

ORDINANCE NO. 2015-406

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING THE LOS ALTOS MUNICIPAL CODE RELATIVE TO LAND USE
DEFINITIONS AND CONDITIONAL USE PERMIT REQUIREMENTS
ADDRESSING OFF-STREET PARKING REQUIREMENTS FOR
MEDICAL, DENTAL AND ANIMAL CLINICS, AND
MEDICAL AND ANIMAL HOSPITALS**

WHEREAS, there have been recent complaints made by residents in the neighborhoods abutting and/or near Los Altos business districts that patrons and/or employees of certain medical and/or animal facility uses are parking on the public streets. This excessive on-street parking is creating negative parking impacts to these adjacent neighborhoods; and

WHEREAS, overuse of public on-street parking in certain business districts and in the residential neighborhoods is also creating negative traffic congestion impacts because people may not be able to find on-site parking and thus, spend more time circling the business area or residential areas trying to secure legal public on-street parking; and

WHEREAS, the City's current medical and animal facility uses parking regulations may not adequately regulate the parking requirements for certain medical office uses within the City; and

NOW THEREFORE, the City Council of the City of Los Altos does hereby ordain to amend the zoning regulations provide greater oversight of medical and animal facility uses, particularly with regard to required on-site parking, as follows:

SECTION 1. AMENDMENT OF CODE: Amend Chapter 14.02 – Definitions by adding the following definitions:

Medical and Dental Office

Means a use that provides diagnostic and outpatient care on a routine basis, but is unable to provide in-house medical or surgical care. Offices will commonly provide specialized or individual physicians. Medical and dental offices include, but are not limited to, physical therapy, acupuncturist, dental services, psychiatric services, chiropractic care, counselor/psychotherapy, diagnostic services and skilled nursing facilities.

Medical and Dental Clinic

Means a use that provides diagnostic and outpatient care in more than one medical or dental specialty, but is unable to provide long term in-house medical or surgical care. Clinics will commonly have lab facilities, supporting pharmacies and provide a range of services.

Office-Administrative

Means uses that predominantly sell professional and/or business services. The contact with the general public is not as frequent as with retail businesses or personal services, and a significant portion of the business may take place at other locations. Examples include banks, law offices, accountants, medical and dental offices, advertising, and computer support.

SECTION 2. AMENDMENT OF CODE: Amend Chapter 14.02 by replacing the term “Office uses” with “Office-administrative” and amend Chapters 14.34, 14.36, 14.40, 14.44, 14.48, 14.50, 14.52 and 14.54 by replacing the term “offices” with “office-administrative services”.

SECTION 3. AMENDMENT OF CODE: Amend Chapters 14.34, 14.36, 14.40, 14.44, 14.48, 14.50, 14.52 and 14.54 by alphabetically adding the term “Medical and dental offices that are five thousand (5,000) gross square feet or more” as a new land use definition to the conditional uses section and reordering the remaining terms accordingly.

SECTION 4. AMENDMENT OF CODE: Amend Chapters 14.34, 14.36, 14.40, 14.44, 14.48, 14.50, 14.52 and 14.54 by alphabetically adding the term “Medical and dental clinics” as a new land use definition to the conditional uses section and reordering the remaining terms accordingly.

SECTION 5. AMENDMENT OF CODE: Amend Chapter 14.36 by numerically adding the following and reordering the remaining sections accordingly:

14.36.050 - Conditional uses (OA-1 and OA-4.5).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in OA-1 and OA 4.5 Districts:

- A. Medical and dental offices that are five thousand (5,000) gross square feet or more;
- B. Medical and dental clinics; and
- C. Other uses which are determined by the commission and the council to be of the same general character.

SECTION 6. AMENDMENT OF CODE: Amend Chapter 14.80 – Use Permits by deleting the current Section 14.80.060(I) and replacing it with the following:

- I. When a conditional use permit is required for a medical or dental office, or medical, dental or animal clinic or hospital, the planning and transportation commission shall make a specific finding that there is adequate on-site parking to support the facility, including staff, patients, visitors and other ancillary support services. This determination shall be based on a parking demand analysis prepared by a qualified professional and presented to the planning and transportation commission at a public hearing.

SECTION 7. ENVIRONMENTAL ANALYSIS. The amended zoning regulations set forth herein have been reviewed and considered by the Planning and Transportation Commission and the City Council in accordance with the provisions of the California Environmental Quality Act and Council finds that it can be seen with certainty that there is no possibility that these amendments may have a significant effect on the environment and said amendments are therefore exempt from the requirements of the CEQA pursuant to the provisions of Section 15061(b)(3) of the California Code of Regulations.

SECTION 8. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 9. PUBLICATION. This ordinance shall be published as provided in Government Code section 36933.

SECTION 10. EFFECTIVE DATE. This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was heard and recommended for approval by the Planning and Transportation Commission at a duly noticed public hearing on December 18, 2014 and introduced at a regular meeting of the City Council on January 27, 2015 and was thereafter, at a regular meeting held on February 10, 2015 passed and adopted by the following vote:

AYES: MORDO, PEPPER, PROCHNOW, SATTERLEE
NOES: BRUINS
ABSENT: NONE
ABSTAIN: NONE


Janis C. Pepper, MAYOR

Attest:


Jon Maginot, CMC, CITY CLERK



STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) CERTIFIED COPY OF ORDINANCE
CITY OF LOS ALTOS) SECOND READING/ADOPTION

I, Jon Maginot, City Clerk for the City of Los Altos in said County of Santa Clara, and State of California, do hereby certify that the attached is a true and correct copy of Ordinance No. 2015-406, adopted by the Los Altos City Council on February 10, 2015 by the following vote:

AYES: MORDO, PEPPER, PROCHNOW, SATTERLEE
NOES: BRUINS
ABSENT: NONE
ABSTAIN: NONE

I hereby further certify that a summary of the ordinance was published in accordance with Government Code Section 36933 on the following dates: February 4, 2015 and February 25, 2015. Said ordinance shall be effective March 13, 2015

Dated this 29th day of February, 2015.



Jon Maginot, CMC
City Clerk