



PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE PLANNING COMMISSION WILL HOLD A REGULAR MEETING AT 7:00 PM ON MAY 28, 2025 AT CENTERVILLE CITY HALL, 250 NORTH MAIN STREET, CENTERVILLE, UTAH.

Centerville City Planning Commission meetings are open to the public, unless otherwise closed for reasons allowed by law. Centerville City Planning Commission meetings may be conducted via electronic means pursuant to Utah Code § 52-4-207. In compliance with the Americans with Disabilities Act, individuals needing special accommodations due to a disability may contact the City Recorder at (801) 295-3477, at least 24 hours in advance of the meeting. The Commission reserves the right to modify the sequence of agenda items in order to facilitate special needs or provide greater efficiency.

The full agenda packet and backup materials can be found on the Centerville City website at:

<https://centervilleutah.gov/129/Agendas-Minutes>

A. CALL TO ORDER

- 1. ROLL CALL**
- 2. LEGISLATIVE PRAYER OR THOUGHT**
- 3. PLEDGE OF ALLEGIANCE**

B. BUSINESS ITEMS

Business action or discussion items to be considered by the Planning Commission.

1. Public Hearing - Zoning Code Amendments - Body Art Facilities and Permanent Cosmetics - CZC 12.12.040, 12.36.040, 12.62.040, 12.62.060, and new 12.55.260 - Legislative Decision
Consideration of recommendation to City Council regarding zoning code text amendments for Body Art Facilities and Permanent Cosmetics, as found in CZC 12.12.040, 12.36.040, 12.62.040, 12.62.060, and newly proposed 12.55.260.

C. COMMUNITY DEVELOPMENT DIRECTORS REPORT

1. Community Development Director's Report

D. MINUTES

Minutes of prior meetings may be reviewed and accepted. Minutes review and approval shall comply with the Centerville City Minutes Approval Policy.

1. Minutes Review and Approval - May 14, 2025
Consideration for Planning Commission meeting minutes for May 14, 2025

E. ADJOURNMENT

CERTIFICATE OF POSTING

I hereby certify that this notice and agenda was posted at Centerville City Hall, published on the Utah Public Notice Website, and provided to a newspaper or media correspondent in accordance with the requirements of the Utah Open and Public Meetings Act, including, but not limited to, provisions of Utah Code § 52-4-202.

**Jennifer Robison
Centerville City Recorder**

CENTERVILLE
PLANNING
COMMISSION

Staff Report
5/28/2025

Item No. 1.

Title: Public Hearing - Zoning Code Amendments - Body Art Facilities and Permanent Cosmetics - CZC 12.12.040, 12.36.040, 12.62.040, 12.62.060, and new 12.55.260 - Legislative Decision

Initiated By: City Council

Staff Representative: Michael Eggett, Lisa Romney, City Attorney

SUBJECT:

Consideration of recommendation to City Council regarding zoning code text amendments for Body Art Facilities and Permanent Cosmetics, as found in CZC 12.12.040, 12.36.040, 12.62.040, 12.62.060, and newly proposed 12.55.260.

RECOMMENDATION:

Recommend Planning Commission approval for a favorable recommendation to City Council regarding proposed zoning code text amendments.

BACKGROUND:

During discussion with the City Council earlier in the year and following the Council's decision on a similar private zoning code text amendment request, City staff was directed to evaluate the City's risk relative to this matter and the current status that no tattoo establishments/body art facilities are currently allowed in any zones within the City. Further, staff were directed to work on new language regarding this concern, identify potential locations for this type of use within the Table of Uses for Commercial Uses (CZC 12.36.040), and then bring the proposed new language forward to the Planning Commission. There was a concern that there should be a zone identified in the City Zoning Codes for a tattoo establishment/body art facility somewhere within the City. Additionally, the City Council noted throughout their deliberations that there wasn't necessarily a concern with the idea of establishing a zoning area to allow for a tattoo establishment/body art facility somewhere that makes the most sense within the City, but the applicant's requested location would not be best suited for a consideration of this proposed use.

Following the initial discussion with the Planning Commission regarding this language proposal (on March 12, 2025), the Planning Commission directed City staff to research zoning codes from other neighboring communities and share this information with the Planning Commission. This information was researched and presented to the Planning Commission during subsequent Planning Commission meetings for the purpose of reviewing and further discussion on this matter. On May 14, 2025, at the conclusion of the most recent review and discussion of this information, the Planning Commission directed City staff to advertise for a public hearing and set this matter for language recommendation consideration by the Commission at the next Planning Commission meeting. This matter is now before the Commission for recommendation review consideration.

A public hearing was advertised for this proposed zoning code text amendment request. A public hearing

notice was posted in accordance with State and City Code requirements, regarding the proposed zoning code text amendment as found in this documentation. No comments were received prior to the completion of the documentation and transmission to the Commission for this meeting.

