (Use Districts), Section 18.04.130 (Retail Commercial (RC)) is hereby amended (**bold, underlined** text is added, ~~stricken~~ text is deleted) as follows:

18.04.130 Retail Commercial (RC).

The purpose of the RC District is to preserve a commercial district limited primarily to offices and retail sale of new merchandise and excluding all uses in the General Commercial and Industrial Districts, except for some service uses which are compatible with the zone. All uses within the RC District shall be conducted within a building, and aside from display windows, be screened from view. Outdoor display and storage of autos, recreational vehicles, or mobilehomes in conjunction with an existing business with sales of autos, recreation vehicles and mobilehomes is allowed in accordance with Division 2 of the Development Standards and provided the vehicles or mobilehomes do not encroach into City or State Right-of-Way without an approved encroachment permit and are screened from adjacent parcels. Temporary outdoor display and sale of merchandise for a period not to exceed 30 days within a calendar year may be authorized by the Director subject to Title 18.02.115.8 (Outdoor Sales and Activities).

1. The Primary Permitted Uses in the RC District are this list, those uses allowed in 18.04.120 Neighborhood Business, except those uses appearing in Section 18.04.130.3 Retail Commercial as Conditional uses which require a Special Use Permit, plus other uses of a similar nature:

Accounting and Bookkeeping
Alcoholic Beverage Sales (accessory to a restaurant)
Amusement Devices, Sales and Service
Apparel Shop
Appliances

Art Studio
Artist, Commercial
Astrology Parlor/Fortune Telling/Clairvoyance and Palmistry
Automobile Parts, Tires and Accessories
Automobile Rental
Automobile Retail New or Used
Automobile Service (automobile gas, maintenance and repair service, no body repair)
Bible and Church Supplies
Blood Bank
Blueprint and Photocopy Services
Boarding and Rooming House
Body Piercing
Bowling Alley
Brew Pub
Cafeteria
Candy and Confectionary, Retail
Carpet and Floor Coverings
Caterer
Ceramics, Ceramic Products with Kiln
Chemist, Analytical and Consulting
Christmas Tree Sales
Clock, Retail and Repair
Club, Supper and Amusement
Collectible Store
Computer Sales and Repair
Copy Center
Costumes, Party and Wedding Supplies and Rental
Credit Bureau
Delivery Service
Department Store
Detective or Private Investigation Agency
Draperies, Blinds and Window Coverings
Drugstore and Pharmacy
Dry Goods Store
Electrical Appliances, Retail
Embroidery Shop
Employment Agency
Engraver (trophies, jewelry, home plates) (no chemical or sandblasting processes permitted)
Factory Outlet Store
Fraternal Association
Furniture and Home Furnishings, Office and Home, including Retail
Furs and Leather Goods
Garden Supplies
Grocery Store

Gun Store
 Gunsmith
 Herbs, Retail
 Hotel
 Juice Bar
 Lapidary Service
 Magazine Sales
 Mail Order House
 Mail Services, Parcel Post, Post Boxes
 Market (Mini-Market, Food-Market, Super-Market)
 Mobilehome Sales, (Office)
 Motel
 Motorcycle Sales, Service and Accessories
 Office Supplies
 Optician
 Photographic Finishing, Supplies and Picture Framing
 Pumpkin Sales
 Radio, Stereo Store
 Radio Studio (no antennas)
 Recreational Vehicle and Trailer Sales (including Rental)
 Rubber and Metal Stamp, Retail (shop accessory)
 Satellite Equipment Sales
 Security Service
 Stained Glass
 Stamp Shop
 Taxi Cab Stand
 Telephone Sales Office
 Television Repair Store
 Theater
 Wedding Chapel

2. The Accessory Permitted Uses, incidental to Primary Permitted Uses, in the RC District are:

Home Occupation
 Outside Storage, limited by and to subject to Development Standards Division 1 and 1.12 Outside Storage
 Storage containers (temporary) subject to Division 1 and 1.10 Personal Storage of the Development Standards
 Temporary Outdoor Display and Sales subject to Title 18 (Outdoor Sales and Activities)

