

ORDINANCE NO. _____

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE ZONING CODE TABLE 2-2 (ALLOWABLE LAND USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS), TABLE 2-6 (ALLOWABLE LAND USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONING DISTRICTS), TABLE 2-10 (ALLOWABLE LAND USES AND PERMIT REQUIREMENTS FOR INDUSTRIAL DISTRICTS), TABLE 2-12 ALLOWABLE LAND USES AND PERMIT REQUIREMENTS FOR SPECIAL PURPOSE DISTRICTS), TABLE 2-20 (ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR LIMITED LIGHT INDUSTRIAL DISTRICT), SECTION 20-26.020 (PURPOSES OF SPECIAL PURPOSE DISTRICTS), AND SECTION 20-70.020 (DEFINITIONS OF SPECIALIZED TERMS AND PHRASES) - FILE NUMBER ST12-002/REZ12-008

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. The Council finds, based on evidence and records presented, that amending Title 20 (Zoning) of the Santa Rosa City Code, as follows, is required to change the City's policies and regulations regarding Medical Service land uses to improve the ability of medical service providers to expand and improve preventative health care services throughout the City.

The Council further finds and determines that the proposed zoning code text amendments to amend the entitlement process for medical services land uses by revision the Zoning Code land use tables, modify the existing Medical Services land use definitions, amend the existing definition of the purpose of the Public Institutional land use category, and to create a new Medical Service land use category entitled "Medical Services-Lab" is consistent with the Santa Rosa General Plan in that:

- a. The proposed zoning code text amendment authorizing Medical Service Land Uses are consistent with the goals and policies of all elements of the General Plan and any applicable specific plan;
- b. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that they seek to expand on the provision of medical services throughout the City and;
- c. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA);
- d. The proposed amendments are internally consistent with other applicable provisions of this Zoning Code.

Section 2. All conditions required by law having been satisfied and all findings with relation thereto having been made, Title 20 of the Santa Rosa City Code is therefore amended by amending Zoning Code Section 20-22.030 (Residential district land uses and permit requirements) Table 2-2 (Allowed Land Uses and Permit Requirements for Residential Zoning

Districts) under use section heading “Services-Business, Financial, Professional”, to read as follows:

TABLE 2-2 Allowed Land Uses and Permit Requirements for Residential Zoning Districts	P	Permitted Use, Zoning Clearance required					
	MUP	Minor Conditional Use Permit required					
	CUP	Conditional Use Permit required					
	S	See Specific Use Regulations for permit requirement					
	—	Use not allowed					
		PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
LAND USE (1)	RR	R-1	R-2	R-3	MH	TV-R	

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

ATM	—	—	—	—	—	P	20-42.044
Medical service—Health care facility-6 or fewer patients	P	P	P	P	P	P	20-42.060
Medical service-Health care facility-7 or more patients	MUP	MUP	MUP	MUP	MUP	MUP	20-42.060

Section 3. Amend Zoning Code Section 20-23.030 (Commercial District Land Uses and Permit Requirements); Table 2-6 (Allowed Land Uses and Permit Requirements for Commercial Districts) under use section heading “Services-Business, Financial, Professional”, to read as follows:

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P	Permitted Use, Zoning Clearance required						
	MUP	Minor Conditional Use Permit required						
	CUP	Conditional Use Permit required						
	S	See Specific Use Regulations for permit requirement						
	—	Use not allowed						
		PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
LAND USE (1)	CO	CN (2)	CG	CV	CD (3)	CSC (2)	TV-M	

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

ATM	P	P	P	P	P	P	P	20-42.044
Bank, financial services	MUP	P	P	—	P	P	P(5)	
Business support service	MUP	MUP	P	—	P	P	P	
Medical service—Clinic, urgent care	P	MUP	P	—	P	P	MUP	
Medical service—Doctor office	P	P	P	—	P	P	P(5)	
Medical service—Health care facility	MUP	—	MUP	—	—	—	—	20-42.060
Medical service—Hospital	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Medical service-Lab	P	---	P	---	---	MUP	---	
Medical service—Veterinary clinic, animal hospital	MUP	—	MUP	—	—	MUP	—	

