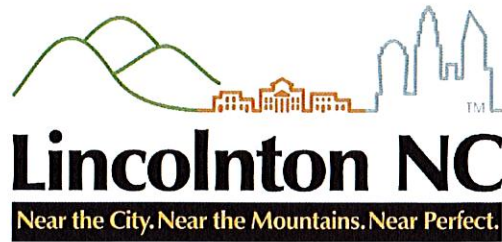


**LINCOLNTON PLANNING BOARD
AGENDA**

**January 19, 2021
At 4:00 P.M. in City Council Chambers**

1. Roll Call
2. Call to Order
3. Approval of minutes from the December 15, 2020 meeting
4. Election of Officers
5. CUP-1-2021- Application from Shawna Moore requesting a conditional use permit to operate a Tattoo Studio in the PB district. The subject property is located at 1414 East Main Street (Parcel ID 15674).
6. Adjournment



**CITY OF LINCOLNTON
PLANNING BOARD
PO DRAWER 617, LINCOLNTON, NC 28092
www.ci.lincolnton.nc.us**

BOARD MEMBERS: Änd Lynn, Chair, andmlynn@gmail.com; Jamel Farley, Vice-Chair afarley2351@gmail.com; Worth Roberts, worth.roberts@charter.net; Gene Poinsette, poinsetteg@charter.net; Jerry Hoffman, jlskhoffman@charter.net; Rebecca Abernethy, rabernethy21@bellsouth.net; Greg McBryde, Gregory.McBryde@gmail.com; Stephen Silva, soundcity1@ymail.com

Tuesday, December 15, 2020 Meeting

Present: Gene Poinsette, Änd Lynn, Jamel Farley, Jerry Hoffman, Rebecca Abernethy and Stephen Silva

Absent: Greg McBryde and Trent Mason

Call to Order

Chair Änd Lynn called the meeting to order and all members were present.

Approval of Minutes

Chair Änd Lynn asked the Board if there were any additions or corrections to the minutes of the November 17, 2020 meeting.

Motion: Gene Poinsette made a motion to approve the minutes. Jamel Farley seconded. Motion carried unanimously.

Application from Lincolnton Planning Department requesting amendment to the Subdivision Regulations, Section 153.370 through Section 153.999 of the Unified Development Ordinance to conform to recently adopted state legislation and to amend a provision related to subdivisions in the R-25 zoning district.

Laura Elam presented the staff report provided in the agenda packet to the board.

After some discussion, Chair Änd Lynn asked if there was a motion. The motion is as follows:

Motion: Gene Poinsette made a motion to recommend approval. Jamel Farley seconded. Motion carried unanimously.

Chair And Lynn asked the Board if there was any other business to be addressed, to which there was none.

Adjournment

Motion: Gene Poinsette made a motion to adjourn. Jamel Farley seconded. Motion carried unanimously.

Jean Derby

PB122020 minutes

MEMO TO: Planning Board Members

FROM: City of Lincoln Planning Department

SUBJECT: Conditional Use Permit Application from Shawna Moore (CUP-1-2021)

DATE: January 19, 2021

SITE AND AREA DESCRIPTION

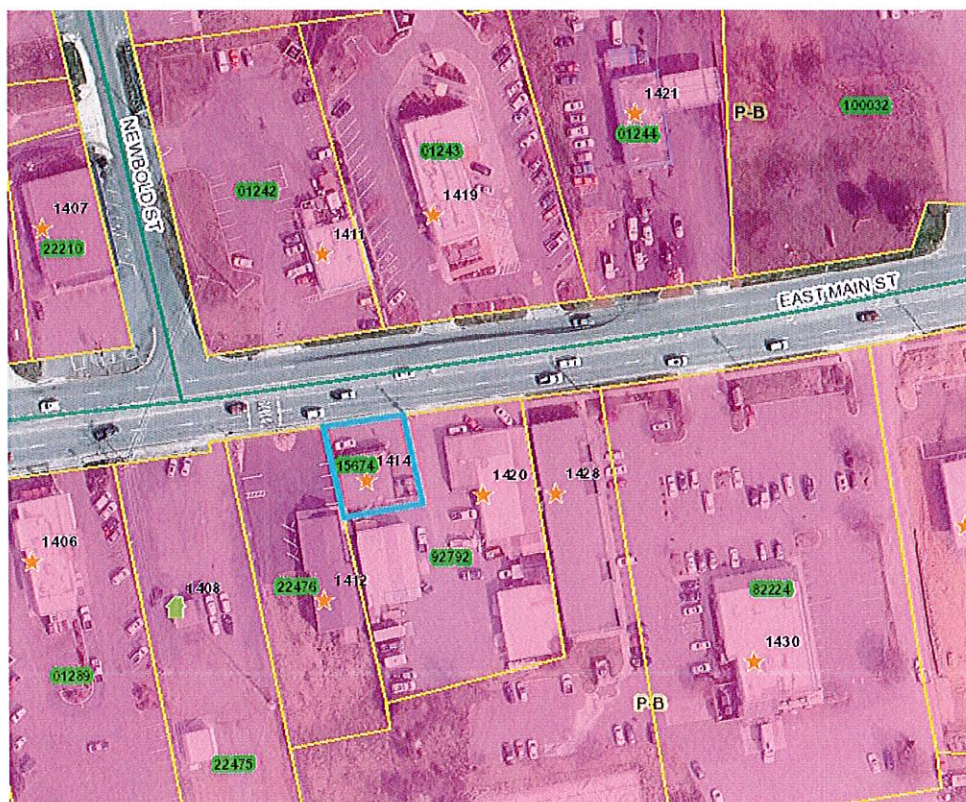
The applicant is requesting a conditional use permit in order to operate a tattoo studio in accordance with the newly established provisions for a Tattoo Studio in the PB District.