3. The Conditional Uses in the RC District which require approval of a Special Use Permit are:

Amusement Arcade

Bar
Bed and Breakfast Inn (only within the Historic District, and limited to Single Family 6000, Residential Office and Retail Commercial zoning districts, subject to the provisions of Title 18 Development Standards Division 1.7 Bed and Breakfast Inns)
Building Materials (indoor only)
Bus Passenger Depot
Child Care Facility
Community/Regional Commercial or Office Center
Congregate Care Housing/Senior Citizen Home
Facial Cosmetic Shading, Permanent
Farmers Market
Funeral Home, Mortuary
Gaming (unlimited)
Golf Course and Driving Range
Hospital
Hotel Residence
Janitorial and Building Cleaning Service
Kennel
Miniature Golf Course
Mobilehome Park
Municipal Well Facility
Newspaper Print Office
Permanent Outdoor Sales subject to Title 18.02.115.8 (Outdoor Sales and Activities)
Personal Storage/Retail/Office Complex subject to Division 1 and 1.10 Personal Storage of the Development Standards
Printer and/or Publisher
Recreational Vehicle Park
Schools, K-12, College, University or Vocational
Single Family, Two-Family and Multi-Family Dwelling
Skating Arena
Storage containers (permanent) subject to Division 1 and 1.10 Personal Storage of the Development Standards
Street Vendors are limited to the DT-MU and RC zoning districts, subject to Division 1 and 1.11 Street Vendors of the Development Standards
Tattoo Parlor
Tennis or Swimming Facility
Trailer or Truck Rental
Utility Substation
Veterinary Clinic
Youth Recreation Facility

SECTION II:

That Title 18 (Zoning), Chapter 18.04 (Use Districts), Section 18.04.145 (Limited Industrial (LI)) is hereby amended (**bold, underlined** text is added, ~~stricken~~ text is deleted) as follows:

18.04.145 - Limited industrial (LI).

The LI District is established to preserve and industrial district restricted to a use engaged in the assembly or manufacture from previously prepared materials, or finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing. Temporary unscreened outdoor display and sale of merchandise for a period not to exceed thirty (30) days within a calendar year may be authorized by the Director subject to Title 18.02.115.8 (Outdoor Sales and Activities). Unless a use is specifically listed in this section, uses listed in the General Industrial district are prohibited in the Limited Industrial district.

1. The Primary Permitted Uses in the LI District are this list plus other uses of a similar nature. All uses permitted in Section 18.04.135 General Commercial which are not listed as LI conditional uses and except for residential uses. Residential uses are not permitted or conditionally permitted in the LI zone. A watchman's quarters is permitted pursuant to the requirements of this title in conjunction with a primary permitted use.

Assembly, fabricating and manufacturing of products and materials in accordance with the purpose of this section;
Bottling plant/brewery facility;
Grinding and sharpening of tools.

2. The Accessory Permitted Uses, incidental to Primary Permitted Uses, in the LI District are:

Machine shop (limited to in house products or internal use);
Outside storage (subject to Division 1 and 1.12 Outside Storage of the Development Standards;
Storage containers subject to the Director's approval and Division 1 and 1.10 Personal Storage of the Development Standards;
Temporary Outdoor Sales and Activities subject to Title 18.02.115.8 (Outdoor Sales and Activities).

3. The Conditional Uses in the LI District which require approval of a Special Use Permit are:

Auto body repair, painting, towing (vehicles must be stored within enclosed sight obscured area);
Child care facility;
Flea market (indoor only);

Golf course and/or driving range;
 Government facilities;
 Loading space(s) within two hundred fifty (250) feet of a residential zoning district or use;
 Metallurgical lab;
 Municipal well facility;
 Outside storage (as a primary permitted use) subject to Division 1 and 1.12 Outside Storage of the Development Standards;
 Permanent outdoor sales subject to Title 18.02.115.8 (Outdoor Sales and Activities);
 Storage business (outside storage within enclosed sight obscured area);
 [~~Tattoo parlor (body piercing, accessory);~~]
 Utility substation;
 Welding supplies and gases (retail and wholesale sales).

4. The following uses are prohibited within the LI District:

Residential uses (except watchman's quarters as described in 18.04.145.1).
 Schools (except vocational), K—12, college or university.

SECTION III:

That no other provisions of Title 18 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on _____, 2018.

PROPOSED by _____.

PASSED _____, 2018.

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

ROBERT L. CROWELL, Mayor

ATTEST:

SUSAN MERRIWETHER, Clerk-Recorder

This ordinance shall be in force and effect from and after the _____ day of _____,
2018.