ATTACHMENTS:

1. 5-28-2025 PC Staff Report Zone Text Amend - 12.12.040 & 12.36.040, Body Art Amend, Centerville City App
2. Ord 2025-04 - body art facilities-[LR Draft]
3. Permanent Cosmetics Def Lang Prop - 20250523
4. 12.36.040 Table of Uses for Comm Uses updated draft PC - 20250523
5. Research Key - Body Art City Codes
6. Pub Hear Notice - Body Art Facilities Proposal [20250528]

CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232

STAFF REPORT – PLANNING COMMISSION
AGENDA ITEM – ZONING TEXT AMENDMENT PROPOSAL

PETITIONER:	CENTERVILLE CITY 250 N. Main Street CENTERVILLE, UT 84014
APPLICATION:	ZONING CODE TEXT AMENDMENT
APPLICANT REQUEST:	AMEND THE ZONING CODE TEXT REGARDING DEFINITIONS FOR “BODY ART FACILITIES”, “PERMANENT COSMETICS”, “PERSONAL CARE SERVICE”, AND “TATTOO ESTABLISHMENT” in CZC 12.12.040; AMEND THE TABLE OF USES FOR COMMERCIAL USES in CZC 12.36.040; ADD NEW SECTION CZC 12.55.260 “BODY ART FACILITIES AND PERMANENT COSMETICS”; and OTHER ASSOCIATED AMENDMENTS WITHIN CZC 12.62.040 and 12.62.060
RECOMMENDATION:	RECOMMEND COUNCIL APPROVAL OF ZONING TEXT AMENDMENT PROPOSAL

BACKGROUND

On February 18th, 2025, a public hearing was held before the City Council regarding a request by applicant, Nicole Hutchins, to amend the Centerville Zoning Ordinance by suggesting a proposed new addition to the “Definitions” section of the Centerville Zoning Code and amending language within sections of the Table of Uses for Commercial Uses as found in *CZC 12.12.040 and 12.36.040*. Further, prior to that meeting and following the previous review of this matter with the City Council back on November 6th, 2025, City staff (under the direction of the City Council) provided suggested revisions to the applicant’s proposed zoning code text amendment language. Following the February 18th public hearing on this matter, the City Council discussed the request

at length with City staff and the applicant. At the conclusion of the discussion, the City Council approved a motion (3-2 vote) to deny the application due to concerns with location of the applicant's business on Main Street, hard to differentiate definitions of "Fine Line Tattoos" versus any other tattoos, and other administrative and logistical concerns associated with the applicant's request.

During the discussion and following the Council's decision, City staff was directed to evaluate the City's risk relative to this matter and the current status that no tattoo establishments/body art facilities are currently allowed in any zones within the City. Further, staff were directed to work on new language regarding this concern, identify potential locations for this type of use within the Table of Uses for Commercial Uses (*CZC 12.36.040*), and then bring proposed new language forward to the Planning Commission. There was a concern that there should be a zone identified in the City Zoning Codes for a tattoo establishment/body art facility somewhere within the City. Additionally, the City Council noted throughout their deliberation that there wasn't necessarily a concern with the idea of establishing a zoning area to allow for a tattoo establishment/body art facility somewhere that makes the most sense within the City, but the applicant's requested location would not be best suited for a consideration of this proposed use.

The newly proposed language amendments to sections of the City Zoning Code are as follows (see attached proposed Ordinance No. 2025-04 for more):

- (1) amend *CZC 12.12.040* by adding the definition of "Body Art Facilities", amending the definition of "Permanent Cosmetics" to establish more clarity with the definition and clearly differentiate permanent cosmetics from body art facilities, amend "Personal Care Service" to be consistent with other proposed changes, and removing the definition of "Tattoo Establishment";
- (2) amend *CZC 12.36.040 Table of Uses for Commercial Uses* by adding "Body Art Facilities" as conditional/permitted uses in identified potential zones and removing "Tattoo Establishment" from the table;
- (3) enact new zoning code language for the regulation and administration of body art facilities and permanent cosmetics to be set as *CZC 12.55.260*;
- (4) amend *CZC 12.62.040* regarding identified permitted uses and prohibited uses for home occupation uses associated with body art facilities and permanent cosmetics; and
- (5) amend *CZC 12.62.060 Conditional Use Permit Required* to further clarify that permanent cosmetics and body art facilities do not qualify for home occupation business operations and uses in the City under *CZC 12.62.040*.

Following the initial discussion of this language proposal on March 12, 2025, the Planning Commission has directed City staff to research zoning codes from other neighboring communities and share this information with the Planning Commission. This information was researched and presented to the Planning Commission during subsequent Planning Commission meetings for the purpose of reviewing and further discussion in this matter. On May 14, 2025, at the conclusion of the most recent review and discussion of this information, the Planning Commission directed City staff to advertise for a public hearing and set this matter for language recommendation consideration by the Commission at the next Planning Commission meeting. This matter is now before the Commission for recommendation review consideration.

A public hearing was advertised for this proposed zoning code text amendment request. A public hearing notice was posted in accordance with State and City Code requirements, regarding the proposed zoning code text amendment as found in this documentation. No comments were received prior to the completion of the documentation and transmission to the Commission for this meeting.

STAFF ANALYSIS AND COMMENTS

CZC 12.21.080(e) provides four factors to consider when reviewing a Zoning Code or Zoning Map Amendment Application. Only the first factor applies to Zoning Code Text Amendments. Factor number one considers “whether the proposed Zoning Code or Zoning Map amendment is consistent with goals, objectives, and policies of the General Plan”. There is a section of the General Plan that are applicable to this request, as this proposed zoning code amendment is associated with commercial development areas within the City.

