

TOWN OF WAYNESVILLE

Planning Board

9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

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Special Called Meeting of the Planning Board
Town Hall, 9 South Main Street, Waynesville, NC 28786
Monday, January 30, 2023, 6:00 PM

A. CALL TO ORDER

1. Welcome/Calendar/Announcements
 - Next Meeting is February 20, 2023

B. BUSINESS

1. Public Hearing on an application for a Text Amendment to the Land Development Standards, Section 17.3, definition of Personal Services.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

D. ADJOURN

Planning Board Staff Report

Subject: Proposed Text Amendment to the Land Development Standards
 Ordinance Section: LDS Section 17.3, Use Type Definitions, Personal Services
 Applicant: Greg Au
 Meeting Date: January 30, 2023

Background

The applicant would like to open a tattoo business within the Central Business District. This zoning district permits Personal Services as a use-by-right. However, the Land Development Standards Section 17.3 defines Personal Services as follows:

Cosmetic services such as hair and nail salons, barber shops, clothing alterations, shoe repair, weight loss centers and non-permanent makeup services (excluding Tattoo Parlors).

The applicant has proposed a text amendment that would remove the exclusion of tattoo parlors from the Personal Services definition, which would then read as follows (changes in red):

Cosmetic services such as hair and nail salons, barber shops, clothing alterations, shoe repair, weight loss centers and non-permanent makeup services, and (excluding tattoo parlors).

Several tattoo parlors are presently operating within Waynesville's jurisdiction. These businesses were either established prior to the adoption of the current version of the Land Development Standards and are therefore a legal non-conforming use, or were permitted as the result of staff oversight and are operating as zoning violations – even though they may be permitted by the State Health Department.

The previous version of the Land Development Standards contained a use category called Hair, Nail, and Skin Services. This use was interpreted by staff to include tattoo parlors. In the 2011 LDS update, the definition for Personal Services was added with the express exclusion of tattoo parlors. The proposed text amendment would bring existing non-conforming tattoo parlors into compliance with the Land Development Standards and would permit this use as part of the Personal Services within the Table of Permitted Uses. This would include the following:

- Mixed-Use Overlays districts of:

Country Club Low Density	Ninevah Neighborhood Residential
Francis Cove Low Density	Raccoon Creek Neighborhood Residential
Dellwood Medium Density	Walnut Street Neighborhood Residential
South Waynesville Medium Density	East Waynesville Urban Residential
Love Lane Neighborhood Residential	Hazelwood Urban Residential
Main Street Neighborhood Residential	Howell Mill Urban Residential
- Corner lots within the Allens Creek Neighborhood Residential district.
- Use-by-right within the districts of:

North Main Street Neighborhood Center	South Main Street Business District
Pigeon Street Neighborhood Center	Dellwood/Junaluska Regional Center
Raccoon Creek Neighborhood Center	Hyatt Creek Regional Center
Central Business District	Russ Avenue Regional Center
Hazelwood Business District	

Proposed Text Amendment and Consistency with the 2035 Comprehensive Land Use Plan

By expanding the definition of Personal Services, this text amendment would create a new opportunity for business, and it would address several existing non-conformities or possible zoning violations. Staff submits that this would be consistent with the 2035 Comprehensive Plan goals to:

- Goal 1: Continue to promote smart growth principles in land use planning and zoning.
 - Encourage infill, mixed-use, and context-sensitive development
- Goal 5: Create opportunities for a sustainable economy.
 - Promote the growth of existing local businesses and Waynesville’s “maker economy.”

Staff Recommendation

The previous version of the Land Development Standards did not contain a specific prohibition of tattoo parlors and contained a use category in which they were interpreted to be permitted. When the Ordinance was updated in 2011 with revised definitions, the provision excluding tattoo parlors from personal services was added, with the effect of prohibiting them altogether. However, in recent years, tattoo art has grown in popularity and is often provided in conjunction with cosmetic services, making an across-the-board prohibition difficult to justify. Under the Building Codes, there is no distinct regulations for tattoo parlors and would be treated similarly to other uses in the personal services category. Tattoo Parlors are also regulated by the Public Health Department and require State issued permits and are subject to inspection by the local health department.

