



# Consideration of Proposed New Massage Ordinance and Related Fees

# Consideration of Code Amendments Pertaining to Adult Entertainment

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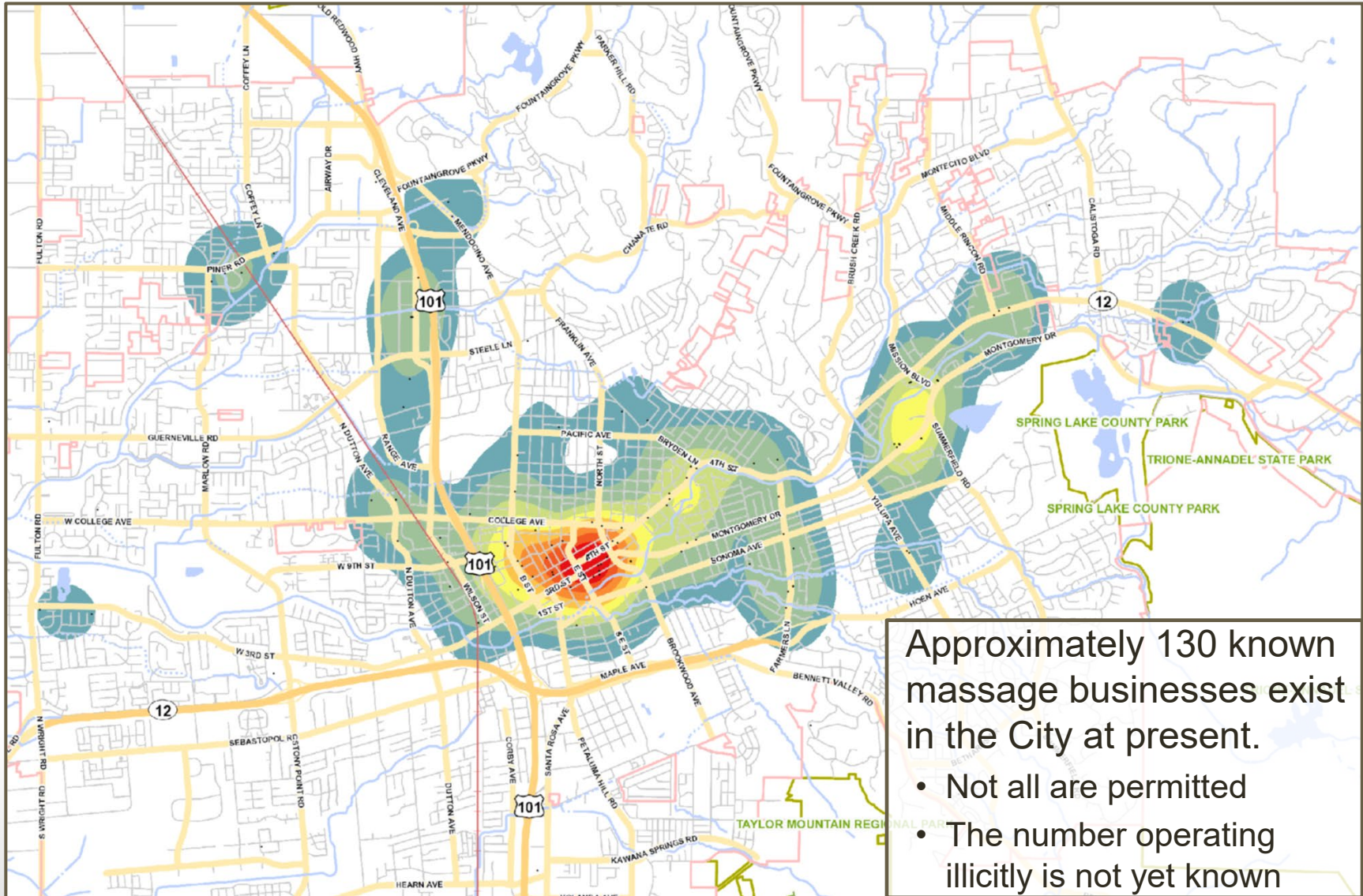
City Council Meeting  
March 4, 2025