Commercial development standards are referenced “Part 12-430 Commercial and Industrial Development” of the current City General Plan. A copy of this section of the General Plan has been included in the packet for this item review.

Potential applicable broad guidance for evaluation of this proposed amendment is found in the section that follows:

12-430-1. NEED FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENT. Communities are composed primarily of the residents who live in them. These residents need a variety of services to provide the things common to residential lifestyles. Such local services as grocery shopping, medical, banking, automotive, and a host of other needs can be serviced by local commercial developments.

Residents of communities also need a variety of municipal and government services: schools, water, sewers, road construction and maintenance, and police and fire protection are the most common. These services are generally paid for through local taxes such as property and sales

taxes. Many studies have shown that residential properties alone generally do not generate the amount of revenue needed to sustain these necessary municipal services. Much of the needed revenue for high quality services comes from commercial and industrial property assessments. Sales tax from local commercial establishments is also an important component in local revenues.

To assist in the provision of revenues for high quality local services, and to provide needed personal and business services, Centerville City should provide for the establishment and viability of commercial and industrial services in designated areas of the community.

There is not a more direct application of the General Plan to the requested proposed zoning code text amendments. Please also note that the General Plan is currently going through a comprehensive update process that may impact these types of commercial development guidance in the future.

The next step in evaluating this request is to review the established nature of the existing zoning codes found within *CZC 12.12.040*, *12.36.040*, and other associated codes. At this time there is no definition for “Body Art Facilities” within the City. The term “Body Art Facilities” is more in alignment with State Code and Davis County Health Department nomenclature for these activities. Additionally, the term “Body Art Facilities” is not found on the current *Table of Uses for Commercial Uses*. Further, the other associated proposed code amendments clearly are not reflected within the current version of the City Zoning Code. To that point, the existing definition of each of these terms is as follows:

Permanent Cosmetics: A cosmetic treatment involving the controlled insertion of pigment into the skin as a means of producing designs that resemble makeup such as eyebrows and eye lining and other natural enhancing colors to the face, lips, and eyelids and hairline. Permanent cosmetic is solely for enhancing facial features that are already present or to provide artificial eyebrows for those who have lost them as a consequence of old age disease, chemotherapy, genetic disturbance and to disguise scars and skin conditions. It may be referred to as "Semi -Permanent" because occasional touch ups are required.

Personal Care Service: An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include, beauty and barber shops, permanent cosmetics, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. The term excludes Tattoo Establishment.

Tattoo Establishment: Any location, place, area, structure, or business used for the practice of affixing a permanent mark or design on or under the skin by a process of cutting for the purpose of scarring or pricking or ingraining an indelible pigment, dye, or ink in the skin, or instruction for such a practice. The term excludes Permanent Cosmetics.

This all being said, there could be a potential constitutional concern in respect to the distinction of establishing an identified zoning code location within the Centerville Zoning Code. For this purpose, this matter has been discussed multiple times between the City staff, City attorney, and the Planning Commission to provide guidance and direction to the City staff on the final recommended form of Centerville Zoning Code regarding these proposed alterations. City legal and city staff are of the opinion that these concerns should be discussed and evaluated to make sure we are making potential zoning code decisions that are in the best legal interests of the City. As a result, City staff is supportive of the proposed amendments to Centerville Zoning Codes as provided within this packet and referenced in this summary.

POSSIBLE MOTIONS

Based on the information provided by the Community Development Department, and as may be heard during the public hearing, the Planning Commission may make a motion to approve this updated zoning code text amendment proposal request, approve this request with suggested amendment and/or modification, table the matter to a later date, or deny the request. With any of these decisions appropriate findings of fact should be provided. Sample motions for the Planning Commission's convenience are located below with some suggested findings of fact.

#1 – APPROVE

I hereby make a motion to recommend City Council APPROVAL of Zoning Code Text Amendments to Centerville Zoning Code 12.12.040 regarding “Definitions”, amending Centerville Zoning Code 12.36.040 regarding “Table of Uses for Commercial Uses”, adding a new section to the Centerville Zoning Code as 12.55.260 “Body Art Facilities and Permanent Cosmetics”, and other associated amendments as located in Centerville Zoning Code 12.62.040 and 12.62.060, as presented by City staff and City Attorney, based on the following reasons for action (findings):

- 1. The Planning Commission finds that the proposed text amendments are consistent with the goals, objectives, and policies of the General Plan.*
- 2. The Planning Commission finds that the proposed text amendments do not create detrimental or negative impacts to established zoning areas within Centerville City.*

3. *The Planning Commission finds that the proposed text amendments are in the best interests of Centerville City.*
4. *Therefore, the Planning Commission finds that the request for a Zoning Code Text Amendment regarding CZC 12.12.040 “Definitions”, CZC 12.36.040 “Table of Uses for Commercial Uses”, CZC 12.62.040 “Permitted Use”, CZC 12.62.060 “Conditional Use”, and the addition of CZC 12.55.260 “Body Art Facilities and Permanent Cosmetics” should be recommended to the City Council for approval consideration. (Planning Commission may include any additional findings that are deemed applicable)*