The proposed text amendment would amend the definition of personal services to eliminate the exclusion of tattoo parlors in the definition of personal services. This would bring the service of tattooing into the same definition as other cosmetic services such as salons, beauty parlors or barbershops, and allow such businesses to be permitted wherever other personal services are permitted within the Permitted Uses Table (LDS 2.5.3) This would update the definition to be more consistent with current acceptance of tattoo parlors. Staff would therefore support this application request.

Some local governments consider tattoo parlors to be a unique use and zone them uniquely. If, the Planning Board is hesitant to allow this particular use within the same definition as other personal services and allowable areas, then staff would recommend an alternative amendment as opposed to a flat denial of the application. An alternative text amendment could be the exclusion of and reference to tattoo parlors be struck from the Personal Services definition altogether. Then, Tattoo Parlors could be designated as a stand-alone use, with its own definition and placed within the permitted uses table in designated zones. In this case, staff would recommend commercial areas of Neighborhood Center (NC), Business (BD), and Regional Center (RC) Districts, and a definition based on State regulations such as:

An establishment whose principal business activity is the practice of inserting permanent markings or coloration, or the producing of scars, upon or under human skin through puncturing by use of needle or any other methods. (taken from NCGS 130A-283)

An establishment whose principal business activity is placing designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by the use of needles or other instruments to contact or puncture the skin. (taken from the City of Asheville’s Ordinance).

Requested Action

1. Motion to find that the proposed text amendment is consistent or inconsistent with the 2035 Comprehensive Plan.
2. Motion to recommend to The Board of Aldermen the approval or denial of the proposed text amendment (as presented or modified).

5

RULES GOVERNING TATTOOING 15A NCAC 18A .3200

**NORTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH SECTION**

**EFFECTIVE APRIL 1, 1995
AMENDED EFFECTIVE NOVEMBER 1, 2002**

**All Environmental Health Rules can be accessed at the following website
<https://ehs.ncpublichealth.com/rules.htm>**

**North Carolina General Statutes can be accessed at the following website
www.ncleg.net/gascripts/statutes/statutestoc.pl**

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EHS 4014 – INSPECTION OF TATTOO ESTABLISHMENT

Part 11. Tattooing.

§ 130A-283. Tattooing regulated.

- (a) **Definition.** – As used in this Part, the term "tattooing" means the inserting of permanent markings or coloration, or the producing of scars, upon or under human skin through puncturing by use of a needle or any other method.
- (b) **Prohibited Practice.** – No person shall engage in tattooing without first obtaining a tattooing permit from the Department. Licensed physicians, as well as physician assistants and nurse practitioners working under the supervision of a licensed physician, who perform tattooing within the normal course of their professional practice are exempt from the requirements of this Part.
- (c) **Application.** – To obtain a tattooing permit, a person must apply to the Department. Upon receipt of the application, the Department, acting through the local health department, shall inspect the premises, instruments, utensils, equipment, and procedures of the applicant to determine whether the applicant meets the requirements for a tattooing permit set by the Commission. If the applicant meets these requirements, the Department shall issue a permit to the applicant. A permit is valid for one year and must be renewed annually by applying to the Department for a permit renewal.
- (d) **Violations.** – The Department may deny an application for a tattooing permit if an applicant does not meet the requirements set by the Commission for the permit. The Department may suspend, revoke, or refuse to renew a permit if it finds that tattooing is being performed in violation of this Part. In accordance with G.S. 130A-24(a), Chapter 150B of the General Statutes, the Administrative Procedure Act, governs appeals concerning the enforcement of this Part.
- (e) **Limitation.** – A permit issued pursuant to this Part does not authorize a person to remove a tattoo from the body of a human being. Compliance with this Part is not a bar to prosecution for a violation of G.S. 14-400. (1993 (Reg. Sess., 1994), c. 670, s. 1.)