Office – Accessory	P	P	P	P	P	P	P	
Office – Business/service	P	P	P	-	P	P	P(5)	
Office – Government	P	MUP	MUP	MUP	P	MUP	MUP	
Office – Processing	MUP	-	MUP	-	MUP	-	MUP	
Office – Professional	P	MUP	P	-	P	-	P(5)	

Section 4. Amend Zoning Code Section 20-24.030 (Industrial District land Uses and Permit Requirements); Table 2-10 (Allowed Land Uses and Permit Requirements for Industrial Districts) under use section heading “Services-Business, Financial, Professional”, to read as follows:

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Districts	P	Permitted Use, Zoning Clearance required		
	MUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	See Specific Use Regulations for requirement		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE (2)			Specific Use Regulations
	BP	IL	IG	

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

ATM	P	P	—	20-42.044
Bank, financial services	P			
Business support service	P	P	MUP	
Medical service—Clinic, urgent care	P	MUP	—	
Medical service-Doctor office	P	---	---	
Medical service—Health care facility	MUP	—	—	20-42.060
Medical service –Lab	P	P	—	
Medical service—Veterinary clinic, animal hospital	—	MUP	MUP	
Office—Accessory	P	P	P(3)	
Office—Business/service	P	—	—	
Office—Government	P	—	—	
Office—Processing	MUP	—	—	
Office—Professional	P	—	—	

Section 5. Amend Zoning Code Section 20-26.030 (Special purpose district land uses and permit requirements); Table 2-12 (Allowed Land Uses and Permit Requirements for Special Purpose Districts) under use section heading “Services-Business, Financial, Professional”, and to add the new note (2) to read as follows:

TABLE 2-12 Allowed Land Uses and Permit Requirements for Special Purpose Districts	P	Permitted Use, Zoning Clearance required		
	MUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	See Specific Use Regulations for requirement		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	OSR	OSC	PI	

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

ATM	—	—	P	
Medical service—Clinic, urgent care	—	—	P(2)	
Medical service—Doctor office	—	—	MUP	
Medical service—Health care facility	—	—	MUP	20-42.060
Medical service—Hospital	—	—	CUP	
Medical service--Lab			P(2)	
Office—Accessory	P	P	P	
Office—Government	MUP	MUP	P	

Notes:

- (1) See Division 7 for land use definitions.
- (2) Any new uses shall be directly affiliated with an existing hospital; otherwise a MUP is required for a new use.

Section 6. Amend Zoning Code Section 20-28.070 (Limited Light Industrial (-LIL) combining district); Table 2-20 (Allowed Land Uses and Permit Requirements for Limited Light Industrial (-LIL) District) under use section heading “Services-Business, Financial, Professional”, to read as follows:

TABLE 2-20 Allowed Land Uses and Permit Requirements for Limited Light Industrial (-LIL) District	P	Permitted Use, Zoning Clearance required		
	MUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	See Specific Use Regulations for permit requirement		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED			Specific Use Regulations

ATM	P	20-42.044
Bank, financial services	—	
Business support service	P	
Medical service—Clinic, urgent care	MUP	
Medical service—Doctor office	—	
Medical service—Health care facility	MUP	20-42.060

Medical service--Lab	P	
Medical service—Veterinary clinic, animal hospital	P	
Office—Accessory	P	
Office—Business/service	—	

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

Section 7. Amend Zoning Code Section 20-26.020 (Purposes of Special Purpose Districts) Subsection (C) to read as follows:

“C. PI (Public and Institutional) district. The PI zoning district is applied to areas appropriate for public facilities, utilities, hospitals, and public assembly facilities including: public schools, libraries, government offices, etc. The PI zoning district is consistent with and implements the Public/Institutional land use designation of the General Plan.”

