



Consideration of Proposed New Massage Ordinance and Related Fees

Consideration of Code Amendments Pertaining to Adult Entertainment

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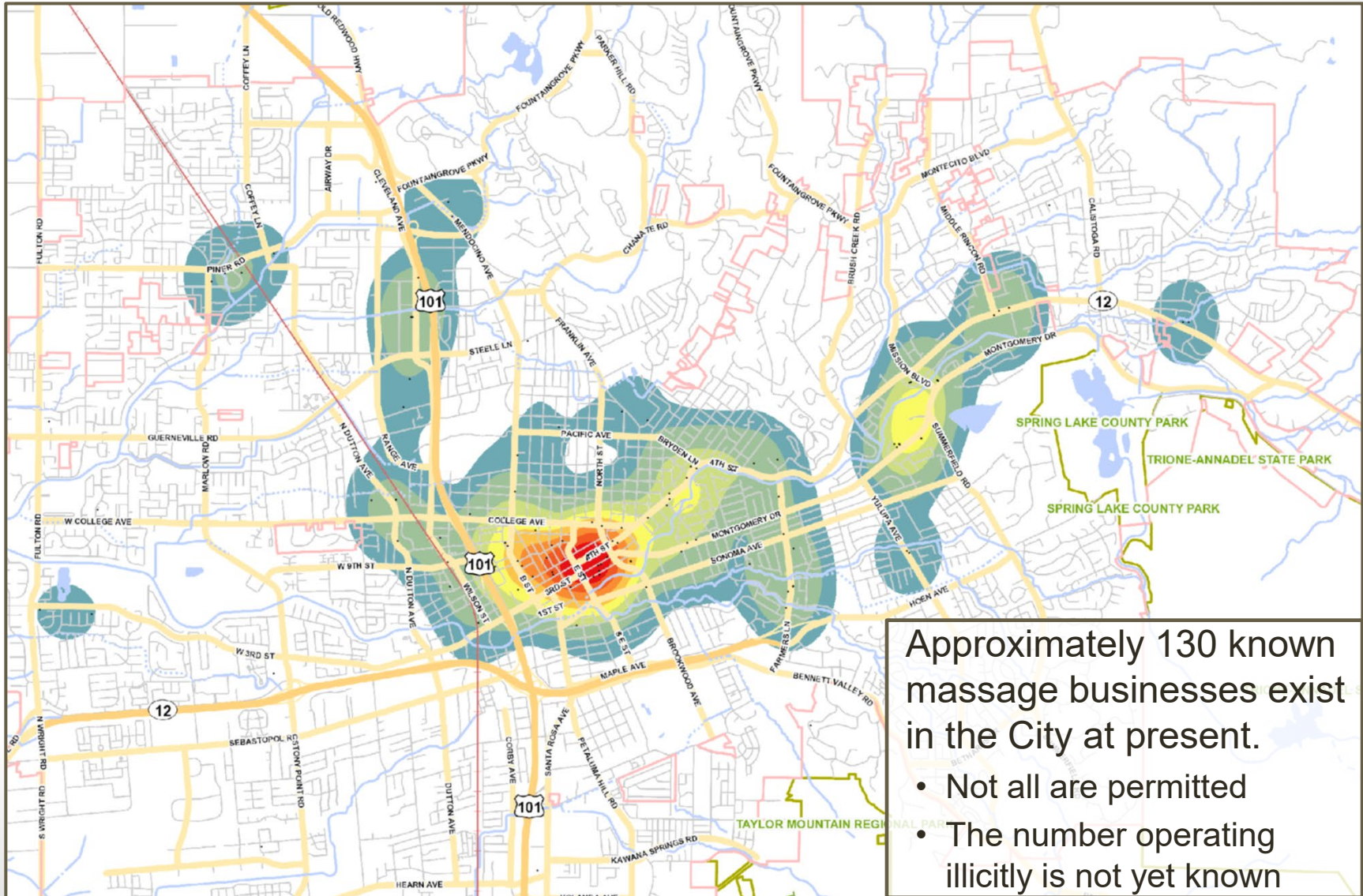
City Council Meeting
March 4, 2025

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(Requirements in Title 6 will be repealed)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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