SECTION .3200 - TATTOOING**15A NCAC 18A .3201 DEFINITIONS**

The following definitions shall apply throughout this Section:

- (1) "Blood and Body Fluid Precautions" means a method of infection control in which all human blood and body fluids are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), and other infections that can be transmitted by contact with blood.
- (2) "Department" means the Department of Environment and Natural Resources. The term also means the authorized agent of the department.
- (3) "Sharps" means any objects that can penetrate the skin including, but not limited to, needles, razor blades, scalpels, and broken capillary tubes.
- (4) "Sterilize" means the approved microbicidal treatment by a process which provides enough accumulative heat or concentration of chemicals for a length of time sufficient to eliminate the microbial count, including pathogens.
- (5) "Tattooing" means tattooing as defined in G.S. 130A-283.
- (6) "Tattoo Artist" means any person who engages in tattooing.
- (7) "Tattoo Establishment" means any location where tattooing is engaged in or where the business of tattooing is conducted or any part thereof. For purposes of this Section, "Tattoo Parlor" falls within this definition.
- (8) "Tattooing Room" means a room in the tattoo establishment where tattooing is performed.

*History Note: Authority G.S. 130A-29;
Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. April 1, 1995;
Amended Eff. November 1, 2002.*

15A NCAC 18A .3202 PERMITTING

- (a) Every person engaged in the practice of tattooing shall register with their local health department on or before January 1, 1995, by providing their name, the address of the location at which they engage in tattooing, and their hours of operation.
- (b) No person shall engage in tattooing on or after June 1, 1995, without first obtaining a tattooing permit issued by the department. Persons permitted to engage in tattooing in counties with local rules shall obtain a tattooing permit from the department on or after June 1, 1995. Nothing herein shall preclude counties with local rules from permitting tattoo artists prior to June 1, 1995, at which time all tattoo artists shall be permitted by the department.
- (c) No tattooing permit shall be issued to a person until an inspection by the department verifies compliance with this Section.
- (d) Tattooing permits shall be issued in the name of the individual tattoo artist, shall list the address of the tattoo establishment where the artist will practice, and shall not be transferable to another person or place of practice.
- (e) A valid tattooing permit shall be posted in the premises of the tattoo establishment in a conspicuous place where it may be easily observed by the public upon entering the establishment.
- (f) Application for a tattooing permit shall be submitted to the local health department. The application shall include at least the following information:
 - (1) Name of tattoo artist;
 - (2) Mailing address of tattoo artist;
 - (3) Name of tattoo establishment;
 - (4) Street address of tattoo establishment;
 - (5) Anticipated date of commencing operation; and
 - (6) Signature of tattoo artist.
- (g) Any additional information requested by the department to verify compliance with this Section shall be submitted with the permit application. An initial application for issuance of a tattooing permit shall be submitted no less than 30 days before anticipated commencement of tattooing by the artist within the

jurisdiction of the local health department issuing the permit. Application for renewal of an existing tattooing permit shall be submitted to the local health department at least 30 days prior to the expiration date of the existing permit.

(h) Any permit application fee established by the local board of health shall be paid upon submission of the application.

History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.

15A NCAC 18A .3203 WATER SUPPLY

(a) The water supply serving a tattoo establishment shall be an approved potable water supply. Public water supplies that meet the requirements of 15A NCAC 18C shall be approved.

(b) When a public water supply is not available and a private water supply is used, the water supply for a tattoo establishment shall be located, constructed, maintained, and operated in accordance with the Rules Governing the Protection of Private Water Supplies, 15A NCAC 18A .1700.

History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.

15A NCAC 18A .3204 SEWAGE DISPOSAL

Sewage shall be disposed of in accordance with 15A NCAC 18A .1900 or 15A NCAC 2H .0200.

History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.

15A NCAC 18A .3205 SOLID WASTE MANAGEMENT AND DISPOSAL

Solid waste management and disposal for tattoo establishments shall be in accordance with 15A NCAC 13B.

