

**City of Culver City, California  
Agenda Item Report**

Meeting Date: 05/11/15	Item Number: <u>C-2</u>
<b>CITY COUNCIL AGENDA ITEM: Adoption of a Resolution Approving and Issuing a Report on City Actions Taken in Relation to Interim Ordinance No. 2015-001 - Establishing A Temporary Moratorium on the Issuance of any New Permit, License, Approval or Entitlement Pertaining to New Massage Establishments or the Location or Relocation of Existing Massage Establishments within the City and Declaring the Urgency Thereof.</b>	
Contact Person/Dept.: Thomas Gorham Planning Division/Community Development; and Lisa Vidra/City Attorney	Phone Number: 310-253-5710; 310-253- 5660
Fiscal Impact: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	General Fund: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Public Hearing: <input type="checkbox"/>	Action Item: <input type="checkbox"/> Attachments: <input checked="" type="checkbox"/>
Commission Action Required: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date: _____
Public Notification: (E-Mail) Meetings and Agendas – City Council (05/06/15)	
Department Approval: Sol Blumenfeld (05/04/15) Carol Schwab (by H. Baker) (05/04/15)	City Attorney Approval: Carol Schwab (by H. Baker) (05/04/15)
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (05/05/15)	City Manager Approval: John Nachbar (05/06/15)
<p><b><u>RECOMMENDATION:</u></b></p> <p>Staff recommends the City Council adopt a resolution approving and issuing a report on actions and measures taken to alleviate conditions which led to the adoption of Interim Ordinance No. 2015-001, establishing a temporary moratorium on the issuance of any new permit, license, approval or entitlement pertaining to new massage establishments or the location or relocation of existing massage establishments within the City and declaring the urgency thereof.</p> <p><b><u>BACKGROUND / DISCUSSION:</u></b></p> <p>On April 13, 2015, the City Council adopted Interim Ordinance No. 2015-001 (the “Ordinance”) establishing a 45-day temporary moratorium on the issuance of any new permit, license, approval or entitlement pertaining to new massage establishments or the location or relocation of existing massage establishments within the City, and declaring the urgency thereof. The Ordinance was adopted pursuant to Section 614 of the City Charter and Section 65858 of the California Government Code in order to allow the City time to thoroughly review the new state massage law and its implications, and study and revise the City’s laws, rules, procedures and fees related to massage establishments.</p>	

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Issuing a report on the actions and measures taken by the City since the adoption of the Ordinance (Report) will help keep the existing massage establishment operators, future applicants who wish to operate an establishment in the City, and the community well-informed on this matter. Further, issuance of such report will comply with the provisions of Government Code Section 65858(d), which requires the City Council, at least 10 days prior to the expiration of the Ordinance or any extension, to issue a written report describing the measures taken to alleviate the condition which led to the adoption of the Ordinance.

As set forth in the Report, the City has continued its work to analyze state law and the current provisions contained in the Culver City Municipal Code (CCMC) related to massage establishments. Staff from the Planning Division, Enforcement Services Division, Police Department, and City Attorney's Office met to discuss possible revisions to the CCMC and to review processes related to massage establishments in other nearby cities. Staff is also analyzing the materials issued by the League of California Cities on implementing the new state law and comparing those recommendations with certain information released by the California Massage Therapy Council to ascertain possible conflicts between the positions of the two organizations.

The City also continues to study possible revisions to Title 17 (Zoning) of the CCMC which would appropriately balance the rights of existing massage establishment operators and future applicants who wish to operate massage establishments within the City, with the preservation of the health, safety, and welfare of the community. The study and review are not yet complete. Once completed, the draft land use amendments to the CCMC will be required to go through a review process, including consideration by the Planning Commission with a recommendation to the City Council.

The City is pursuing its study, review, and revisions as expeditiously as is practicable.

The Ordinance will expire by its own terms on May 27, 2015. City staff is reviewing whether there is a need to extend the Ordinance, prior to its expiration, in order to protect the public health, safety, and welfare. If an extension is determined to be necessary, the City Council will consider such extension at its May 26, 2015 meeting.

**FISCAL ANALYSIS:**

There is no fiscal impact associated with this item.

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**ATTACHMENTS:**

1. Proposed Resolution
2. Interim Ordinance No. 2015-001

**MOTION:**

That the City Council:

Adopt a Resolution approving and issuing a Report on actions and measures taken to alleviate conditions which led to the adoption of Interim Ordinance No. 2015-001 establishing a temporary moratorium on the issuance of any new permit, license, approval or entitlement pertaining to new massage establishments or the location or relocation of existing massage establishments within the City and declaring the urgency thereof.