

Mary Cox, Commissioner  
Edwina Miller, Commissioner  
Rick Farris, Jr. Commissioner



Bob Snow, Commissioner  
Bill Fraser, Commissioner  
Alex Nemer, II, Commissioner

Dan Davis, Chairman

**NOTICE OF REGULAR MEETING**  
**PLANNING AND ZONING COMMISSION AGENDA**

**Thursday, June 7, 2018 at 1:30 p.m.**  
**City Council Chambers**  
**504 N. Queen Street**  
**Palestine, Texas**

Pursuant to Section 551.071 of the Texas Local Government Code, the Planning and Zoning Commission reserves the right to adjourn into a closed meeting at any time regarding any item on the agenda for which it is legally permissible.

**REGULAR MEETING**

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. CONFLICT OF INTEREST DISCLOSURES**

**D. APPROVAL OF MINUTES**

- 1) May 3<sup>rd</sup>, 2018 regular meeting.

**E. PUBLIC HEARINGS / ITEMS FOR CONSIDERATION**

- 1) Conduct a public hearing and consider amendments to Appendix A, Zoning, Section 4.6 Zoning Use Graphs related to Tattoo Studios and specifying those zoning districts in which the use is allowed.

**F. COMMISSION COMMENTS AND FUTURE AGENDA ITEMS**

The Commission may discuss and receive input from staff concerning the status of current and proposed development projects, zoning and development code items, and other relevant information.

**G. ADJOURN**

**CERTIFICATION**

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the outdoor bulletin board at the main entrance to City Hall, 504 N. Queen Street, Palestine, Texas, on the following date and time:

Monday, June 4<sup>th</sup>, 2018 at 12:00 p.m.

Jeffrey Lyons,  
Development Services Director

In compliance with the Americans with Disabilities Act, the City of Palestine will provide for reasonable accommodations for persons attending City Council meetings. Requests for accommodations or interpretive services must be made 48 hours prior to the meetings. Please contact the City Secretary's office for further information at 903-731-8414.

Minutes of the Planning and Zoning Commission Regular Meeting May 3, 2018

THE STATE OF TEXAS           §  
COUNTY OF ANDERSON       §  
CITY OF PALESTINE           §

The Planning and Zoning Commission convened in a Regular Meeting on Thursday, May 3, 2018 at 1:30 P.M. in City Council Chambers at 504 N. Queen Street, Palestine, Texas.

**CALL TO ORDER – REGULAR MEETING**

Chairman Davis called meeting to order at 1:30 P.M.

Roll Call by Commissioner Davis with the following present:

Commissioners Dan Davis, Bill Fraser, Rick Farris, Jr, Dr. Mary Cox, and Bob Snow

Absent: Edwina Miller, Alex Nemer II

Others present: Jeffrey Lyons, Director of Development Services

**CONFLICT OF INTERESTS DISCLOSURES**

None

**APPROVAL OF THE MINUTES**

Commissioner Fraser made a motion to approve the minutes of the April 5, 2018 meeting as presented, seconded by Commissioner Snow. Upon vote, the motion carried unanimously.

**PUBLIC HEARINGS / ITEMS FOR CONSIDERATION**

- 1) Conduct a public hearing and consider a request to amend Appendix A, Zoning Ordinance to allow tattoo parlors as a permitted use on properties zoned Central Business District. Case ZA-18-02, Applicant Mr. Kyle Williams.

Commissioner Davis opened the public hearing for those speaking in favor of the request. Mr. Kyle Williams, applicant, discussed his request to amend the zoning use graph to allow a tattoo shop in the Central Business District and stated that he would like to open a Tattoo Parlor/Art Gallery.

Development Services Director, Jeffrey Lyons provided report and stated there are currently no tattoo parlors in the City Limits of Palestine. The only zoning district that permits tattoo parlors is the C-4, highway Commercial zone.

At the conclusion of the discussion the public hearing was closed and Chairman Davis called for questions or comments from the Commission.

Commissioner Farris made a motion to table Case ZA-18-02 until a specific location has been found, seconded by Commissioner Snow. Upon vote, the motion carried unanimously.

**COMMISSION COMMENTS AND FUTURE AGENDA ITEMS**

Development Services Director, Jeffrey Lyons provided the Commission an update on the new zoning ordinance.

**ADJOURN**

With no further business, the meeting was adjourned at 1:57 PM.