#2 – APPROVE WITH ANY PROPOSED ADDITIONAL AMENDMENTS

I hereby make a motion to recommend City Council APPROVAL of Zoning Code Text Amendments to Centerville Zoning Code 12.12.040 regarding “Definitions”, amending Centerville Zoning Code 12.36.040 regarding “Table of Uses for Commercial Uses”, adding a new section to the Centerville Zoning Code as 12.55.260 “Body Art Facilities and Permanent Cosmetics”, and other associated amendments as located in Centerville Zoning Code 12.62.040 and 12.62.060, as presented by City staff and the City Attorney, with the language amendment to the request (as provided by the Planning Commission) as follows _____, based on the following reasons for action (findings):

1. *The Planning Commission finds that the proposed text amendments are consistent with the goals, objectives, and policies of the General Plan.*
2. *The Planning Commission finds that the proposed text amendments do not create detrimental or negative impacts to established zoning areas within Centerville City.*
3. *The Planning Commission finds that the proposed text amendments are in the best interests of Centerville City.*
4. *Therefore, the Planning Commission finds that the request for a Zoning Code Text Amendment regarding CZC 12.12.040 “Definitions”, CZC 12.36.040 “Table of Uses for Commercial Uses”, CZC 12.62.040 “Permitted Use”, CZC 12.62.060 “Conditional Use”, and the addition of CZC 12.55.260 “Body Art Facilities and Permanent Cosmetics” should be recommended to the City Council for approval consideration. (Planning Commission may include any additional findings that are deemed applicable)*

#3 – TABLE

I hereby make a motion to TABLE the proposed Zoning Code Text Amendments to Centerville Zoning Code 12.12.040 regarding “Definitions”, amending Centerville Zoning Code 12.36.040 regarding “Table of Uses for Commercial Uses”, adding a new section to the Centerville Zoning Code as 12.55.260 “Body Art Facilities and Permanent Cosmetics”, and other associated

amendments as located in Centerville Zoning Code 12.62.040 and 12.62.060, as presented by City staff and the City Attorney, until such a time as _____.

#4 – DENY

I hereby make a motion to recommend City Council DENIAL of Zoning Code Text Amendments to Centerville Zoning Code 12.12.040 regarding “Definitions”, amending Centerville Zoning Code 12.36.040 regarding “Table of Uses for Commercial Uses”, adding a new section to the Centerville Zoning Code as 12.55.260 “Body Art Facilities and Permanent Cosmetics”, and other associated amendments as located in Centerville Zoning Code 12.62.040 and 12.62.060, as presented by City staff and City Attorney, based on the following reasons for action (findings):

- 1. The Planning Commission finds that the proposed text amendments are NOT consistent with the goals, objectives, and policies of the General Plan.*
- 2. The Planning Commission finds that the proposed text amendments may create detrimental or negative impacts to established zoning areas within Centerville City.*
- 3. The Planning Commission finds that the proposed text amendments are NOT in the best interests of Centerville City.*
- 4. Therefore, the Planning Commission finds that the request for a Zoning Code Text Amendment regarding CZC 12.12.040 “Definitions”, CZC 12.36.040 “Table of Uses for Commercial Uses”, CZC 12.62.040 “Permitted Use”, CZC 12.62.060 “Conditional Use”, and the addition of CZC 12.55.260 “Body Art Facilities and Permanent Cosmetics” should NOT be recommended to the City Council for approval consideration. (Planning Commission may include any additional findings that are deemed applicable)*

ORDINANCE NO. 2025-04

AN ORDINANCE AMENDING SECTION 12.12.040 (DEFINITIONS) OF THE CENTERVILLE ZONING CODE TO ADD A NEW DEFINITION FOR BODY ART FACILITY, AMENDING THE DEFINITIONS FOR PERMANENT COSMETICS AND PERSONAL CARE SERVICES, ELIMINATING THE DEFINITION OF TATTOO ESTABLISHMENT, AMENDING SECTION 12.36.040 REGARDING TABLE OF USES FOR COMMERCIAL USES, AND ENACTING SECTION 12.55.260 REGARDING BODY ART FACILITIES AND RELATED FACILITIES

WHEREAS, the City Council directed Staff to prepare Zoning Code Amendments to define body art facilities and to allow such uses in various zones of the City; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Code regarding body art facilities are in the best interest of the City and the public to allow such uses within the City, as more particularly provided herein; and

WHEREAS, the proposed amendments to the Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Section 12.12.040 of the Centerville Zoning Code regarding Definitions is hereby amended as follows:

12.12.040 Definitions

* * *

Body Art Facility: "Body art facility" means a facility where an individual practices or instructs: (a) body piercing; or (b) tattooing. This term excludes Permanent Cosmetics (as defined herein) and Ear Piercing (as defined in Utah Code § 26B-7-401). Body Art Facility shall not include any of the following activities which are expressly prohibited: branding, scarification, or any practices that are considered medical procedures by a State medical board.

* * *

Permanent Cosmetics: A permanent or semi-permanent A-cosmetic treatment involving the controlled insertion of pigment into the skin as a means of producing designs that resemble makeup such as eyebrows and eye lining and other natural enhancing colors to the eyebrows, eyelids, lips, or other parts of the body for beauty marks, hair imitation, lash enhancement, or areola repigmentation. Permanent cosmetics does not include any medical procedure performed by an individual licensed under the Utah Medical Practices Act as set forth in Title 58, Chapter 67 of the Utah Code, or licensed under the Utah Osteopathic Medical Practices Act as set forth in Title 58, Chapter 8 of the Utah Code.

