

CITY OF SULPHUR SPRINGS
PLANNING AND ZONING MEETING
MAY 18, 2020
6:00 P.M.

Present: Vice Chairman Craig English, Board Member Tommy Harrison, Board Member Pat Chase, Board Member Chuck Sickles

Absent: Board Member Matthew Mattison

Staff: Tory Niewiadomski, Community Development Director, Jennifer Graham, Admin Asst., Community Development

Others: Jay Julian, Faith Huffman, Jillian Smith

CALL MEETING TO ORDER:

Vice-Chairman Craig English called the Planning and Zoning Meeting to order at 6:00 P.M.

DISCUSSION/ACTION ON PLANNING AND ZONING MEETING MINUTES OF APRIL 20, 2020:

Consider for approval the Planning and Zoning meeting minutes of April 20, 2020. Board Member Chuck Sickles moved to approve the meeting minutes. Board Tommy Harrison seconded. Motion carried, all voting aye.

DISCUSSION/ACTION FOR A SPECIAL USE PERMIT REQUEST TO PERFORM COSMETIC TATTOOING AT 312 DAVIS ST.

A request by Mika Massey at Salon Laveau for a Special Use Permit per Article 20 to perform the act of microblading/ permanent makeup at 312 Davis Street. This is becoming a frequent request from the Salons over the last few years. Staff sent out 10 letters to property owners within 200 ft. of the property. Staff has received one response. Staff recommends approval of the applicants request to perform microblading and permanent makeup. The applicant is the person the Special Use Permit will be issued to and not the Salon. The State will ask for a zoning letter stating that the applicant can operate under his/her license at the location requested. Board Member Tommy Harrison moved to approve the request. Board Member Chuck Sickles seconded. Motion carried, all voting aye.

DISCUSSION ON A PROPOSED ORDINANCE TO DEFINE COSMETIC TATTOOS AND IDENTIFY WHICH ZONING DISTRICTS TO PERMIT THEM IN.

Cosmetic tattoos have become the most common request when seeking a Special Use Permit in the last few months. Staff is proposing to provide an option in the Zoning Ordinance to allow these uses to be permitted by right within certain zoning districts. Staff's recommendation is to allow them in any commercial and Multi Family zoning district if it is done in a beauty salon. The definition of cosmetic tattooing is:

Permanent makeup is a cosmetic technique which employs tattoos (permanent pigmentation of the dermis) as a means of producing designs that resemble makeup, such as eyelining and other permanent enhancing colors to the skin of the face, lips, and eyelids. It is also used to produce artificial eyebrows, particularly in people who have lost them as a consequence of old age, disease, such as alopecia totalis, chemotherapy, or a genetic disturbance, and to disguise scars and white spots in the skin such as in vitiligo.

Currently there is no definition in Article 20 to differentiate a decorative tattoo versus a cosmetic tattoo which is why a Special Use Permit is required. If an ordinance is put in place to separate the two this would make cosmetic tattooing a use by right in certain zoning areas. A full body tattoo parlor would still have to go through the process of applying for a Special Use Permit.

Staff will bring an ordinance next month for the Board to approve or deny regarding this subject.

DISCUSSION ON PROPOSED ORDINANCE REGARDING ACCESSORY DWELLING UNITS.

An ADU can be placed on a residentially zoned, single-family lot. An ADU may be created through new construction, the conversion of an existing structure, as an addition to an existing structure or as a conversion of a qualifying existing house during the construction of a new primary dwelling on the site. Based on prior discussions, staff was provided some direction that an ADU should be built on site to prevent portable storage buildings from being brought onto a lot and finished out. There was some discussion about tiny homes or park model homes but were not sure if they fit into the context of the City.

Either the primary single family home or ADU shall be owner occupied. One ADU is permitted per lot. ADU's shall be treated as a single family home from a utility billing standpoint.

The design standard as it relates to size and height will state that the ADU shall be at least 320 square feet and shall not exceed 75% of the size of the primary dwelling. The maximum height for a detached ADU is the lesser of 25 feet at the peak of the roof or the height of the primary dwelling. An exception to this requirement would be a two-story garage apartment.

After talking to the City Attorney about the appearance, he stated we may want to say site built or a modular structure could also be used at an ADU since they are allowed in the building code. A modular home is stick built and in brought in sections and fixed to a permanent foundation. It is not a manufactured home or a mobile home which are not on a permanent foundation.

If it will be on a lot two acres or less it must match the appearance of the primary structure. ADUs that do not match the appearance of the home may be permitted provided they are greater than 150 feet from the street curb, behind the primary dwelling, and in a location obstructed from the street view. A garage may be converted to an ADU but not a portable building already on the lot.

The ADU may be able to use a common sewer, but should probably have their own water meter with a base fee, or possibly join into the existing house. The point is to promote infill development. This would increase housing stock and use the existing infrastructure that is under-utilized.

Would the ADU be strictly for a family member to live in, or would there be the option to use it as rental property for supplemental income. If this were in a multi-family zone there could be multiple dwellings on the property. This ordinance caters to single family use to avoid a rental investors from coming in and adding dwellings to the lot at this time. If this dwelling is already being used as rental property it would be grandfathered in. There could be some kind of registering of those and state from this date forward the dwelling could not be rented without one of them being owner occupied.

ADJOURN

With no further business the meeting was adjourned at 6:34 P.M.