

ITEM 5.5

CITY MANAGER'S REPORT SEPTEMBER 12, 2022 CITY COUNCIL REGULAR MEETING

ITEM: CITY COUNCIL DISCUSSION REGARDING
REGULATION AND PERMIT OPTIONS FOR
TATTOO/BODY ART ESTABLISHMENTS

RECOMMENDATION: City Council to Discuss and Provide Staff Direction as to Whether to Prepare an Ordinance for Review by the Planning Commission and Subsequent Consideration of the City Council, for Regulation and Permit Options for Tattoo/Body Art Establishments.

BACKGROUND:

The Lathrop Municipal Code (LMC) currently doesn't list or have any regulations for Tattoo/Body Art Establishments within the city limits. On August 8, 2022, the City Council directed staff to research permitting requirements in surrounding jurisdictions.

The purpose of this discussion item is to obtain input and direction from City Council related to the potential options for regulation and permit requirements for Tattoo/Body Art Establishments.

SUMMARY:

"Tattoo/Body Art Establishments" means businesses providing the following services:

(A) Tattooing, which means the marking of the skin of a person by insertion of permanent colors by introducing them through puncture of the skin.

(B) Body piercing, which means any method of puncturing the skin of a person by and aid of needles or other instrument designed or used to puncture the skin for the purpose of inserting jewelry or other objects in or through the human body. Body piercing shall not include (1) ear piercing service where said service are not the primary source of business, and/or (ii) the use of needles for legally authorized medical procedures by a licensed acupuncturist, a certified doctor, and/or a registered nurse.

The table below illustrates the permitting requirements for Tattoo/Body Art Establishments in surrounding jurisdictions.

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Jurisdiction	Permit Type Required	Zoning District	Additional Requirements
City of Manteca	Permitted (listed as Personal Services)	CMU, Mixed Use Commercial Zoning District CN, Neighborhood Commercial Zoning District CG, General Commercial Zoning District CM, Commercial Manufacturing	No additional requirements.
City of Riverbank	Permitted	C-1, Neighborhood Commercial C-2, General Commercial C-M, Commercial-Industrial	Chapter 125. 1,000 ft. from another Tattoo Establishment. 500 ft. from Adult Entertainment. 500 ft. from alcoholic beverage business. 100 ft. from residential. 500 ft. from school, park, day care or family care home.
City of Stockton	Permitted (listed as Personal Services - Unrestricted)	CN, Commercial, Neighborhood CG, Commercial, General CD, Commercial, Downtown CL, Commercial, Large-Scale PT, Port District	No additional requirements
City of Tracy	Conditional Use Permit (listed as Personal Services – Use Group 45)	CS, Community Shopping Center Zone NS, Neighborhood Shopping Zone CBD, Central Business District Zone M-1, Light Industrial GHC, General Highway Commercial Zone (Permitted)	No additional requirements
City of Lodi	Permitted (listed as Personal Services)	CC, Community Commercial GC, General Commercial O, Office	No additional requirements
City of Los Banos	Permitted	C-1, General Commercial	No additional requirements.
City of Modesto	Permitted (listed as Personal Services)	C-1, Neighborhood Commercial C-2, General Commercial C-3, Highway Commercial C-M, Commercial-Industrial M-1, Light Industrial M-2, Heavy Industrial P-O, Professional Office	No additional requirements.

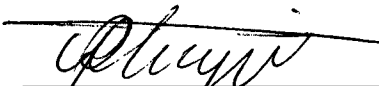
RECOMMENDATION:

Staff recommends that the City Council discuss the information contained in the presentation and provide direction.

FISCAL IMPACT:

There is no fiscal impact to the City of Lathrop, only staff time to prepare this report.

APPROVALS:



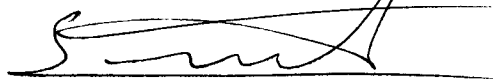
Rick Caguiat
Assistant Community Development Director

8/31/22
Date



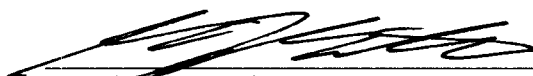
Mark Meissner
Community Development Director

8/31/2022
Date



Salvador Navarrete
City Attorney

8-31-2022
Date



Stephen J. Salvatore
City Manager

9.2.22
Date