



**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 20, 2007**

DEPARTMENT: CITY ATTORNEY  
DIRECTOR: BRADFORD R. JEBBIC

Consent  Discussion

SUBJECT:  
NEW BILL

Bill No. 2007-5 Allows the use accessory massage as an accessory use in certain zoning districts. Sponsored by Councilman Larry Brown

**Fiscal Impact**

- No Impact  Augmentation Required  
 Budget Funds Available

**Amount:**  
**Funding Source:**  
**Dept./Division:**

**PURPOSE/BACKGROUND:**

It has been determined that current zoning regulations do not provide sufficient distinction between establishments that provide massage therapy as a principal use and those that do so on an ancillary or accessory basis. This bill will create the use accessory massage and set forth the circumstances under which it will be permitted as an accessory use.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2007-5

Motion made by STEVEN D. ROSS to Approve as a Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0  
LOIS TARKANIAN, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

MARGO WHEELER, Director of the Planning and Development Department, stated that this bill would allow massage therapy as an accessory use to a principal use, as delineated, without a public hearing, as it would not be the primary use on site. All license requirements would remain in place.

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COUNCILWOMAN TARKANIAN asked how staff would be policing accessory uses. MS. WHEELER replied that all applicants would be required to undergo a background check, as part of the licensing process. Also, outside signage will be limited to advertising the principal use only, eliminating any visible impact to the neighborhood.

COUNCILWOMAN TARKANIAN noted that, when she was newly elected to the Council, she had to vote on a matter involving a doctor who wanted to be able to perform massage, and that business was classified as a massage parlor. She asked MS. WHEELER how that would change under this bill. MS. WHEELER replied that it would fall under the proposed bill, and the massage therapy use would be considered ancillary to the primary doctor's office.

COUNCILMAN ROSS confirmed with MS. WHEELER that the best way to protect the community would be to require applicants to go through the background check process, with full discretion ultimately given to the Council. MS. WHEELER added that massage therapy, ancillary or not, is a privileged use, for which a license would have to be obtained through the licensing process.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