Section 8. Amend Zoning Code Section 20-70.020 (Definitions of Specialized Terms and Phrases) to delete all definitions starting with “Medical Service-Clinic, Lab, Doctors Office, Urgent Care” through “Medical Service-Veterinary Clinic, Animal Hospital” and replace in full to read as follows:

“Medical Service - Clinic, Urgent Care. A facility other than a hospital, where medical, mental health, surgical and other personal health services are provided exclusively on an outpatient basis by a group of physicians working in cooperation and sharing the same facilities. Typically operates beyond standard medical office hours and may provide emergency treatment. May include educational aspects such as medical instruction and/or training as well as house a lab, radiology, pharmacy, rehabilitation, and other similar services as accessory uses. Does not include hospitals. Counseling services by other than medical doctors or psychiatrists are included under “Offices—Professional.”

Medical Service - Doctor Office. A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, by primary practitioners and or medical specialists by appointment (for example, chiropractors, dentists, medical doctors, optometrists, prescription opticians, psychiatrists, etc.). May include a lab, radiology, pharmacy, rehabilitation, and other similar services as accessory uses. Counseling services by other than medical doctors or psychiatrists are included under “Offices - Professional.”

Medical Service - Health Care Facility. A facility, place, or building other than a hospital, which is maintained and operated as a residence for patients and to provide long term medical care. Includes nursing homes, intermediate care facilities, extended care facilities, hospice homes and similar facilities which are licensed by the California State Department of Health Services, and defined in Health and Safety Code Section 1200 et seq. May include a lab, radiology, pharmacy, rehabilitation, and other similar services as accessory uses.

Medical Service - Hospital. Hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, accessory retail uses and emergency heliports (see the separate definition of “Accessory Retail Uses”).

Medical Service - Lab. A facility intended for the examination of clinical specimens for the purpose of providing information such as diagnosis, prognosis, prevention, or treatment of disease to improve the health of a patient.

Examples of these uses include:

- dental laboratories (crown and denture manufacturing, etc.)
- medical laboratories (blood and tissue testing, x-ray, CT scanning, etc., but not research (see “Laboratory”))
- reference laboratories

Medical Service - Veterinary Clinic, Animal Hospital. Office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. May include a lab, radiology, pharmacy, rehabilitation, temporary boarding of sick animals, and other similar services as accessory uses. See also “Kennel.” ”

Section 9. Environmental Determination. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and the proposed zoning code text amendments have been found consistent with the land uses envisioned by the City’s General Plan designations, therefore, pursuant to CEQA Guidelines Section 15183, the proposed regulations are consistent with General Plan policies, including but not limited to: 1) Maintain vibrant, convenient and attractive commercial centers; 2) Providing a range of commercial services that are easily accessible and attractive, that satisfies the needs of people who live and work in Santa Rosa and that also attract a regional clientele, and 3) Maintain an adequate supply of employment centers in a variety of locations and settings to ensure the city’s continued economic vitality.

Furthermore, a program EIR was certified for the 2035 General Plan Update (November 3, 2009, SCH No. 2008092114) and staff has determined based on current review that any potential impacts of this project were previously and adequately assessed under this document and staff has further determined, consistent with the application of CEQA Section 15183, 1) there are no effects peculiar to this project that were not addressed in the General Plan EIR, 2) there are no effects which were not previously analyzed as significant effects, 3) there are no potentially significant cumulative or off-site effects, and 4) there are no previously identified significant effects, which as a result of substantial new information, are determined to have more severe impacts. Furthermore, any potential indirect secondary impacts of the proposed zoning amendments on the physical environment are speculative and are not reasonably foreseeable, and are therefore, not subject to review under CEQA.

Section 10. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 11. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

IN COUNCIL DULY PASSED AND ADOPTED this ____day of_____, 2012.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney