

Planning Board
Draft Minutes

The City of Daytona Beach

Planning Board Meeting
January 25, 2018

(Excerpts from the January 25, 2018 Planning Board Meeting)

12. Land Development Code Text Amendment – Tattoo Establishments – DEV2017-130

Staff Presentation:

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek stated the request is allow tattoo establishments in additional zoning districts. Mr. Mrozek stated the zoning areas proposed are: BR-1; BR-2; RDB-5, which is the Beachside Redevelopment Area; RDD-7, which is the Downtown Redevelopment Area; and RMD-3, which is the Midtown Redevelopment Area. Staff requests to eliminate proposed use standards associated with tattoo uses.

Mr. Jagger stated there has been case law which establishes that tattoo establishments are a protected art form under the First Amendment and that limits the city's ability to regulate and exclude them from zoning districts.

Public Comments:

Robert Howard, 935 S. Atlantic Avenue, Daytona Beach, Florida, stated he supports adding the zoning areas for tattooing. Mr. Howard states he wants to have a location for a business of his own in an area where he will be successful. Mr. Howard provided a letter from the Department of Health in Indiana that supports his work as a tattoo establishment.

Board Action:

A motion was made by Mr. Hurt, seconded by Mr. Neal, to approve Land Development Code Text Amendment – Tattoo Establishments – DEV2017-130, and to not include the use specific standards as the item moves forward in the request to the City Commission. The motion carried unanimously (6-0).