



Planning and Building Agency
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TATTOO AND/OR BODY ART ESTABLISHMENT STANDARDS

Tattoo and/or Body Art Establishment means any facility that includes any of the following activities:

- (a) “Body art establishments” means any specified building, section of a building, or vehicle in which a practitioner performs body art, including reception areas, the procedure area, and the decontamination and sterilization area. “Body art establishments” does not include a facility that only pierces the ear with a disposable, single-use, presterilized clasp and stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear.
- (b) “Body art” means the body piercing, tattooing, branding, or application of permanent cosmetics.
- (c) “Body piercing” means the creation of an opening in a human body for the purpose of inserting jewelry or other decoration. “Body piercing” includes the piercing of an ear, including the tragus; lip; tongue; nose; eyebrow; or other body part. “Body piercing” does not include the piercing of an ear, except for the tragus, with a disposable, single-use, presterilized stud and clasp or solid needle that is applied using a mechanical device to force the needle or stud through the ear.
- (d) “Branding” means the process in which a mark or marks are burned into human skin tissue with a hot iron or other instrument, with the intention of leaving a permanent scar.
- (e) “Permanent cosmetics” means the application of pigments in human skin tissue for the purpose of permanently changing the color or other appearance of the skin. This includes permanent eyeliner, eyebrow, or lip color. Permanent cosmetics, if done as an ancillary use within a beauty salon or spa, is not subject to the standards and restrictions in Section 41-199.3 -Tattoo and/or Body Art Establishments.
- (f) “Tattooing” means the insertion of pigment in human skin tissue by piercing with a needle.

Permitted Zones and Locations. No tattoo and/or body art establishment may be located within the city unless it meets the following zoning and location criteria:

- (a) Permitted on parcels in the C1, C2, and C4 zoning districts but must comply with the following location criteria:

- 1) Shall not be located within 500 feet of a public or private school (K-12) or public park as measured from the outermost boundary of the property to the entrance of the facility.
 - 2) Shall not be located within 500 feet of another tattoo and/or body art establishment.
- (b) Permitted on parcels within Harbor Mixed Use Transit Corridor Specific Plan (SP2) zoned Transit Node (South and North) and Corridor.
 - (c) Permitted on parcels within Metro East Mixed Use Overlay Zone (MEMU) zoned Village Center District and Active Urban District.
 - (d) Permitted on parcels within Transit Zoning Code – Specific Development No. 84 (SD-84) in the Transit Village, Downtown, Urban Center and Corridor land use district.

Operational Standards. All tattoo/body modification establishments shall be subject to the following, in addition to all other requirements of the law:

- (a) No tattoo and/or body art establishment shall operate between the hours of 12:00 a.m. (midnight) and 7:00 a.m., unless a Conditional Use Permit is granted by the Planning Commission.
- (b) Live animals, except service animals, shall not be allowed on the premises.
- (c) Temporary establishments or events are not authorized by this section, unless a Land Use Certificate is approved by the Planning Manager.
- (d) The facility shall be designed to screen tattooing and/or body modifications or similar services performed on a patron from persons outside the facility.
- (e) Signage, advertising, or images depicting specific anatomical parts shall not be placed in the windows or be visible to persons outside the facility.
- (f) A sign shall be posted on or by each entrance stating that no person under 18 years old shall be allowed without parent or legal guardian.
- (g) The applicant/operator of the Tattoo and/or Body Art Facility shall also comply with all applicable state, county and local laws as they may be amended from time to time, including Health and Safety Code Sections 119300 et seq. (California Safe Body Art Act), Penal Code Section 653 and 655 and Chapter 18 of this Code.

Maintenance of Premises. Pursuant to SAMC Section 18-408, all tattoo/body modification establishments are subject to the following maintenance of premises requirements:

- (a) All tattooing establishments shall be equipped with running hot and cold water, with adequate toilet facilities, and with all such appliances, furnishings and materials as may be necessary to enable persons employed in and about such establishments to comply with the requirements of this articles.

- (b) The floors, furnishings and equipment of tattooing establishments shall be kept clean at all times during business hours. For purposes of this paragraph a floor shall not be considered clean if it has not been swept and mopped within the preceding twenty-four-hour period.
- (c) All operating tables in tattooing establishments shall be constructed of metal with white enamel or porcelain finish, or stainless steel.
- (d) Each tattooing establishment shall have adequate lighting and ventilation. For purposes of this paragraph lighting or ventilation shall be considered as inadequate if it fails to comply with a standard prescribed by the health officer.
- (e) No tattooing establishment shall be used as a sleeping room or dormitory.