

(Published on the City of Augusta website, www.augustaks.org
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THE CITY OF AUGUSTA, KANSAS

ORDINANCE No. 2199

AN ORDINANCE AMENDING THE ZONING
REGULATIONS OF THE CITY OF AUGUSTA, KANSAS,
2020, BY ADOPTING A CONDITIONAL USE PERMIT
AUTHORIZING A TATTOO STUDIO AT 505 STATE
STREET

WHEREAS, Section 05.03 of the adopted zoning regulations for the City of Augusta allows *Tattoo or Body Piercing Studio* as a primary land use by Conditional Use Permit, and

WHEREAS, Section 10.40 of the adopted zoning regulations was amended via Ordinance No. 2194 to eliminate distance restrictions in the C-1 Main Street Commercial District; and

WHEREAS, the City of Augusta published notice on August 23, 2022 in the official city newspaper for a September 12, 2022 public hearing before the Augusta Planning Commission to consider a Conditional Use Permit for a tattoo studio pursuant to Section 14.03.A.1 of the adopted zoning regulations, and

WHEREAS, the City of Augusta provided written notification on August 23, 2022 for a September 12, 2022 public hearing before the Augusta Planning Commission to all property owners within 200 feet of the subject property located at 505 State Street pursuant to Section 14.03.A.3 of the adopted zoning regulations, and

WHEREAS, the Augusta Planning Commission conducted a public hearing pursuant to Section 14.03.B of the adopted zoning regulations to consider a Conditional Use Permit to allow a tattoo studio to be located at 505 State Street; and

WHEREAS, at the culmination of the public hearing and after reviewing the Golden Factors, the Augusta Planning Commission voted unanimously to recommend approval of the Conditional Use Permit request for a tattoo studio to be located at 505 State Street with the condition that any modifications to the building's exterior or signage be reviewed and approved by the City's Main Street Design Committee, and

WHEREAS, the request for a Conditional Use Permit for a tattoo studio to be located at 505 State Street has been subjected to a fourteen (14) day protest period from September 13th – September 26th pursuant to Section 14.05 of the adopted zoning regulations in which no valid petitions of protest were filed with the City Clerk for the City of Augusta, Kansas.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF AUGUSTA, KANSAS AS FOLLOWS:

SECTION ONE: Conditional Use Permit. The Augusta City Council does hereby accept the recommendation made by the Augusta Planning Commission to approve a request for a Conditional Use Permit allowing a tattoo studio to operate at 505 State Street with the condition that any modifications to the building’s exterior or signage be reviewed and approved by the City’s Main Street Design Committee.

SECTION TWO: Term. Pursuant to Section 14.06.C of the adopted zoning regulations, this Conditional Use Permit, approved in accordance with the adopted zoning regulations, shall run with the land upon approval by the Augusta City Council. This Conditional Use Permit shall remain in effect without regard to ownership so long as the use of a tattoo studio remains on the subject property at 505 State Street without being significantly altered or destroyed.

SECTION THREE: Effective Date. This ordinance shall be in full force and effect from and after its publication in the official city newspaper.

Passed by the City Council this 3rd day of October 2022.

Approved by the Mayor this 3rd day of October 2022.


MIKE L. RAWLINGS, MAYOR

ATTEST:


ERICA L. JONES, CITY CLERK