~~face, lips, and eyelids and hairline. Permanent cosmetic is solely for enhancing facial features that are already present or to provide artificial eyebrows for those who have lost them as a consequence of old age disease, chemotherapy, genetic disturbance and to disguise scars and skin conditions. It may be referred to as "Semi-Permanent" because occasional touch-ups are required.~~

* * *

Personal Care Service: An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include, beauty and barber shops, permanent cosmetics, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. ~~The term excludes Tattoo Establishment.~~

* * *

~~**Tattoo Establishment:** Any location, place, area, structure, or business used for the practice of affixing a permanent mark or design on or under the skin by a process of cutting for the purpose of scarring or pricking or ingraining an indelible pigment, dye, or ink in the skin, or instruction for such a practice.~~

Section 2. Amendment. Section 12.36.040 of the Centerville Zoning Code regarding Table of Uses for Commercial Uses is hereby amended to add body art facility to the list of uses and designating various zones in which such use is permitted or conditional, and eliminating tattoo establishments from the Table of Uses, as more particularly set forth in Exhibit A, attached hereto and incorporated by reference.

Section 3. Enactment. Section 12.55.260 of the Centerville Zoning Code regarding Body Art Facilities and Related Facilities is hereby enacted to read in its entirety as follows.

12.55.260 Body Art Facilities and Permanent Cosmetics.

Body Art Facilities and Permanent Cosmetics, as defined in CZC 12.12.040, are regulated activities governed by County and State laws, ordinances, and regulations, including, but not limited to, Utah Code § 26B-7-402 authorizing the State Department of Health and Human Services to promulgate minimum rules of sanitation for body art facilities, and the Davis County Body Art Regulations adopted by the Davis County Board of Health regulating body art and body art facilities within Davis County. Any such facilities permitted herein shall be subject to City, County, and State standards, regulations, and permitting requirements.

Section 4. Amendment. Section 12.62.040 of the Centerville Zoning Code regarding Permitted Uses for Home Occupations is hereby amended to read in its entirety as set forth as follows.

12.62.040 Permitted Use

- (a) Permitted Use. Permitted home occupation uses listed in Subsection (b) may be established as a home occupation in an agricultural or residential zone as a permitted use subject to the development standards of CZC 12.62.050.

(b) Permitted Uses. The uses set forth below shall be allowed as permitted home occupation uses in any agricultural or residential zone:

- (1) Family child care facility;
- (2) Medical service (excluding medical procedures under Utah law);
- (3) Personal care service (excluding permanent cosmetics);
- (4) Personal instruction service; and
- (5) Office, general.

(c) Prohibited Uses. The uses set forth below shall be prohibited as home occupation uses:

- (1) Kennel; ~~and~~
- (2) Stable;
- (2)(3) Body art facility.

HISTORY

Adopted by Ord. 2016-20 on 7/15/2016

Amended by Ord. 2018-05 on 2/20/2018

Amended by Ord. 2019-08 on 5/7/2019

Section 5. Amendment. Section 12.62.060 of the Centerville Zoning Code regarding Conditional Uses for Home Occupations is hereby amended to read in its entirety as follows.

12.62.060 Conditional Use Permit Required

A use not listed in CZC 12.62.040 may be established as a home occupation in an agricultural or residential zone subject to the issuance of a conditional use permit pursuant to the requirements of CZC 12.21.100 and the development standards of CZC 12.62.070, excluding permanent cosmetics and prohibited uses set forth in CZC 12.62.040.

Section 6. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts, and provisions of this Ordinance shall be severable.

Section 7. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 8. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, ON THIS 18th DAY OF MARCH, 2025.**

ATTEST:

CENTERVILLE CITY

Jennifer Robison, City Recorder

By: _____
Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”	“ABSENT”
Councilmember Hayman	_____	_____	_____
Councilmember Hirst	_____	_____	_____
Councilmember Mecham	_____	_____	_____
Councilmember Plummer	_____	_____	_____
Councilmember Summerhays	_____	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the Utah Code § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing Ordinance was duly passed by the City Council and published or posted as required by law.

JENNIFER ROBISON, City Recorder

DATE: _____

RECORDED this ____ day of _____, 2025.

PUBLISHED OR POSTED this ____ of _____, 2025.

Exhibit A

CZC 12.36 (Table of Uses)

5/8/2025 – per direction of PC on 4/23/2025

Permanent Cosmetics definitions:

Centerville Code - **Permanent Cosmetics**: A cosmetic treatment involving the controlled insertion of pigment into the skin as a means of producing designs that resemble makeup such as eyebrows and eye lining and other natural enhancing colors to the face, lips, and eyelids and hairline. Permanent cosmetic is solely for enhancing facial features that are already present or to provide artificial eyebrows for those who have lost them as a consequence of old age disease, chemotherapy, genetic disturbance and to disguise scars and skin conditions. It may be referred to as "Semi-Permanent" because occasional touch ups are required.

