



# Agenda Item

## Orange City Council

---

Item #: 2.1.

6/29/2026

File #: 26-0364

---

**TO:** Honorable Mayor and Members of the City Council

**THRU:** Jarad Hildenbrand, City Manager

**FROM:** Russell Bunim, Community Development Director

### 1. SUBJECT

Public Hearing to Receive the Required Report and Consider Extending Interim Urgency Ordinance No. 08-26 Establishing a Temporary Moratorium on New Massage Establishments

### 2. SUMMARY

California Government Code Section 65858(d) requires the City Council to receive a written report describing the measures undertaken to address the conditions that led to adoption of Interim Urgency Ordinance No. 08-26 before extending the ordinance. Since adoption of the initial moratorium, staff has evaluated the City's regulatory framework, reviewed best practices in neighboring jurisdictions, coordinated with the Orange Police Department and City Attorney's Office, and begun developing amendments to strengthen zoning, operational, and enforcement standards. Additional time is needed to complete this work and return comprehensive Municipal Code and Zoning Code amendments for City Council consideration. The proposed ordinance would extend the temporary moratorium on new massage establishments and the expansion of existing establishments for an additional 22 months and 15 days.

### 3. RECOMMENDED ACTION

1. Conduct and close the Public Hearing.
2. Receive and file the report required pursuant to California Government Code Section 65858 (d).
3. Adopt Urgency Ordinance No. 08-26-A extending Interim Urgency Ordinance No. 08-26 establishing a temporary moratorium on new massage establishments and the expansion of existing massage establishments for an additional twenty-two (22) months and fifteen (15) days while the City completes its review and adoption of updated Municipal Code and Zoning Code regulations.

### 4. FISCAL IMPACT

None. The proposed extension has no direct fiscal impact. Staff will continue its evaluation of regulatory options using existing budgeted resources.

### 5. STRATEGIC PLAN GOALS

Goal 1: Maintain Strong Emergency and Safety Services

## **6. DISCUSSION AND BACKGROUND**

On May 26, 2026, the City Council adopted Interim Urgency Ordinance No. 08-26 establishing a temporary 45-day moratorium on new massage establishments and the expansion of existing massage establishments within the City. Pursuant to California Government Code Section 65858, the interim ordinance expires on July 10, 2026, unless extended following a duly noticed public hearing and four-fifths vote of the City Council.

Since adoption of Interim Urgency Ordinance No. 08-26, staff has made substantial progress evaluating the City's existing regulatory framework governing massage establishments. Staff has coordinated with the Orange Police Department and the City Attorney's Office, reviewed regulatory approaches used by neighboring jurisdictions, evaluated enforcement and operational best practices, and begun developing amendments to the Orange Municipal Code and Zoning Code. However, additional time is necessary to complete this work, conduct stakeholder outreach, evaluate evolving State law, and prepare comprehensive regulatory amendments for Planning Commission and City Council consideration. Accordingly, staff recommends extending the interim urgency ordinance pursuant to California Government Code Section 65858(b).

### **ANALYSIS/DISCUSSION:**

Since establishment of the moratorium period, City staff commenced a comprehensive review of existing regulations governing massage establishments and began evaluating potential zoning and operational standards to address identified concerns.

At this time, there are no pending applications for new massage establishments. Staff continues to process renewal applications for existing permitted businesses in accordance with applicable municipal code requirements.

To allow sufficient time to complete its review and develop comprehensive regulatory recommendations, staff recommends that the City Council extend the interim Urgency Ordinance pursuant to California Government Code Section 65858(b) for an additional 22 months and 15 days, through May 25, 2028.

Maintaining the interim ordinance during this review period preserves the status quo while the City develops updated regulatory standards. Allowing new massage establishments or the expansion of existing establishments before completion of the City's review could undermine the City's ability to effectively address the public health, safety, and welfare concerns identified in the original urgency ordinance and could result in additional businesses operating under regulations the City has determined require further evaluation.

During the initial moratorium period, staff has undertaken numerous measures to alleviate the conditions that led to adoption of the interim ordinance. Those efforts include the following:

- Conducted a comprehensive review of existing massage establishment regulations and operational standards;
- Evaluated regulatory and enforcement best practices implemented by other jurisdictions;
- Monitored pending State legislation affecting the regulation of massage establishments,

beauty spas, and other personal care businesses;

- Participated in specialized enforcement training and regional interagency roundtable discussions addressing illicit business operations and regulatory compliance;
- Engaged stakeholders, including business owners, public safety personnel, neighboring jurisdictions, and community members; and
- Commenced preparation of proposed amendments to the City's zoning and regulatory framework for City Council consideration.

Staff anticipates returning to the Planning Commission and City Council with proposed code amendments before expiration of the extended interim ordinance.

Pursuant to California Government Code Section 65858(b), an extension of the interim urgency ordinance requires a duly noticed public hearing in accordance with California Government Code Section 65090 and adoption by a four-fifths vote of the City Council. If approved, the Ordinance will remain in effect through May 25, 2028.

This agenda item also includes the written progress report required by California Government Code Section 65858(d), documenting the measures undertaken by the City since adoption of Interim Urgency Ordinance No. 08-26 to alleviate the conditions that gave rise to the moratorium. Those efforts support the continued development of permanent zoning and operational regulations governing massage establishments. Additional background information may be found in the City Council Agenda Report dated May 26, 2026 (Attachment 3).

## **7. ATTACHMENTS**

- Attachment 1 Urgency Ordinance No. 08-26-A
- Attachment 2 Progress Report, June 25, 2026
- Attachment 3 City Council Agenda Report, May 26, 2026
- Attachment 4 Urgency Ordinance No. 08-26