



# City Commission **agenda item**

<b>item type</b> Public Hearings: Non-Quasi Judicial Matters (Public participation and comment on these matters may be virtual or in-person.)	<b>meeting date</b> January 25, 2023
<b>prepared by</b> Allison McGillis	<b>approved by</b> Jeffrey Briggs, Michelle del Valle, Randy Knight
<b>board approval</b> Completed	
<b>strategic objective</b>	

## subject

**To be heard after 5:00 p.m.** - Ordinance Amending Chapter 58, "Land Development Code", Article III, "Zoning" Section 58-72 "Office (O-1) district", to add a new permitted use for state licensed establishments involved in the rendering of a personal or business service limited to barber shops and hair salons, day spas, and cosmetic treatments subject to certain conditions. (1st Reading)

## motion / recommendation

P&Z recommendation is for approval of the Ordinance as presented.

## background

Staff is proposing to add a new permitted use to the Office (O-1) zoning district to allow State licensed establishments involved in the rendering of a personal or business service, with certain restrictions/limitations. There has been a recent increase, especially post pandemic, in these types of cosmetology establishments requesting to locate within small-sized suites within, one-two story, office buildings with O-1 zoning. Primarily, the landlords of these smaller office buildings with small suites plead their case to staff and state that they cannot lease their building to any other office-type user other than a beauty care business. The majority of the smaller office users have switched to a work-from-home business model, and in return leaves the smaller office tenant spaces vacant.

In response to this interest from several small businesses and landlords of smaller office buildings, staff is proposing that the permitted use be defined as the following: "State licensed establishments involved in the rendering of a personal or business service limited to barber shops and hair salons, day spas, and cosmetic treatments. There shall be no sale of merchandise unless it is ancillary to the main use. Nail salons and tattoo shops/body art are prohibited (unless the only service provided is permanent makeup). These licensed establishments are further limited to one- and two-story buildings only,

and must occupy a space less than 1,000 square-feet in size."

The limitations proposed are intended to be geared towards small businesses (not chains like Hair Cuttery, Great Clips, etc.) and prohibit business that have a strong odor that could be disruptive to other offices in the same building. The businesses also have the same parking requirements as office spaces, and oftentimes have similar business hours to a regular office user.

[alternatives / other considerations](#)

[fiscal impact](#)

ATTACHMENTS:

[Salons in O-1 Ordinance.docx](#)