Layton Code - **"Permanent Cosmetics"**: means a semi-permanent application of pigments under the skin for areas of the body such as the eyebrows, eyelids, lips, and/or other parts of the body for beauty marks, hair imitation, lash enhancement, or for medical purposes. The cosmetic implantation technique deposits pigment in between the epidermis and dermis. Permanent cosmetics include permanent makeup, micro-pigmentation, micro-pigment implantation, micro blading, dermagraphics.

5/23/2025 – New suggested language to incorporate and replace current language into CZC 12.12.040:

"Permanent Cosmetics": mean a permanent or semi-permanent cosmetic treatment involving the controlled insertion of pigments into and under the skin as a means of producing designs that resemble makeup for areas of the body such as the eyebrows, eyelids, lips, and/or other parts of the body for beauty marks, hair imitation, lash enhancement, scar camouflage, or for other medical purposes. The cosmetic implantation technique deposits pigment in between the epidermis and dermis. Permanent cosmetics include permanent makeup, micro-pigmentation, micro-pigment implantation, micro-blading, and dermagraphics. Permanent cosmetics does not include any medical procedure performed by an individual licensed under the Utah Medical Practices Act as set forth in Title 58, Chapter 67 of the Utah Code, or licensed under the Utah Osteopathic Medical Practices Act as set forth in Title 58, Chapter 8 of the Utah Code.

Proposed amendment to "Personal Care Service" definition in CZC 12.12.040:

Personal Care Service: An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include, beauty and barber shops, permanent cosmetics, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. ~~The term excludes Tattoo Establishment.~~

Commercial Uses	Zones														
	A-L	A-M	R-L	R-M	R-H	PF-L	PF-M	PF-H	PF-VH	C-M	C-H	C-VH	I-M	I-H	I-VH
Agricultural sales and service	N	P	N	N	N	N	N	N	N	N	C	P	C	P	P
Bail bond service	N	N	N	N	N	N	N	N	N	N	C	C	C	C	C
Bank or financial institution	N	N	N	N	N	N	N	N	N	C	P	P	P	P	P
Bed and breakfast	C	N	N	N	N	N	N	N	N	C	P	P	N	N	N
Body Art Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C
Business equipment rental, services, and supplies	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P
Car wash	N	N	N	N	N	N	N	N	N	N	C	P	N	P	P
Catering, General	N	N	N	N	N	N	N	N	N	N	N	N	P	P	P
Catering, Limited	N	N	N	N	N	N	N	N	N	C	C	P	P	P	P
Child care center	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N
Construction sales and service	N	N	N	N	N	N	N	N	N	N	C	P	P	P	P
Convalescent care facility	N	N	N	C	P	N	N	N	N	P	P	P	N	N	N
Convenience store	N	N	N	N	N	N	N	N	N	C	C	P	C	C	C
Family child care facility	See CZC 12.62 (Home Occupations).														
Family group child care facility	See CZC 12.62 (Home Occupations).														
Garden Center	C	P	N	N	N	N	N	N	N	C	P	P	C	C	C
Gas and fuel, storage and sales	N	N	N	N	N	N	N	N	N	N	C	C	C	C	C
Gasoline service station	N	N	N	N	N	N	N	N	N	N	C	C	N	C	C
Hotel	N	N	N	N	N	N	N	N	N	N	C	P	N	N	N
Kennel	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C
Laundry or dry cleaning, limited	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N
Liquor store	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Media service	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N
Medical or dental laboratory	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N
Medical service	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N
Mortuary	N	N	N	N	N	N	N	N	N	N	P	P	N	N	N
Motel	N	N	N	N	N	N	N	N	N	N	C	P	N	N	N
Office, general	N	N	N	N	N	N	P	P	P	P	P	P	P	P	P
Outdoor Nursery/Grower's Outlet	N	C	N	N	N	N	N	N	N	C	C	C	C	C	C

Parking garage	N	N	N	N	N	N	N	N	N	N	C	P	P	P	P	
Parking lot	N	N	N	N	N	N	N	N	N	C	C	C	C	C	C	
Pawnshop	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Permanent Cosmetics	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N	New Addition
Personal care service	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N	Removing Permanent Cosmetics
Personal instruction service	N	N	N	N	N	N	N	N	N	P	P	P	N	P	N	
Printing and copying, limited	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	
Printing, general	N	N	N	N	N	N	N	N	N	N	N	N	P	P	P	
Produce stand	P	P	N	N	N	N	N	N	N	C	C	C	N	N	N	
Recreation and entertainment, indoor	N	N	N	N	N	N	N	N	N	N	P	P	N	P	N	
Recreation and entertainment, outdoor	N	N	N	N	N	C	C	C	C	N	C	C	N	N	N	
Recreational vehicle park	N	N	N	N	N	N	N	N	N	N	N	N	C	P	P	
Repair service	N	N	N	N	N	N	N	N	N	C	P	P	P	P	P	
Research service	N	N	N	N	N	N	N	N	N	N	P	C	P	P	P	
Restaurant, fast- food	N	N	N	N	N	N	N	N	N	N	C	C	N	N	N	
Restaurant, general	N	N	N	N	N	N	N	N	N	N	P	P	N	N	N	
Retail, general	N	N	N	N	N	N	N	N	N	P	P	C	P	N	N	
Retail, specialty	N	N	N	N	N	N	N	N	N	P	P	P	P	P	N	
Secondhand store	N	N	N	N	N	N	N	N	N	N	P	C	P	P	P	
Shopping center	N	N	N	N	N	N	N	N	N	N	C	C	N	N	N	
Tattoo establishment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Replace w/Body Art and Remove From Table of Uses
Tavern	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Temporary trailer	See CZC 12.56 (Temporary Uses).															
Towing and Impound Yards	N	N	N	N	N	N	N	N	N	N	N	C ¹	N	P	P	
Transportation service	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	
Vehicle and equipment rental or sale	N	N	N	N	N	N	N	N	N	N	C	P	C	C	P	
Vehicle rental or sale, new, limited	N	N	N	N	N	N	N	N	N	N	C	C	N	C	C	