History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.

15A NCAC 18A .3206 RECORDS, HEALTH REQUIREMENTS FOR PATRONS

(a) Retrievable records for each patron shall be kept by the tattoo artist. The patron shall be required to record or verify their name, address, phone number, date of birth, and provide their signature.

(b) Records shall be kept for a minimum of two years and shall be made available to the department on demand.

(c) No person with visible jaundice (yellowing of the eyes or skin) shall be tattooed.

(d) No tattooing shall be done on skin surface that has a rash, pimples, boils, infections, or manifests any evidence of being reddened or inflamed.

History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.

15A NCAC 18A.3207 CONSTRUCTION

(a) Each tattoo establishment shall have at least one tattooing room. This room shall be separate and apart from all other areas in the establishment, and access to this room shall be restricted. Patrons shall be tattooed only in the tattooing room, and there shall be a separate work station for each patron within the tattooing room. Furniture and furnishings within the tattooing room shall be constructed to be easily cleanable, maintained in good repair, and kept clean.

(b) At least one lavatory with mixing faucets supplied with hot and cold running water under pressure shall be provided for every five artists for hand washing and utensil washing. Lavatories shall be accessible to the tattooing room such that tattoo artists can wash their hands and return to the tattoo room without having to touch anything with their hands. Access to these lavatories shall be restricted to the tattoo artists. Each lavatory shall be easily cleanable, in good repair, and kept free of storage.

(c) Poisons, including germicidal solutions, used in the tattoo establishment shall be stored in covered containers with labels identifying the contents.

(d) The tattooing room shall be maintained clean and in good repair. The floor of the tattooing room shall be of impervious material and shall be maintained in clean condition at all times.

*History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.*

15A NCAC 18A.3208 OPERATION AND MAINTENANCE

(a) Antiseptic soap and a germicidal solution shall be available to each tattoo artist. Individual hand scrub brushes and fingernail files or orange sticks for each tattoo artist shall also be available. Before tattooing the first patron of the day, each tattoo artist shall scrub his hands and forearms with an antiseptic soap and warm water for five minutes using a clean individual hand brush and an individual file or orange stick for his fingernails; and he shall repeat this process for two to three minutes before tattooing each subsequent patron that day. An individual disposable towel shall be used for drying the tattoo artist's hands and arms after rinsing. Each tattoo artist shall wear clean disposable latex surgical gloves and a clean or disposable gown or coat or a clean or disposable lap cloth while engaged in tattooing. Gloves must be changed between patrons and disposed of after each use. There shall be no use of tobacco or other smoking materials in the tattooing room, and there shall be no eating of food or drinking of beverages in the tattooing room by the tattoo artist.

(b) Tattooing instruments and other equipment shall be cared for as follows:

- (1) All clean and ready-to-use instruments, dyes, carbons, and stencils shall be kept in a closed container, case, or storage cabinet while not in use. The storage cabinet shall be maintained in a sanitary manner at all times. Sterile instruments shall be kept in sterile packages or containers;
- (2) Only disposable needles shall be used in the tattooing process, and a new needle or set of needles shall be used on each patron;
- (3) Autoclaving shall be used for sterilization of the needle bar tube and needle bar of the tattoo machine before use on each patron. The needle bar tube of the tattooing machine shall be cleaned after each use and before being sterilized for use with the next patron;
- (4) The needles and instruments required to be sterile shall be handled with aseptic technique during the tattooing procedure so they are not contaminated before use; and
- (5) The effectiveness of the autoclave in killing bacterial endospores shall be tested once each month by using an endospore-impregnated strip. Results of this test shall be recorded for review annually by the department.

(c) All sharps, including the needles after removal from the needle bar, shall be stored and disposed of in containers that are rigid, puncture-resistant, and leak-proof when in an upright position.

(d) Blood and body fluid precautions shall be practiced by the tattoo artist when the potential for contact with blood and body fluids exists in any procedure.

