

ORDINANCE NO. 03-2025

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, BY APPROVING A CONDITIONAL USE PERMIT (CUP) AFFECTING A CERTAIN PROPERTY; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23 of the Land Development Code of the City of Abilene, is hereby amended by approving a Conditional Use Permit (CUP) as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 19th day of December, 2024.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 15th day of November, 2024, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 9th day of January, 2025, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 9th day of January, 2025.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

EXHIBIT A

Apply a Conditional Use Permit to approximately 2.75 acres to allow for a Tattoo Parlor in a Planned Development District (PDD-155).

The Conditional Use Permit is subject to:

1. Compliance with the attached Plan of Operation (Exhibit B); and
2. Is limited to Building 4, Suite 403, as shown on the attached Site Plans (Exhibit C).

Legal description being Lot 101, Block A, Section 1 of the Antilley Road West Addition, Abilene, Taylor County, Texas.

Located at 4601 Antilley Road, Suite 403.

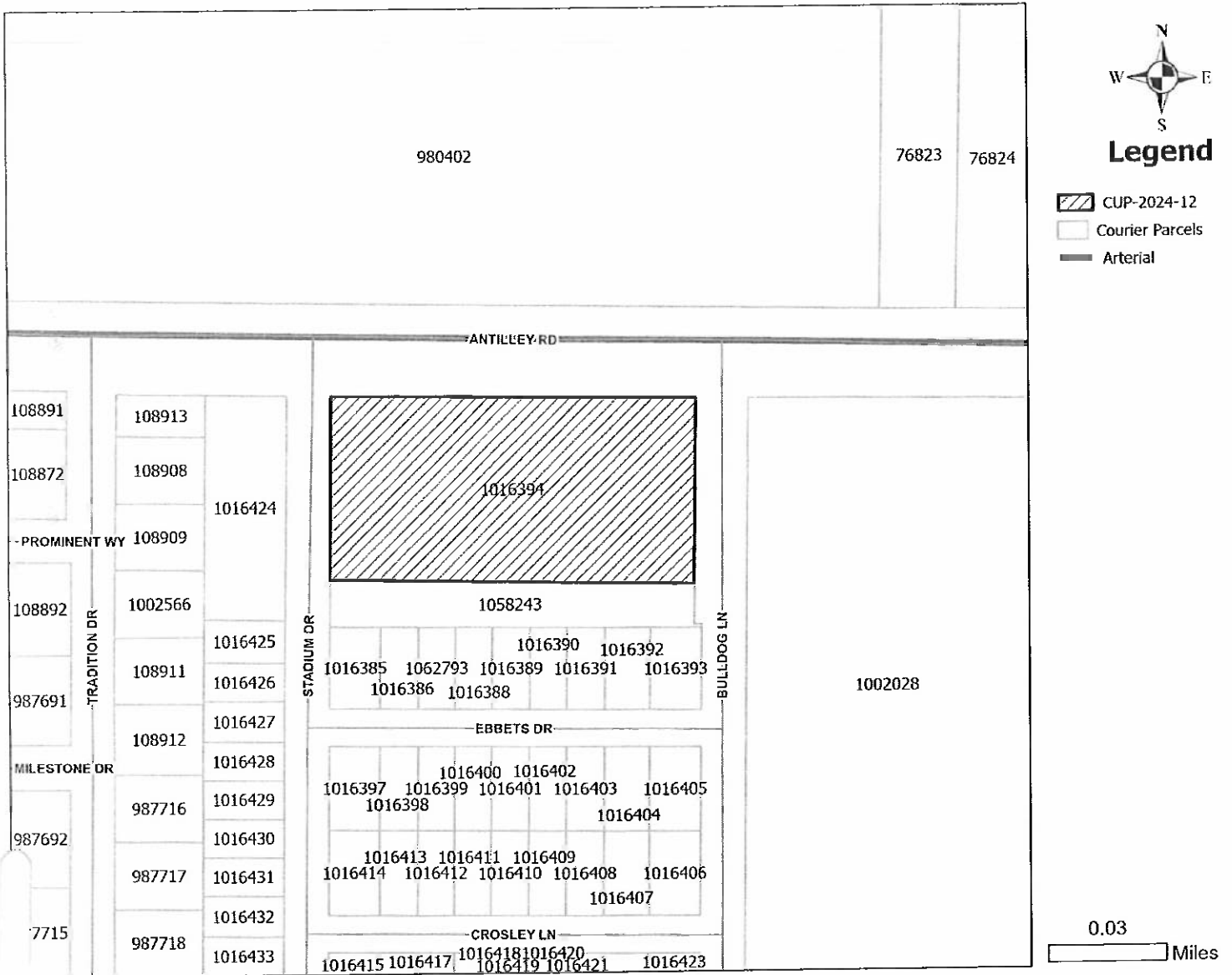


EXHIBIT B

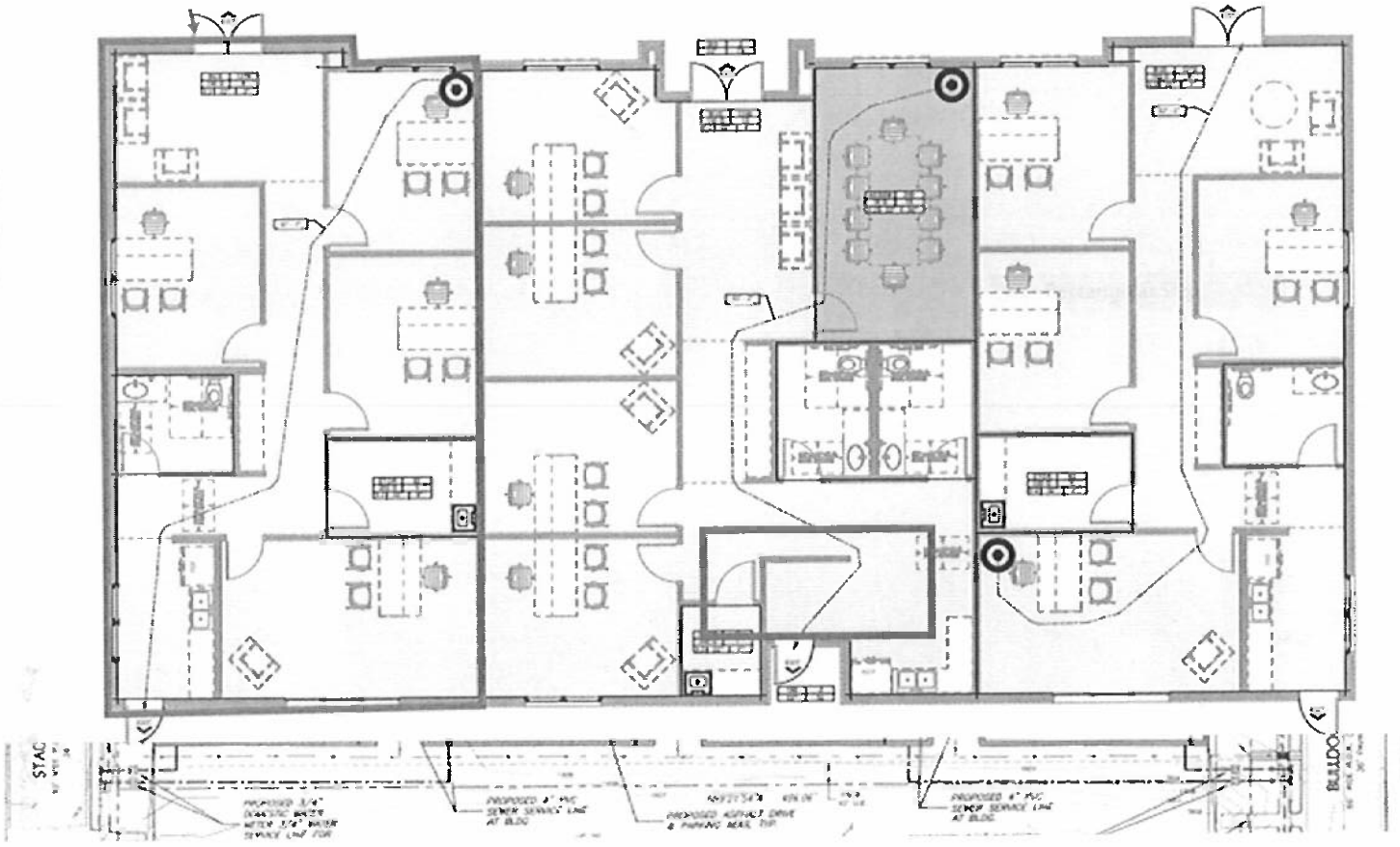
Plan of Operation for CUP / The Glow Up Parlor

The purpose for this conditional use permit is to be able to perform fine line tattoo as one of the services in a full-service salon. The business is structured as a beauty "parlor" but must be licensed as a full-service salon & tattoo shop. Reason being because even to offer permanent makeup services the shop must have a tattoo "shop license" granted by the department of health, as PMU is done with a tattoo machine and has the same sanitation practices, regulations, and contraindications as permanent makeup. Since permanent makeup is already an allowed service, we are only asking to extend the services a PMU artist is able to offer. Fine line tattoo by beauty industry standards is now considered the newest service of PMU artists. Fine line tattoos are also done with a PMU machine