Vehicle rental or sale, used, limited	N	N	N	N	N	N	N	N	N	N	C	C	N	C	C
Vehicle and equipment repair, general	N	N	N	N	N	N	N	N	N	N	N	C	N	P	P
Vehicle repair, limited	N	N	N	N	N	N	N	N	N	N	C	P	P	P	P
Veterinary service	C	P	N	N	N	N	N	N	N	N	C	C	N	P	P
Warehouse, self-service storage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Wireless telecommunication facility	See CZC 12.67 (Wireless Telecommunications Facilities).														

Towing and Impound Yards shall only be allowed along the Frontage Road between South Marketplace Drive to the southern Centerville City limit.

HISTORY

Adopted by Ord. 2016-20 on 7/15/2016
Amended by Ord. 2017-27 on 11/8/2017
Amended by Ord. 2018-06 on 2/20/2018

Body Art Concept - Code Research Summary

Cities with Ordinances for Body Art/Tattoos

- Bountiful City, Layton City

Cities without Ordinances for Body Art/Tattoos

- Farmington, Kaysville, North Salt Lake, West Bountiful, Woods Cross

BOUNTIFUL CITY CODES

Bountiful City Ordinances for Body Art Tattoos

- BMC Title 14, Chapter 3 “Definitions”
- BMC Title 14, Chapter 6 “Commercial Zone (C)”
- BMC Title 14, Chapter 7 “Downtown Zone (DN)”
- BMC Title 14, Chapter 10 “Mixed Use Zone (MXD)”

Bountiful City Ordinances for Conditional Uses Standards

- BMC Title 14, Chapter 2, Part 5 “Conditional Uses”

Bountiful City Land Use Map

- <https://bountifulut.mapgeo.io/datasets/properties?abuttersDistance=120&latlng=40.871744%2C-111.854639&panel=themes&themes=%5B%22zoning%22%5D&zoom=13>

LAYTON CITY CODES

Layton City Ordinances for Body Art Tattoos

- LMC 19.02.020 “Definitions”
- LMC 19.06.000 “Table of Land Use Regulations”

Layton City Ordinances for Conditional use Standards

- LMC 19.14 “Conditional Uses”

Layton City Land Use Map

- <https://www.laytoncity.org/arcgisportal109/apps/experiencebuilder/experience/?id=f4f1c69bf5b048e98eb397416215f8bb>



May 16th, 2025

Please see the following public hearing notices for May 28th, 2025

**CENTERVILLE CITY
NOTICE OF PUBLIC HEARING – ZONING CODE TEXT AMENDMENT**

Notice is hereby given that the Centerville City **Planning Commission** will hold a public hearing on **Wednesday, May 28th, 2025, at 7:00pm**, or as soon thereafter as the matter can be heard, at the Centerville City Hall, 250 North Main Street, Centerville, Utah, regarding proposed **Zone Code Amendment to CZC 12.12.040 Definitions**, concerning proposed amendments to the definitions for “Body Art Facilities” and “Permanent Cosmetics”; amending *CZC 12.36.040 Table of Uses for Commercial Uses*; adding new section *CZC 12.55.260 Body Art Facilities and Permanent Cosmetics*; and other associated amendments within *CZC 12.62.040 and 12.62.060*. If you have questions regarding this matter or would like further information, please contact Centerville City Community Development, at 801.292.8232 or visit the City’s website at <https://centervilleutah.gov>.

Community Development Department

CENTERVILLE
PLANNING
COMMISSION

Staff Report
5/28/2025

Item No. 1.

Title: Community Development Director's Report

Initiated By:

Staff Representative:

SUBJECT:

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

CENTERVILLE
PLANNING
COMMISSION

Staff Report
5/28/2025

Item No. 1.

Title: Minutes Review and Approval - May 14, 2025

Initiated By:

Staff Representative:

SUBJECT:

Consideration for Planning Commission meeting minutes for May 14, 2025

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

1. 05-14-25 PC DRAFT

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, May 14, 2025**

3 **7:00 p.m.**

4
5 A quorum being present at City Hall, 250 North Main Street, Centerville, Utah, the meeting
6 of the Centerville City Planning Commission was called to order at 7:00 p.m.