History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

*Authority G.S. 130A-29;
Eff. April 1, 1995.*

15A NCAC 18A .3209 TATTOOING PROCEDURES

- (a) Sterilized or new disposable razors shall be used for each patron when it is necessary to shave the area to be tattooed.
- (b) The site of the tattoo shall be cleaned with a germicidal solution, which shall be applied in a circular, centrifugal manner before the design is placed on the skin. If the area to be tattooed is shaved, this cleaning shall be performed after shaving the area. Any other sterile, individual towels or gauze that are used in preparing the site to be tattooed shall be properly disposed of after use on each patron.
- (c) The use of styptic pencils, alum blocks, or other solid styptics to control bleeding is prohibited unless a separate, disposable styptic is used for each patron.
- (d) If a stencil is used, only clean disposable stencils for transferring the design to the skin shall be used, and no stencil may be used on more than one patron.
- (e) Single-service individual containers of dye or ink shall be used for each patron and the container shall be discarded immediately after completing work on a patron. Any dye or ink in which the needles were dipped shall be treated likewise so as not to be used on another person.
- (f) After completing the tattoo, the tattooed area shall be cleaned with a clean facial tissue or paper towel, and an antibacterial ointment may be applied. The area shall then be covered with a sterile dressing.

*History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.*

15A NCAC 18A .3210 INSECT, RODENT AND VECTOR CONTROL

The premises shall be kept clean and free of vermin at all times. There shall be no fly or mosquito breeding places or rodent harborage on the premises. Non-human animals shall not be allowed in the tattooing room. Litter under the control of the tattoo artist or operator shall not be permitted to accumulate on the premises.

*History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.*

15A NCAC 18A .3211 PROCEDURE WHEN INFECTION SUSPECTED

All infections resulting from the practice of tattooing which become known to the tattoo artist shall be reported to the local health department by the tattoo artist within 48 hours.

*History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.*

15A NCAC 18A .3212 PERMIT REVOCATION

The Department may suspend or revoke permits in accordance with G.S. 130A-23.

*History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-23; 130A-29;
Eff. April 1, 1995.*

Score: N/A

Health Department _____

Date of Insp/Chg _____

Current Facility ID 61

Status Code: _____

Old Facility ID _____

Inspection of Tattoo Establishment

Water Supply: <input checked="" type="checkbox"/> 1 Community	<input checked="" type="checkbox"/> 3 Non-Transient Non-Community	Water sample taken today? <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> 2 Transient Non-Community	<input checked="" type="checkbox"/> 4 Non-Public Water Supply	<input type="checkbox"/> 1 Inspection
		<input type="checkbox"/> 2 Re-Inspection
		<input checked="" type="checkbox"/> V Visit
Wastewater System: <input checked="" type="checkbox"/> 1 Community	<input checked="" type="checkbox"/> 2 On-Site System	<input type="checkbox"/> Name Change
		<input type="checkbox"/> Verification of Closure
		<input type="checkbox"/> Status Change

Name of Establishment: _____

Name of

Tattoo Artist: _____

Location Address: _____

Mailing Addr. _____

City: _____ State: NC Zip: _____ City: _____ State: _____ Zip: _____**RECORDS: (.3206; .3208)**

1. Records maintained for each patron include name, address, phone number, date of birth, and signature _____
2. Monthly records of bacterial endospore destruction tests maintained for each autoclave _____

TATTOO ROOM: (.3205; .3207; .3208; .3210)

3. Separate and apart from areas used for other purposes _____
4. Separate work stations for each artist _____
5. Room clean and good repair _____
6. Furniture easily cleanable, kept clean _____
7. Instruments, dyes, carbons, stencils kept in clean closed containers, case or storage cabinet _____
8. Sterile instruments packaged in sterile containers _____
9. Rigid solid waste container with plastic liner _____
10. No animals or use of tobacco in tattoo room _____
11. No eating or drinking by artists in tattoo room _____

LAVATORY: (.3203; .3204; .3207; .3208)