which has a weaker motor than that of a standard tattoo machine. Most traditional tattoo artists don't even carry the size needle PMU artists use to perform this service, nor do they consider themselves to be in the same industry generally speaking. Tiny tattoo/ fine line artists operate out of a tiny tattoo specialized shop or a full-service salon, as in this case. Tiny/ fine line tattoos are equally as invasive as Botox and injections which is offered at many local salons. Additionally, the business in this instance is considered a beauty salon or beauty "parlor" the name being, The Glow Up Parlor LLC. We are requesting only to be able to offer all services within the defined industry. Given that the business is structured as a beauty business one of the benefits of the name itself is that it does not include tattoo anywhere therefore the general public and surrounding area will not know tattoos are even being performed unless they're familiar with the business. The business' other services include esthetician services, lashes, permanent makeup, and spray tan. In the back room where tattoos will be provided the main service will be PMU and tiny tattoo education, making the actual fine line tattoo service itself a very small portion of the business model. In the front of the building will be a waiting room very similar to that of a med spa. It will have beauty products on display as well as athleisure wear available for purchase. For those concerned about the appearance this business in no way will reflect a tattoo shop or give a negative perception of the plaza and will withhold the same aesthetic standard as the neighboring businesses. The business will have normal operating hours besides the potential of some early evening PMU only classes for those that cannot attend in the mornings. The business can guarantee that no fine line tattoo service will be performed after 6pm and the performance of such services will not be visible to the public. Thank you for considering our request. We look forward to the potential of doing business in the community.

EXHIBIT C

BUILDING LOCATION/SITE PLAN

SUITE LOCATION



END