

REVIEW PROCESS

PRE-APPLICATION: The applicant meets with the City's Business License Administrator and the Planning Services Department staff to become familiar with all applicable regulations.

APPLICATION SUBMITTAL: If you propose to establish a new business location for "massage therapy" as a principal use, you must secure City approval of any applicable development review applications (i.e. conditional use permit, architectural control, etc.). City staff review application for completeness. If complete, staff schedules the project for consideration before the Environmental Administrator for determination of compliance with the California Environmental Quality Act. Environmental Administrator refers to the Zoning Administrator, Planning Commission, and/or other boards and commissions as deemed necessary.

BUSINESS LICENSE REVIEW: Following approval of the required development reviews, submit your business license application to the Administrative Services Department for processing. The City conducts extensive background checks on each applicant to determine any prior criminal convictions. Staff may deny a business license based upon information contained in the background check.

ANY QUESTIONS? Call (949) 443-6331 for land use information. Call (949) 443-6304 for business license information.

Planning Department Mission Statement: "To preserve the small, village-like character of the community through high quality design, diverse housing, and the preservation of cultural resources, open space, natural creeks and ridgelines in a manner that will enhance the quality of life for the City's present and future residents."



Your Guide to Understanding
the
**MASSAGE
THERAPY PERMIT
PROCESS**



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MASSAGE THERAPY PERMIT PROCESS

The City of San Juan Capistrano's Municipal Code regulates massage therapy to protect the health and welfare of the City's residents. Title 3 (Business Licenses), Title 5 (Regulations of Massage Therapy) and Title 9 (Land Use Code) regulate where and how "massage therapy" can be conducted within the City. This brochure provides a brief summary of the pertinent code provisions. To assure compliance with all applicable provisions, please obtain a copy of the Municipal Code sections from either the Planning Services Department or by downloading the information from the City's web site address at www.sanjuancapistrano.org.

Section 3-1.202 of the Municipal Code requires that any person providing "massage" services, as defined in Section 5-24.02(a), must secure and maintain a valid Classification "C" business license from the City. Applicants may apply for a business license as either a "massage therapist" or a "massage technician".

The City has the authority to approve or deny Classification "C" business licenses. Denial of a business license may be based upon non-compliance with the "massage therapy" provisions of Titles 3, 5, and/or 9 of the City's Municipal Code. Other reasons for denial may include:

- An applicant has submitted false or intentionally misleading information as part of their application.
- An applicant has been previously convicted of any felony, or has plead "no contest" to any felony, in California or in any state in the United States.
- An applicant has been previously convicted of violating California Penal Code Sections 647(a), 647(b), and/or 647(d).

The Municipal Code establishes minimum training and experience standards for "massage therapists" and "massage technicians" as follows:

"Massage Therapist" Requirements:

- A minimum of 500 hours of resident training from a "recognized school of massage"; or
- A minimum of 200 hours of resident training from a "recognized school of massage" and a minimum of one (1) year of experience; or
- A minimum of 200 hours of resident training from a "recognized school of massage" and a minimum of 300 hours of supplemental training experience.

"Massage Technician" Requirements:

- A minimum of 200 hours of resident training from a "recognized school of massage".

A "recognized school of massage" includes only those institutions certified by the State of California Council on Private, Post-Secondary Educa-

tion; and approved, recognized, or accredited by COMTAA, IMSTAC, ACCSCT, IMF, or ACCET.

Title 9 of the City's Land Use Code restricts "massage therapy" and "accessory massage therapy" uses to the general commercial zoning district as an accessory use. Massage therapy uses may be permitted in the general commercial, tourist commercial, and office commercial zoning districts, subject to approval of a Conditional Use Permit. The Conditional Use Permit application process is a discretionary process that requires a public hearing before the Planning Commission and may take 3-5 months to process.

SUBMISSION REQUIREMENTS

- A completed business license application
- A copy of all relevant school transcripts and verifiable work records documenting the applicant's work experience
- A completed fingerprint card of the applicant prepared by the Orange County Sheriff's Department
- Annual business license tax and application processing fees for fingerprint processing, background checks, and staff administration