12. Accessible to tattoo room _____
13. Use restricted to tattoo artists _____
14. Clean and good repair, kept free of storage _____
15. Hot and cold water under pressure, mixing faucet _____
16. Antiseptic soap and germicidal solution provided _____
17. Individual scrub brushes and fingernail files or orange sticks provided for each artist _____
18. Individual disposable hand towels provided _____
19. Approved water supply and sewage disposal _____

TATTOOING PROCEDURES: (.3208; .3209)

20. Hands washed thoroughly before each patron _____
21. Clean disposable latex gloves worn _____
22. Clean gown or lap cloth used _____
23. Sterile instruments handled by aseptic technique _____
24. Ink dispensed into disposable ink caps _____
25. Skin examined and only healthy skin tattooed _____
26. New disposable or sterile razor used _____
27. Germicidal solution applied to skin _____
28. Only new sterile needles used _____
29. Tattoo cleaned and sterile dressing applied _____

PRECAUTIONS: (.3207; .3208; .3209)

30. Blood and body fluid precautions taken _____
31. Protective coverings & lap cloths removed & disposed of or laundered _____
32. Contaminated Equipment cleaned and disinfected _____
33. Contaminated instruments properly stored, cleaned, and autoclaved _____
34. Needles removed and placed in sharps container _____

MISCELLANEOUS: (.3205; .3207; .3210)

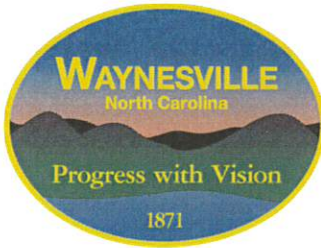
35. Poisons in covered, labeled containers _____
36. Premises free of vermin, flies, or mosquito breeding places _____
37. Outdoor solid waste in watertight containers with tight lids, properly secured _____
38. Litter and solid waste not allowed to accumulate _____

Inspection by: _____ EHS I.D.# _____

Report

Received by: _____

Purpose: General Statute 130A-283 requires the Commission for Health Services to adopt rules governing tattooing. 15A NCAC 18A .3200 specifies the requirements for tattoo artists. This form is developed to be used in making inspections of tattoo establishments. **Preparation:** Local environmental health specialists shall complete the form every time they conduct an inspection. Based on observations and information provided by the tattoo artist, place a check mark beside each item to indicate compliance with the applicable rules. Prepare an original and one copy for: 1. Original to be left with tattoo artist. 2. Copy for the local health department. Specific deficiencies are underlined. If additional explanation is needed, use another sheet. **Disposition:** Please refer to Records Retention and Disposition Schedule 8.B.6 for County/District Health Departments which is published by the North Carolina Division of Archives and History. Additional forms may be ordered from: Environmental Health Section, 1630 Mail Service Center, Raleigh, NC 27699-1630. (Courier 52-01-00)



TOWN OF WAYNESVILLE

Development Services Department

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FOR PUBLICATION IN THE MOUNTAINEER: January 15 and January 22, 2023 Editions

Date: January 10, 2023

Contact: Byron Hickox – 452-0401

Notice of Public Hearing

Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a **Public Hearing on Monday, January 30, 2023, at 6:00 PM**, in the Town Hall Board Room, at 9 South Main Street, Waynesville, NC, to consider:

An application for a Text Amendment to the Land Development Standards, Section 17.3, definition of Personal Services.

For more information contact the Development Services Department at: (828) 456-8647, email: bhickox@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.



TOWN OF WAYNESVILLE
 Development Services Department
 PO Box 100
 9 South Main Street
 Waynesville, NC 28786
 one (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Application for Land Development Standards Text Amendment

Application is hereby made on January 5, 20 23 to the Town of Waynesville for the following amendment:

Designate the specific section(s) of the Land Development Standards being requested for change:

land development 173
(See Attached)

Description of the requested amendment, (attach additional sheets if necessary):

Expand definition to include tattoo services.
Currently they are specifically excluded. Even though Haywood
county has permitted multiple locations within the county.
there are several pre existing locations that would benefit from
this change.

