



City of Hampton

MEMORANDUM

TO: Hampton Planning Commission

FROM: Michael D. Hayes, AICP
City Planner

DATE: January 8, 2009

SUBJECT: Zoning Ordinance Amendments – Tattoo Parlors

The Code of Virginia requires localities to make provisions in their zoning ordinances to allow for tattoo parlors. Currently, the Hampton Zoning Ordinance does not address tattoo parlors. After researching the way neighboring localities have treated tattoo parlors and the location of tattoo parlors that currently exist within the City of Hampton, City staff have prepared a recommendation to meet this State requirement. While the City is working toward a larger overhaul of the Zoning Ordinance, the issue of tattoo parlors needs to be addressed more expediently due to specific inquiries made by individuals to Codes Compliance with respect to where they could open a business.

The Planning Department proposes an amendment to the Zoning Ordinance that would include tattoo parlors as a permitted use in C-2 districts (Limited Commercial) and C-3 districts (General Commercial) subject to securing a use permit. Tattoo parlors function much like other uses allowed in the C-2 District. Examples of similar uses are day spas and acupuncturists. These are commercial destination uses not generally tied to daily activity, like a coffee shop or small market, and therefore are not appropriate for C-1 districts (Neighborhood Commercial). The requirement for a Use Permit will allow for specific concerns such as hours of operation and visibility of customers receiving tattoos to be addressed. The public hearing requirement will provide the opportunity to identify and address potential concerns from the public. C-3, which is a more intense commercial district than C-2, is also recommended as an appropriate district for tattoo parlors since C-3 includes all uses in C-2, except residential.

While tattoo parlors generally fit well with other uses allowed in the C-2 and C-3 districts, staff recommends an amendment that would prohibit the location of tattoo parlors within the SPI-CC overlay district (Special Public Interest – Coliseum Central). SPI-CC is intended to be an enhanced commercial district and contains a list of particular commercial uses not allowed within the district.

The attached documents include the proposed amended language to the Zoning Ordinance that would be required to carry out this recommendation:

1. Proposed amendment to Chapter 2 adding a definition of tattoo parlors.
2. Proposed amendment to Chapter 12 adding tattoo parlors as a permitted use in C-2 districts (Limited Commercial) subject to securing a use permit.
3. Proposed amendment to Chapter 13 adding tattoo parlors as a permitted use in C-3 districts (General Commercial) subject to securing a use permit.
4. Proposed amendment to Chapter 17.3 to add tattoo parlors to the list of prohibited uses within the SPI-CC district (Special Public Interest-Coliseum Central).

Also included in the package is a set of maps displaying the location of properties currently zoned C-2 or C-3, with those properties in SPI-CC removed. The maps also show properties that have been conditionally rezoned to C-2 or C-3 with conditions which would not allow tattoo parlors.

If you have any questions or need additional information, please contact me at Tel. # 757.728.5244 or at mdhayes@hampton.gov.