

ORDINANCE NO. 2014-405

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LOS ALTOS EXTENDING A TEMPORARY MORATORIUM ON
THE ESTABLISHMENT, EXPANSION OR RELOCATION OF
CERTAIN MEDICAL OFFICE USES WITHIN THE CITY OF LOS
ALTOS AND DECLARING THE URGENCY THEREOF**

NOW THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. FINDINGS AND PURPOSE:

In accordance with California Government Code section 65858, the City Council finds and declares that this Ordinance is deemed necessary for the following reasons:

1. There have been recent complaints made by the residents in the neighborhoods abutting and/or near the City of Los Altos (“City”) business districts that patrons and/or employees of certain medical office uses are parking on the public streets. This excessive on-street parking is creating negative parking impacts to these adjacent neighborhoods. Further, this excessive on-street parking is created by certain medical office uses not having adequate parking spaces.
2. 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-street parking and thus, spend more time circling the business area and/or residential areas trying to secure legal public on-street parking.
3. The City’s Zoning Code (Los Altos Municipal Code Chapter 14) may not adequately regulate the parking requirements for certain medical office uses within the City.
4. In light of the foregoing, the City Council finds that the establishment, expansion, or relocation of certain medical office uses within the City presents a current and immediate threat to public health, safety and welfare.

The City Council further finds that the extension of Ordinance No. 2014-403 prohibiting the establishment, expansion, or relocation of certain medical office uses within the City is warranted so that the City Council may review and consider possible amendments to the City’s Zoning Code to address this threat on a permanent basis.

SECTION 2. EXTENSION OF MORATORIUM.

A. Scope

This Ordinance extends the prohibition imposed by Ordinance No. 2014-403 concerning the establishment, expansion, or relocation, which includes, but is not limited to, the issuance of any use permit, building permit, variance, subdivision or any other applicable

permit, approval, or entitlement for use for development, of any medical office use within the City.

B. Applicability

This Ordinance shall apply to the “medical office uses.”

For purposes of this Ordinance, the term “medical office use” shall mean an "office use" that provides medical, optometry, ophthalmology, dental and veterinary services to the public.

SECTION 3. COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) because the activity is not a project as defined by Section 15378 of the CEQA guidelines. The Ordinance has no potential for resulting in physical change to the environment either directly or indirectly. Furthermore, pursuant to Section 15060(c)(2) of the CEQA Guidelines, the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment because this Ordinance prevents changes in the environment pending the contemplated review of City Zoning Code amendments applicable to medical office uses.

SECTION 4. EFFECTIVE PERIOD

This Ordinance shall be in effect until July 25, 2015, and shall thereupon be repealed and of no further force or effect, unless extended by subsequent enactment of the City Council.

SECTION 5. CONSTITUTIONALITY.

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

SECTION 6. PUBLICATION.

This Ordinance shall be published as provided in Government Code section 36933.

SECTION 7. SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part of provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 8. EFFECTIVE PERIOD.

This Ordinance is declared an extension of Ordinance No. 2014-403, an urgency measure adopted pursuant to the provisions of Government Code section 65858.

The foregoing Ordinance was passed and adopted by the City Council of the City of Los Altos at a regular meeting held on November 25, 2014 by the following vote:

AYES: BRUINS, CARPENTER, FISHPAW, PEPPER, SATTERLEE
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE


Megan Satterlee, 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. 2014-405, adopted by the Los Altos City Council on November 25, 2014 by the following vote:

AYES: BRUINS, CARPENTER, FISHPAW, PEPPER, SATTERLEE
NOES: NONE
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 date: December 10, 2014. Said ordinance shall be effective November 25, 2014

Dated this 20th day of January, 2014.


Jon Maginot, CMC
City Clerk