



DOCKET ITEM #3
Text Amendment #2016-0004
Tattoo Parlors

Issue: Public hearing and consideration of a Text Amendment to Section 2-111 and Section 2-183 of the Zoning Ordinance to remove tattoo parlors from amusement enterprises and classify them as personal service establishments.	Planning Commission Hearing:	June 14, 2017
	City Council Hearing:	June 24, 2017
Staff: Alex Dambach, Division Chief alex.dambach@alexandriava.gov Shaun Smith, Urban Planner shaun.smith@alexandriava.gov		

I. Issue

The purpose of this proposed zoning text amendment is to remove tattoo parlors from the definition of an amusement enterprise, which is allowed within the majority of zoning districts only with a special use permit and add tattoo parlors to the definition of personal service establishments. This would allow them as a permitted use within the majority of commercial zoning districts within the city with similar requirements to those of other personal service establishments.

II. Background

Tattoo Parlors were incorporated into the Zoning Ordinance in 1992 within Section 2-111 and defined as an amusement enterprise. The use was defined as an entertainment establishment along with theaters, palm readers, bowling alleys, skating rinks, pool and billiard halls, miniature golf course, and dance halls.

Current regulations allows amusement enterprises as a permitted use in only one zone (Commercial Regional), and as a special use within fourteen other commercial, industrial, and mixed use zones. Over recent years, the perception of tattoo parlors has evolved. The size and operation of a tattoo parlor significantly differs from other uses listed as amusement enterprises. Tattoo parlors operate similarly to uses listed as personal services with patrons arriving by appointment and as a result have a limited potential offsite impact. Conversely, other uses listed as amusement enterprises often operate on an open assembly basis and therefore have a different and possibly greater potential for offsite impacts. Staff recommends reclassifying tattoo parlors as personal services establishments because that category is the most appropriate for regulating these types of businesses. City Council initiated this text amendment at its April 25, 2017 meeting.

Tattoo Parlor requirements in other Jurisdictions

Staff has researched how neighboring jurisdictions regulate tattoo parlors. All three jurisdictions researched classify tattoo parlors as a type of service use, which is generally a permitted use in most commercial zoning districts. In addition, within the Commonwealth of Virginia, tattoo parlors are regulated by local health department regulations and must receive a license through the Department of Professional and Occupational Regulations’ Board for Barbers and Cosmetology.

	District of Columbia	Fairfax County	Arlington County
Tattoo Parlor regulations	Service, General Section 200.2(dd)	Personal Service Establishments (Section 2-300)	Retail, Personal Service Section 12.2.5(g)(2)(b)

III. Proposed Text Changes

The proposed text amendment to Sections 2-111 and 2-183 of the Zoning Ordinance, presented in Attachment #1, herein, removes the tattoo parlor use from the definition of amusement enterprise and adds it to the personal service establishment definition. This text change would allow tattoo parlors as a permitted use in the majority of the city's commercial and mixed use zoning districts.

In addition, reclassifying tattoo parlors as personal service establishments would lower the minimum parking requirement for these types of establishments. Current parking regulations contained within Section 8-200(A)(13) requires one parking space per 200 square feet of floor area on all floors for any indoor amusement enterprise. Reclassifying tattoo parlors to personal service establishments would require any future tattoo parlor to meet the parking standards of Section 8-200(A)(17), which requires one parking space for each 400 square feet of floor area. Staff supports this change as this type of business has similar parking needs to other personal service establishments (such as hair salons) and financial service offices, where the majority of patrons arrive by appointment for a session with a professional employed in the establishment.

IV. Recommendation

The proposed text amendment would reclassify tattoo parlors as a personal service establishment, in addition to change the minimum parking requirements.

Staff **recommends approval** of the change to the Zoning Ordinance as proposed in Attachment #1.

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Attachments: 1. Proposed Zoning Text Changes

Attachment #1

PROPOSED ZONING TEXT CHANGES

Note: New text is underlined;

~~Deleted text is shown with a strikethrough~~

2-111 - Amusement enterprise.

A use devoted to entertainment, such as theaters, bowling alleys, skating rinks, pool and billiard halls, miniature golf courses, dance halls, palm reading ~~or tattoo parlors~~, amusement arcades, bingo halls and similar uses.

2-183 - Personal service establishment.

A store or shop providing personal, financial, technical or repair services, assistance or advice to individual consumers that may require certification or licensure by one or more agencies of the Commonwealth of Virginia, including but not limited to:

Arts and crafts studios or stores;

Appliance repair and rental;

Banks, savings and loans, and credit unions;

Bicycle repair;

Barbershops and beauty shops;

Contractors' offices, without accessory storage;

Dressmakers and tailors;

Dry-cleaning and laundry pickup stations;

Laundromat;

Locksmiths;

Musical instrument repair;

Optical center;

Pawnshops;

Private school, academic, with a maximum of 20 students on the premises at any one time;

Professional photographer's studios;

Shoe repair;

Furniture upholstering shops;

Watch repair;

Printing and photocopy service;

Tattoo parlors;

Personal service establishments do not include, as either a primary or accessory use, automobile oriented uses; the sale, rental, storage, service or repair of any motor vehicles, including automobiles, trucks, buses, trailers, recreational vehicles and motorcycles; or any use separately listed in a zone.