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Chairman Dan Davis

ATTEST:

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Jeffrey Lyons, Development Services Director

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PETITION FOR ZONING ORDINANCE TEXT AMENDMENT

APPLICANT INFORMATION

Name: Kyle Williams
Address: 1712 ACR 376
City: Palestine State: TX Zip: 75801
Phone: 936-222-2594 Email:

ZONING TEXT AMENDMENT INFORMATION

- 1. Section of Ordinance to be amended: Appedix D, Zoning, Section 4.6 Zoning Use Graph
2. Describe the existing regulations to be amended: Central Business District does not allow Tattoo parlors.
3. State the reasons for requesting the amendment: I would like to open a Tattoo Parlor / Art gallery. For a new business downtown.

Signature of Petitioner: Kyle Williams

Date: April 2-18.

# PETITION FOR ZONING ORDINANCE TEXT AMENDMENT

## APPLICANT INFORMATION

Name: Seth Blood  
Address: 200 ~~South~~ 2312  
City: Montalba State: TEXAS Zip: 75853  
Phone: 903-574-4170 Email: Sethblood13@gmail.com  
903-549-3310

## ZONING TEXT AMENDMENT INFORMATION

1. Section of Ordinance to be amended:

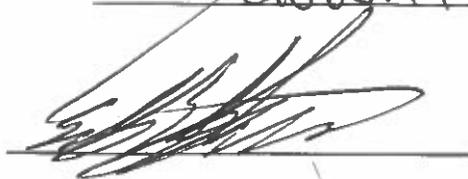
~~#~~ C4 Appendix A Zoning, Use Group

2. Describe the existing regulations to be amended:

C3  
C4 Allow tattoo studio Downtown area  
(Arb) and in the C3 Zone

3. State the reasons for requesting the amendment:

More room for expansion  
extended reach and growth for  
downtown business

  
Signature of Petitioner

May 3rd 2018  
Date



## PLANNING AND ZONING COMMISSION

### Development Services Department Staff Report

**HEARING DATE:** June 7, 2018

**SUBJECT:** Request to amend Appendix A, Zoning Use Graph to allow tattoo parlors as a permitted use in the Central Business District.

**EXHIBITS:** Applications by Seth Blood and Kyle Williams requesting to amend the zoning use graph to allow tattoo parlors in commercial zoning districts.

#### **ITEM SUMMARY**

A request to amend the zoning ordinance to allow tattoo parlor in the Central Business District was reviewed by the Planning and Zoning Commission during the May 3<sup>rd</sup> regular meeting. The applicant, Mr. Kyle Williams had a tentative location at 102 W. Crawford Street, however, this location is no longer available. The Planning Commission tabled the request until Mr. Williams found a permanent location. After speaking with Mr. Williams after the meeting, two additional locations may be suitable for the tattoo parlor that are zoned RPO, Restricted Professional Office and C-3, General Commercial. Mr. Williams will provide the Planning Commission additional information on these location during the meeting.

An additional request to amend the zoning use graph to allow tattoo parlors on properties zoned C-3, General Commercial was received by staff after the May 3<sup>rd</sup> meeting. The applicant Mr. Seth Blood did not have a specific location but stated that had contacted several landlords who had properties in the C-3 zone that could possibly accommodate a tattoo parlor.

#### **ZONING ORDINANCE AMENDMENT PROCEDURE**

Section 20.2 of Appendix A, Zoning provides a procedure for a petition to amend the zoning ordinance as follows:

*Amendment initiation.* Any person having a proprietary interest in any property may petition the city council for a change or amendment to the provisions of this ordinance or the planning and zoning commission may on its own motion or on request from the city council, institute a study and proposal for changes and amendments in the public interest.

#### **PRIOR AMENDMENTS TO APPENDIX A, ZONING – TATTOO PARLORS**

The Planning Commission and City Council adopted regulations for tattoo parlors in 2011 as follows:

*Tattoo Parlors are defined as* establishments where the following procedures are performed on the human body; tattooing practices where an indelible mark or figure on the human body is made by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment, piercing the skin for the application of rings, pins and/or other objects, or any other means wherein the body is permanently marked, scarred or pierced. Facilities offering tattooing services must be licensed by the State of Texas. This definition shall not include ear piercing or minor cosmetic tattooing such as eyeliner or lip liner performed in such places as a jewelry shop, beauty shop or other similar establishment.

Tattoo parlors are currently only allowed on properties zoned C-4, Highway Commercial Districts and prohibited in all other zoning districts.

### **RECOMMENDATION**

Staff recommends that tattoo parlors be allowed by specific use permit in the following zones:

- C-2, Local Retail Commercial;
- C-3, General Commercial;
- CBD, Central Business District;
- RPO, Restricted Professional Office;

This will provide flexibility as to where a tattoo parlor can operate while allowing the Planning Commission and City Council the ability to review each request.