



## REQUEST FOR COUNCIL ACTION

### City of Greenville, South Carolina

Agenda Item No.

15b

**TO:** Honorable Mayor and Members of City Council

**FROM:** John F. McDonough, City Manager

Ordinance/First Reading    Ordinance/Second & Final Reading    Resolution/First & Final Reading    Information Only

**AGENDA DATE REQUESTED:** June 27, 2022

**ORDINANCE/RESOLUTION CAPTION:**

ORDINANCE TO AMEND SECTION 19-4.1, TABLE OF USES, AND SECTION 19-4.3.3(F), RETAIL SALES AND SERVICE, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO INCLUDE BODY PIERCING/TATTOO ESTABLISHMENT AS A USE PERMITTED BY SPECIAL EXCEPTION AT PROPERTIES ZONED RDV, REDEVELOPMENT DISTRICT, WITHIN THE VILLAGE OF WEST GREENVILLE (Z-8-2022)

**SUMMARY BACKGROUND:**

Joseph Bradley (the "Applicant"), a property owner within the city of Greenville (the "City"), submitted an application for a text amendment to add "Body piercing/tattoo establishment" as a permitted use in the RDV, Redevelopment district.

The City conducted a planning process for the purpose of creating in the Village of West Greenville Micro-Area Plan in 2021, which envisioned tattoo establishments as "unconventional artistic commercial uses compatible with the Village's identity."

Staff recommended conditions that body piercing and tattoo establishments be allowed as a conditional use in the RDV zoning district subject to the following requirements proposed to be added to Section 19-4.3.3(F), Retail sales and service: (a) limiting the use to the Village of West Greenville with boundaries defined in subsection 8-33(p); and (b) disallowing the use when adjacent to single-family detached residential use or single-family residential district

The City Planning Commission, pursuant to public notice, held a public hearing on June 16, 2022, to consider the proposed text amendment and voted 5-0 to recommend approval with staff conditions, provided, however, that the use require a special exception permit from the board of zoning appeals.

Planning Staff Recommendation: Approve

Planning Commission Recommendation: Approval by a vote of 5-0 with amendment

**IMPACT IF DENIED:**

The text amendment will not be approved.

**FINANCIAL IMPACT:**

None

#### REQUIRED SIGNATURES

Department Director \_\_\_\_\_

OMB Director \_\_\_\_\_

City Attorney \_\_\_\_\_

City Manager \_\_\_\_\_

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*Wigh Padletti*

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DocuSigned by:

*Shannon Lavin*

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## AN ORDINANCE

TO AMEND SECTION 19-4.1, TABLE OF USES, AND SECTION 19-4.3.3(F), RETAIL SALES AND SERVICE, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO INCLUDE BODY PIERCING/TATTOO ESTABLISHMENT AS A USE PERMITTED BY SPECIAL EXCEPTION AT PROPERTIES ZONED RDV, REDEVELOPMENT DISTRICT, WITHIN THE VILLAGE OF WEST GREENVILLE (Z-8-2022)

WHEREAS, the City's Land Management Ordinance currently limits body piercing and tattoo establishments to the S-1 Services district; and

WHEREAS, Joseph Bradley (the "Applicant"), a property owner within the city of Greenville (the "City"), submitted an application for a text amendment to add "Body piercing/tattoo establishment" as a permitted use in the RDV, Redevelopment district; and

WHEREAS, the Applicant's request contemplated body piercing and tattoo establishments particularly within the Village of West Greenville, much of which is zoned RDV; and

WHEREAS, the City conducted a planning process for the purpose of creating the Village of West Greenville Micro-Area Plan in 2021, which envisioned tattoo establishments as "unconventional artistic commercial uses compatible with the Village's identity;" and

WHEREAS, the City desires to allow land uses that will contribute to a vibrant arts scene within the Village of West Greenville, but recognizes that body piercing and tattoo establishments may not be compatible in the RDV zoning district generally throughout the City, or adjacent to single-family detached residential uses; and

WHEREAS, staff recommended conditions that body piercing and tattoo establishments be allowed as a conditional use in the RDV zoning district subject to the following requirements proposed to be added to Section 19-4.3.3(F), Retail sales and service: (a) limiting the use to the Village of West Greenville with boundaries defined in subsection 8-33(p); and (b) disallowing the use when adjacent to single-family detached residential use or single-family residential district; and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on June 16, 2022, to consider the proposed text amendment; and

WHEREAS, the Planning Commission voted unanimously to recommend approval of the proposed text amendment to Section 19-4.1(F) with the proposed staff conditions, provided, however, that the use require a special exception permit from the Board of Zoning Appeals; and

WHEREAS, City Council finds the text amendment to be compatible with the City's Comprehensive Development Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, Section 19-4.1, Table of uses, and Section 19-4.3.3(F), Retail sales and service, of the Code of Ordinances of the City of Greenville are amended as set forth in Exhibit A, which is attached hereto and incorporated herein by reference. This Ordinance shall be effective upon second and final reading.

DONE, RATIFIED AND PASSED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

REVIEWED:

\_\_\_\_\_  
CITY MANAGER

EXHIBIT A

Use Category	Use Type	Residential						Nonresidential							Additional Regulations	
		R6	R9	RM 1	RM 1.5	RM2	RM3	OD	C1	C2	C3	C4	S1	I1		RDV
Retail sales and services	Automobile parts store									P	P	P	P	P		19-4.3.3(F)(1)
	Bank, financial institution, or ATM <sup>4</sup>							P	P	P	P	P	P		P	19-4.3.3(F)(2)
	Barbershop, beauty shop, or spa							P	P	P	P	P	P		P	19-4.3.3(F)(11)
	Bodily fluid collection establishment												P			
	Body piercing/tattoo establishment												P		<u>S</u>	<u>19-4.3.3(F)(3)</u>
	Casino or gambling establishment													C		

[...]

19-4.3.3. *Commercial uses*

[...]

(F) *Retail sales and service*

[...]

(3) ~~Reserved.~~ Body piercing/tattoo establishment. In the RDV district, these uses shall comply with the following standards:

- (a) Body piercing and/or tattoo establishments shall only be permitted within the Village of West Greenville as defined in subsection 8-33(p).
- (b) The uses shall not be permitted when adjacent to a single-family detached residential use or single-family residential district.