

## ORDINANCE NO. 17-0028

### AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING MUNICIPAL CODE SECTIONS 10.08.040, 10.08.050, AND 10.64.030, RELATED TO URGENT CARE OFFICES

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH DOES ORDAIN AS FOLLOWS:

SECTION 1. On October 11, 2017, the Planning Commission conducted a duly noticed public hearing and adopted Resolution No. 17-08 recommending that the City Council adopt the proposed Zoning Code Amendments to Title 10 to refine medical-related land use classifications and the off-street parking requirements for Urgent Care Offices.

SECTION 2. On December 5, 2017, the City Council held a duly noticed public hearing regarding the proposed Zoning Code Amendments, and following receipt of all public testimony, closed the public hearing.

SECTION 3. The proposed Zoning Code Amendments are consistent with the following General Plan Goals and Policies:

Land Use Element Goal LU-6: Maintain the viability of the commercial areas of Manhattan Beach.

Land Use Element Goal LU-8: Maintain Sepulveda Boulevard, Rosecrans Avenue, and the commercial areas of Manhattan Village as regional-serving commercial districts.

SECTION 4. The proposed Amendments have been prepared in accordance with the provisions of Title 7, Division 4, Section 65853, et seq., of the State of California Government Code.

SECTION 5. Subsection E of Municipal Code Section 10.08.040 is hereby amended to read as follows, with all other portions of Municipal Code Section 10.08.040 remaining in effect without amendment:

“E. **Emergency Health Care Facility.** Facilities providing emergency medical service with no provision for continuing care on an inpatient basis. Emergency Health Care facilities are part of the emergency medical services system as defined by California Health and Safety Code.”

SECTION 6. Subsection I of Municipal Code Section 10.08.040 is hereby amended to read as follows, with all other portions of Municipal Code Section 10.08.040 remaining in effect without amendment:

“I. **Hospitals.** Facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons, primarily on an inpatient basis

where patients may be admitted for a 24-hour stay or longer. This classification includes incidental facilities for out-patient treatment, as well as training, research, and administrative services for patients and employees.”

**SECTION 7.** Subsection S of Municipal Code Section 10.08.050 is hereby amended to read as follows, with all other portions of Municipal Code Section 10.08.050 remaining in effect without amendment:

**“S. Offices, Business and Professional.** Offices of firms or organizations providing professional, executive, management, or administrative services, such as architectural, engineering, graphic design, interior design, real estate, insurance, investment, legal, veterinary, and medical/dental offices, including, but not necessarily limited to: licensed or certified physicians, psychologists, psychiatrists, chiropractors, and massage, acupuncture, and acupressure therapists. Urgent care facilities that may be open beyond traditional office hours and that provide patients medical services for non-life threatening conditions usually without an appointment and without an overnight stay shall be considered a medical office. These classifications include medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.”

**SECTION 8.** The Table in Municipal Code Section 10.64.030 is hereby amended to add a new row between the rows entitled “Offices, Medical and Dental” and “Pawn Shops” to read as follows, with all other portions of Municipal Code Section 10.64.030 remaining in effect without amendment:

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Offices, Medical Urgent Care	1 per 200 sq. ft.	1
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**SECTION 9. CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION.**

The City Council determines that this ordinance is exempt from environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “CEQA Guidelines”). It can be seen with certainty that there is no possibility that the adoption of this Ordinance, and the regulations established hereby, may have a significant effect on the environment. In addition, the action taken herein is not a “project” within the meaning of CEQA.

**SECTION 10. INTERNAL CONSISTENCY.** Any provisions of the Municipal Code, or any other resolution or ordinance of the City, to the extent that they are inconsistent with this Ordinance are hereby repealed, and the City Clerk shall make any necessary changes to the Municipal Code for internal consistency.

**SECTION 11. SEVERABILITY.** If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such

invalidity will not affect the effectiveness of the remaining provisions or their application and, to this end, the provisions of this Ordinance are severable.

SECTION 12. SAVINGS CLAUSE. Neither the adoption of this Ordinance nor the repeal or amendment by this Ordinance of any ordinance or part or portion of any ordinance previously in effect in the City, or within the territory comprising the City, shall waiver of any license, fee or penalty or the penal provisions applicable to any violation of such ordinance

SECTION 13. CERTIFICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.

SECTION 14. EFFECTIVE DATE. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

ADOPTED on December 19, 2017

AYES:  
NOES:  
ABSENT:  
ABSTAIN

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AMY HOWORTH  
Mayor

ATTEST:

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LIZA TAMURA  
City Clerk