Assistant Chief Building Official  
Planning and Economic Development

# Background

- Heightened community concerns
  - Apparent proliferation of illicit uses
  - Potential for human trafficking, negative community impacts, and threats to the public health and safety
- Increased inspections and enforcement by Police and Code Enforcement
- Comprehensive ordinance redesign undertaken
- Proposal to update existing massage regulations

# Quantifying Community Concerns



# Background

- Ordinance 3937 adopted in 2010
  - Business License/ revenue oriented
  - Minimal regulation/enforcement
- Changes in State laws have further misaligned the City's ordinance
- Outreach
  - Community Meetings with the public (April-May 2024)
  - Public Safety Subcommittee Meeting (October 2024)
  - Massage Industry Community Meeting (January 2025)
  - Planning Commission Meeting – February 27, 2025
  - Industry input invited through February 2025

# Public Feedback

- **Early Community Meetings**
  - Well attended public response to perception of illicit massage establishments increasing prevalence
  - Environment of fear and anger with the perception that this issue was not being managed by the City.
- **Massage Industry Meeting**
  - Well attended.
  - Concerns regarding mobile massage, financial impacts.
  - Staff focus on eliminating illicit massage uses, emphasis of not penalizing legitimate businesses.
  - Proposed ordinance concept was positively received.
  - Ongoing outreach and transparency has been beneficial to continuing efforts.
- **Planning Commission Meeting**
  - Positive feedback from the Public and the Massage Community.

# Ordinance Redesign

- Public health and safety focus
- Realigning City codes with State standards
- Provide robust enforcement tools
- Seek to eliminate the proliferation and existence of illicit massage uses
- Providing a balance for good actors
- Support the success of legitimate massage uses by minimizing impacts to the greatest extent possible

# New City Ordinance

- Requirements Listed in Zoning Code  
(Requirements in Title 6 will be repealed)
  - Therapist registration through certifying bodies
  - Establishment registration through City
  - Operational and inspection requirements
  - Exemptions and Administrative Adjustments
  - Categorized violation types
  - Enforcement and revocation
  - Graduated violation types (“Gross” and “Procedural”)
  - 180 days to obtain certificate
  - 2-year renewal process
- Related Zoning Code amendments required
  - Land use Tables, Permit Review Procedures, Definitions

# Zoning Code Amendments

- Required for clarity and internal consistency
  - Zoning Code Land Use Tables
    - Addition of “Massage Related Uses” as a permitted use
    - Table 2-6 (commercial zones)
    - Table 2-10 (industrial zones)
  - Permit Review Procedures
    - Addition of Administrative Adjustment process
    - Provides relief for certain business types
    - Director-level review
  - Definitions/Glossary
    - Addition of definition “Massage related uses”
    - Amendment of term “Business/Service” within the definition of “Office”



# Proposed Certificate Fees

- New Certificate - **\$205.75**
- Certificate Renewal - **\$148.88**
- Certificate Renewal (Active Code Case) - **\$334.92**
- Administrative Adjustment - **\$149.72**
- Additional inspection fees at full staff cost if business triggers additional inspections
- Mobile message not required to pay inspection portion of fee total

# Additional ZC Amendments

- Not related to Massage Ordinance
  - Identified during Zoning Code review process
  - Necessary for internal code consistency
  - Clarifies permitting requirements for “Adult Entertainment Businesses”
- Amendment of Zoning Code Land Use Tables
  - Establishes CUP requirement
  - Table 2-6 (commercial zones)
  - Table 2-10 (industrial zones)

# Planning Commission

- Recommended changes (2/27 meeting)
  - Definitions
    - Addition of “Administrative Adjustment”
    - Revised “Certified Massage Therapist”
    - Revised “Certifying Body”
  - Hours of Operation
    - Proposed as 7:00 a.m. to 10:00 p.m.
    - Revised to 7:00 a.m. to **8:00** p.m.
    - Associated related adjustments
  - Minor errata cleanup
    - Section 20-49.090(B)(4) and (D)(2)

# Recommendation

The Planning Commission and the Planning and Economic Development Department recommends that the City Council:

1. Introduce an ordinance to establish regulations for massage businesses;
2. Introduce an ordinance to establish permitting requirements for adult entertainment businesses; and
3. Adopt a resolution to establish fees for massage business certification and other related services.

# Questions

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