

City of Scottsbluff, Nebraska

Monday, May 9, 2016

Regular Meeting

Item NewBiz3

Ordinance Proposed Admendment Permanent Color Technology

Applicant(s): N/A

Owner(s): N/A

Location: N/A

Staff Contact: Annie Folck



SCOTTSBLUFF PLANNING COMMISSION Staff Report

To: Planning Commission
From: Staff Development Services
Date: May 9, 2016
Subject: Proposed language differentiating between permanent color technology & tattoos.

At the Planning Commission meeting last month, the members reviewed allowing for both permanent color technology establishments and tattoo establishments. Definitions were added for tattoos, body piercing, branding, and permanent color technology. At the time some discussion was held about the differences between a tattoo and permanent color technology and whether the latter could possibly be allowed in other zoning districts. Below are the definitions for tattoos and permanent color technology.

25-2-125.1. Tattooing.

Tattooing means the process by which the skin is marked or colored by insertion of non-toxic dyes or pigments into or under the subcutaneous portion of the skin upon the body of a live human being so as to form indelible marks for decorative or figurative purposes

25-2-90.1. Permanent Color Technology.

Permanent color technology means the process by which the skin is marked or colored by insertion of non-toxic dyes or pigments into or under the subcutaneous portion of the skin upon the body of a live human being so as to form indelible marks for cosmetic purposes.

Permanent Color is used for but not limited to the application of eyeliner, eyeshadow, lip, eyebrow or cheek color, it is also used for the purpose of scar concealment; and/or re-pigmentation of areas involving reconstructive surgery.

Staff did some additional research on the differences of the two procedures. Permanent Color Technology is a cosmetic implantation technique which deposits color pigment into the upper layer of the skin and is considered permanent because it cannot be washed off. Unlike traditional tattoos performed on the body, permanent cosmetics professionals do not use traditional tattoo ink (dye). Permanent cosmetics pigment is more delicate and designed to work with the skin's undertones and to mimic hair for eyebrows. Everyone's skin is different regarding pigment retention and touchups are usually required after a few years.

The zoning districts previously proposed for these shops included all the Commercial and Manufacturing zoning districts. The permanent body establishments would like consideration to allow for the use in an O & P zoning along with use in residential zoning districts with a special use permit from the Planning Commission.

RECOMMENDATION

Approve

Make a motion for positive recommendation for City Council to approve proposed ordinance text amendment changes Chapter 25, Article 3, adding Permanent cosmetic facilities as permitted use by right in an O & P zoning district and a special permitted use in a residential district approved by the Planning Commission subject to the following condition(s):

Deny

Make a motion for negative recommendation to City Council to disapprove proposed ordinance text amendment changes Chapter 25, Article 3, adding Permanent cosmetic facilities as permitted use by right in an O & P zoning district and a special permitted use in a residential district approved by the Planning Commission for the

following reason(s):

Table

Make the motion to TABLE the proposed ordinance text changes to Chapter 25, Article 3, adding Permanent cosmetic facilities as permitted use by right in an O & P zoning district and a special permitted use in a residential district approved by the Planning Commission for the following reason(s):