7
8 **MEMBERS PRESENT**

9 Mason Kjar, Chair

10 LaRae Patterson

11 Shawn Hoth

12 Gary Woodward

13
14 **MEMBERS ABSENT**

15 Tyler Moss

16 Amanda Jorgensen

17 Layne Jenkins

18
19 **STAFF PRESENT**

20 Mike Eggett, Community Development Director

21 Sydney DeWees, Planner

22 Lisa Romney, City Attorney

23
24 **VISITORS**

25 Scott Moss

26 Michael Flanick, Salt Lake Construction

27 Wes Stewart, Gardner Engineering

28
29 **LEGISLATIVE THOUGHT/PRAYER** Chair Kjar

30
31 **PLEDGE OF ALLEGIANCE**

32
33 **PUBLIC HEARING – ZONING MAP AMENDMENT – MOSS PROPERTY – 2041 NORTH**
34 **MAIN STREET – AGRICULTURAL-LOW (A-L) TO RESIDENTIAL-LOW (R-L) – EILEEN MOSS**
35 **– LEGISLATIVE DECISION**

36
37 Planner Sydney DeWees presented the staff report for a zoning map amendment
38 requested by Eileen Moss to rezone property from Agricultural-Low to Residential-Low for future
39 subdivision. Ms. DeWees noted that, while the area is zoned agricultural, it is used primarily for
40 single-family residential and the change could prompt similar rezonings nearby.

41
42 Scott Moss, representing the applicant, shared the property's family significance and intent
43 to keep it in the family.

44
45 Chair Kjar opened a public hearing for this item. Receiving no comments, Chair Kjar closed
46 the public hearing.

47
48 Commissioner Patterson **moved** for the Planning Commission to recommend City Council
49 approval of the Zoning Map Amendment for the property located at 2041 North Main Street, known
50 as parcel 07-072-0135, from Agricultural Low (A-L) to Residential Low (R- L) zoning, with the
51 following findings for action. Commissioner Hoth seconded the motion, which passed by
52 unanimous vote (4-0).

53
54 **Reasons for Action (Findings)**

1. The proposed Zoning Map Amendment meets the goals and objectives of the General Plan concerning Neighborhood 4 [CMC 12-480-5].
2. The proposed Zoning Map Amendment meets the use, standards, and applicability in the City Zoning Code 12.32 Residential Zones and City Zoning Code 12.21.080(e).
3. Therefore, the Planning Commission recommends that the City Council grant approval of this Zoning Map Amendment request.

PUBLIC HEARING – CONCEPTUAL SITE PLAN – HVC COMMERCIAL USE BUILDING/WAREHOUSE – 1108 WEST 850 NORTH – COMMERCIAL DEVELOPMENT – SALT LAKE CONSTRUCTION (MICHAEL FLANICK) – ADMINISTRATIVE DECISION

Ms. DeWees outlined the proposed two-phase development, the shared easement between properties, and noted that while the current use appears industrial, the project does not align with the city's long-term vision for the business park.

Mike Flanick, representing Salt Lake Construction, provided details about plans for the Davis County Canal and addressed environmental compliance concerns, including chemical storage. Commissioners asked about environmental impacts and regulatory compliance, and City Attorney Lisa Romney clarified that the conceptual site plan is an administrative decision guided by the current general plan and zoning.

Commissioner Hoth **moved** for the Planning Commission to approve the Conceptual Site Plan for the property located at Approximately 1108 W 850 N, known as parcel 06-006-0120, subject to the following conditions of approval and reasons for action (findings). Chair Kjar seconded the motion, which passed unanimously (4-0).

Conditions:

1. Before Final Site Plan consideration by the Planning Commission, resolve all outstanding comments and concerns identified by the City Engineer, City Attorney, and City Staff associated with the Conceptual Site Plan review process.

Reasons for Action (Findings):

1. The proposed Conceptual Site Plan meets the goals and objectives of the General Plan.
2. The proposed Conceptual Site Plan meets the use, standards, and applicability in CZC 12.35, CZC 12.36, and CZC 12.21.110(d).

ZONING CODE AMENDMENTS – BODY ART FACILITIES – CZC 12.12.040, 12.36.040, NEW 12.55.260, 12.62.040, AND 12.62.060 – LEGISLATIVE DECISION (DISCUSSION ITEM ONLY)

Community Development Director Mike Eggett presented a draft of zoning code amendments for body art facilities, incorporating elements from both Layton and Centerville city codes. The commission discussed several aspects of the proposal, including adding "scar camouflage" to the definition of permanent cosmetics, determining whether body art facilities should be permitted or conditional uses, and evaluating appropriate zones, business hours, and noise impacts.

The commission directed staff to revise the draft to designate body art facilities as conditional uses in the I-H and I-VH zones, excluding them from the PDO overlay area. A public hearing was scheduled for the next meeting to gather community input.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Mr. Eggett reported that the body art facilities zoning amendment would be on the agenda for the next meeting. He also noted that another conceptual site plan would likely be on the agenda for the June 11th meeting.

MINUTES REVIEW AND APPROVAL

Minutes of the April 23, 2025 Planning Commission meeting were reviewed. Commissioner Patterson **moved** to approve the minutes as written. Commissioner Woodward seconded the motion, which passed by unanimous vote (4-0).

ADJOURNMENT

At 8:33 p.m., Commissioner Hoth **moved** to adjourn the meeting. Commissioner Woodward seconded the motion which passed by unanimous vote (4-0).

Jennifer Robison, City Recorder

Date Approved