The reasons for the requested amendments, (attach additional sheets if necessary):

Tattoo Art is a growing art form we want to be a part
of wayneville business community.

Applicant Contact Information

Name (Printed): Greg Au
 Mailing Address: 59 Tabby Lane Maggie Valley NC 28751
 Phone(s): 407 369-1172
 Email: gregau82@gmail.com

Note: Text Amendment Requests require a fee of \$500.00. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Development Services Department, 9 South Main Street, Waynesville, NC 28786.

Parking Lot/Structure—Principal use. A stand-alone parking lot or structure (deck/garage) that is available for public or private use, but that is not accessory to another use.

Pawnshops. Premises operated by a pawnbroker who is engaged in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders. (Subject to NCGS, Chapter 91A)

* **Personal Services.** Cosmetic services such as hair and nail salons, barber shops, clothing alterations, shoe repair, weight loss centers and non-permanent makeup services ~~excluding Tattoo Parlors~~ ^{or}

Post Office. Establishments conducting operations of the United States Postal Service including permanent, contract, and lease stations. (LBCS F4170).

Produce Stands in Conjunction with Crop Production. A temporary open air stand or place for the seasonal selling of agricultural produce, located on the same development parcel upon which the produce is grown.

Professional Services. Services provided that make available the knowledge and skills of their employees to sell expertise and perform professional, scientific, and technical services to others such as legal services; accounting, tax, bookkeeping, and payroll services; architectural, engineering, and related services; graphic, industrial, and interior design services; consulting services; research and development services; advertising, media, and photography services; real estate services; investment banking, securities, brokerages; and insurance-related services; and, medical services such as physician's and dentist's offices. (LBCS F2230, F2240, F2300, F2410-2417, and F6511)

Public Transportation Facilities. Terminals, stations or major passenger transportation facilities for community or regional public transportation such as bus or rail. (LBCS F4120 and F4130)

Racetrack. An outdoor course prepared for horse, dog, automobile, or other vehicle racing.

Radio and Television Broadcasting Facilities (Except Towers). Satellite dishes and other similar facilities greater than 12 feet in height or diameter for the broadcast of signals.

Recreation Facilities, Indoor. Uses or structures for active recreation including gymnasiums, natatoriums, fitness center, athletic equipment, indoor running tracks, climbing facilities, court facilities and their customary accessory uses. This definition is inclusive of both non-profit and for-profit operations.

Recreation Facilities, Outdoor. Parks and other open space used for active or passive recreation such as ball fields, batting cages, skateboard parks, playgrounds, greenway trails, driving ranges, tennis courts, and riding stables and their customary accessory uses including, but not limited to, maintenance sheds, food concessions, pools, restrooms, and picnic shelters. This definition is inclusive of both non-profit and for-profit operations.

Recreational Vehicle Park. Any site of land designated specifically for two or more recreational vehicles, campers, and/or travel trailers with individual parking spaces and hook ups as temporary living or sleeping quarters for less than 180 days out of a 365-day year.

Recycling Collection Stations. A center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public.

Religious Institution. Any facility such as a church, temple, monastery, synagogues, or mosque used for worship by a non-profit organization and their customary related uses for education (pre-schools, religious education, etc.), recreation (gymnasiums, activity rooms, ball fields, etc.), housing (rectory, parsonage, elderly or disabled housing, etc.) and accessory uses such as cemeteries, mausoleums, offices, soup kitchens, and bookstores. (LBCS F6600 and S3500)

TOWN OF WAYNESVILLE
280 GEORGIA AVENUE
WAYNESVILLE NC 28786

MISC RECEIPT 2859518
REFERENCE Text Amend
DATE/TIME 01/05/23 12:09
CLERK 2044ecou
CUSTOMER Greg Au
EFF. DATE 01/05/2023
DEPT

01

TOTAL: 250.00
250.00

PMT TYPE	QTY	REF
CASH	1	

AMOUNT
250.00