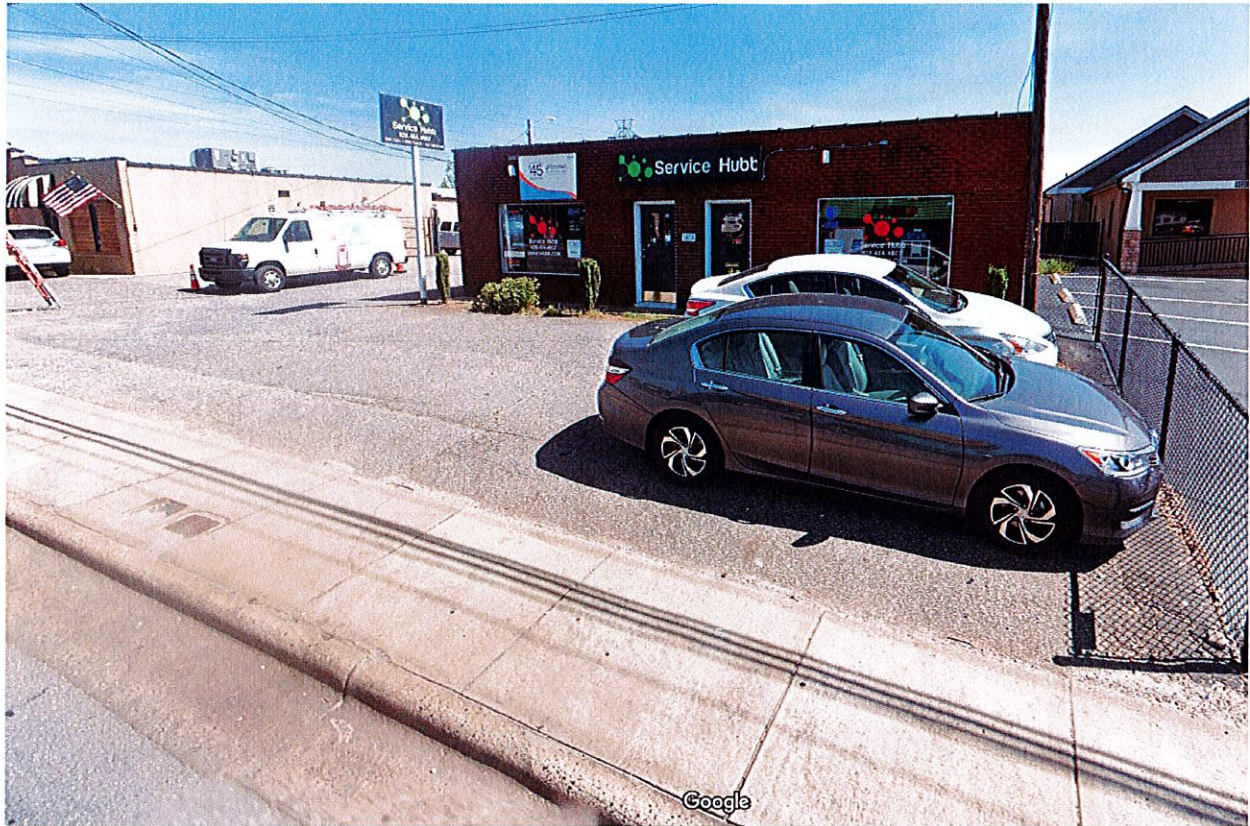
- ***TATTOO STUDIO (BODY ART).*** A facility licensed by the North Carolina Department of Public Health to administer body art, including body piercing, artistic and cosmetic tattooing. See the following subsection definitions for clarity:

1. **Body art:** Art that is made on the human body, including body piercing, artistic and cosmetic tattooing.
2. **Body Piercing:** The act of penetrating the skin to make, generally permanent in nature, a hole, mark, or scar. Body piercing does not include practices that are considered medical procedures or the puncturing of the outer perimeter or the lobe of the ear using a pre-sterilized, single use stud and clasp ear piercing.
3. **Tattooing:** any method of placing designs, letters, scrolls, figures, symbols or any other marks upon, under or in the skin with ink or any other substance resulting in the coloration of the skin by the aid of needles or any other instrument designed to touch or puncture the skin.

The subject property is located at 1414 East Main Street (Parcel ID 15674). The site has an existing 1,600 square foot commercial building which has been used for various retail and service uses over the years.. The site has 8 parking spaces which complies with the UDO provision for one space for every 200 square feet of space. No changes will be made to the exterior of the site.

Adjacent land uses are all commercial in nature. Adjacent commercial uses include Lail Electric, McDonalds, China 1, and Vacant Commercial Space to the west.







COMPLIANCE WITH CONDITIONAL USE PERMIT APPLICATION REQUIREMENTS

The UDO requires that a conditional use permit application contain specific terms and meet specific requirements. The applicant meets these requirements.

OTHER CONDITIONAL USE PERMIT REQUIREMENTS

The UDO requires that four findings be determined by the City Council. They are as follows:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan, and
2. The use meets all required conditions and specifications, and
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity, and
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Lincolnton Land Use Plan and other plans for the physical development of the City as officially adopted by the City Council.

COMPLIANCE WITH SECTION 13.4.2

1. It does not appear that the use will endanger the public health or safety.
2. The use meets all required conditions and specifications.

3. It does not appear that the use will substantially injure the value of adjoining or abutting property.
4. The use, if approved, should be in harmony with the area.

STAFF RECOMMENDATION

Staff recommends approval of the Conditional Use Permit to allow for use of the property as a Tattoo Studio.