



## Legislation Text

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**File #:** 17-0470, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Anne McIntosh, Community Development Director

Laurie Jester, Planning Manager

Ted Faturos, Assistant Planner

**SUBJECT:**

Conduct Public Hearing for Consideration of Amendments to the Municipal Code and Local Coastal Program (LCP) Related to Urgent Care Medical Uses (Community Development Director McIntosh).

**CONDUCT PUBLIC HEARING AND INTRODUCE ORDINANCE NOS. 17-0028 AND 17-0029**

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**RECOMMENDATION:**

Staff recommends that after conducting the public hearing, the City Council introduce Ordinance No. ORD 17-0028 (Attachment 1) amending the Manhattan Beach Municipal Code and Ordinance No. ORD 17-0029 (Attachment 2) amending the Local Coastal Program (LCP) to address the urgent care land use.

**FISCAL IMPLICATIONS:**

There are no direct fiscal impacts as a result of the adoption of the Municipal Code and Local Coastal Program Amendments.

**BACKGROUND/DISCUSSION:**

On November 15, 2016 the City Council directed staff to research and gather data on the Urgent Care land use after hearing concerns from some residents regarding a new Exer Urgent Care at 3215 North Sepulveda Boulevard. Since then, the City Council has passed an Interim Zoning Ordinance (IZO) that requires any new Health Care facilities along Sepulveda Boulevard acquire a Use Permit (Ordinance No. 17-0020-U Attachment 3).

On September 13, 2017, the Planning Commission held a public hearing on the urgent care land use. Staff attempted to define the urgent care use and presented research on a range of potential neighbor impacts that some claim would accompany an urgent care office. Staff presented research showing little if any threat of increased impacts when compared to a traditional medical office use, specifically discussing ambulance noise, potential loitering drug addicts, extended hours, parking, traffic, and laboratories. The Planning Commission discussed how to classify the urgent care land use, concluded that urgent care seems to be a land use most similar to medical office, asked staff to return with more research, and continued the public hearing to the October 11, 2017 meeting.

At the October 11, 2017 meeting, the Planning Commission reviewed additional information provided by Staff regarding specific questions the Commission asked Staff to review, including how Pasadena regulates the urgent care use, the difference between emergency rooms and doctors' offices, how the City's parking requirements for medical office uses compare to the latest recommendations from traffic professionals, and the defining characteristics of the urgent care land use. The Planning Commission, agreeing with staff, concluded that the urgent care office use does not have any greater land use impacts than many family doctors' offices. Although staff had identified some broad characteristics associated with urgent care offices, the Planning Commission felt that these traits did not have any real or significant adverse impact to the health and safety of the community and thus do not justify a higher level of scrutiny from the code or a new regulatory framework to oversee the urgent care office use.

The Planning Commission unanimously recommended to the City Council (Attachment 4- Planning Commission Resolution PC 17-08) that small modifications be made to the code and LCP that incorporates the urgent care office use into the definition of office- business and professional land use while also strengthening the definitions of the hospital use and emergency health care use to draw a sharper distinction between the three uses. The Planning Commission also recommended creating a distinct parking requirement for the urgent care office use that matches the parking requirement for medical office uses.

#### **POLICY ALTERNATIVES:**

The City Council can choose to take no action on this issue, or can direct staff to amend the draft ordinance to address urgent care uses in a different way.

#### **PUBLIC OUTREACH/INTEREST:**

A ¼ page display ad public notice for the proposed MBMC and LCP Code Amendments was published in the Beach Reporter newspaper on November 23, 2017, in compliance with state and local law and mailed to the California Coastal Commission. Interested parties, including residents and urgent care office administrators, were also emailed. The draft MBMC and LCP Amendments, including the staff report and attachments, have been made available at the Manhattan Beach County Library, the Police Department and at the Community Development Department. The staff report and attachments are also posted on the City's website

#### **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act ("CEQA"), the Community Development Department has determined that amendments to the Municipal Code and Local Coastal Program that address the urgent care land use are exempt from the requirements of CEQA and the City's CEQA Guidelines pursuant to CEQA Guidelines Section 15061(b)(3).

#### **LEGAL REVIEW**

The City Attorney has approved as to form the ordinances.

#### **CONCLUSION**

Staff recommends that the City Council introduce Ordinance No. ORD 17-0028 approving amendments to the Manhattan Beach Municipal Code and Ordinance No. ORD 17-0029 approving amendments to the Local Coastal Program (LCP) to address the urgent care land use

**Attachments:**

1. Draft Ordinance No. 17-0028
2. Draft Ordinance No. 17-0029
3. Urgency Ordinance No. 17-0020-U
4. Planning Commission Resolution No. PC 17-08
5. Current MBMC Sections 10.08.040, 10.08.050, 10.64.030
6. Planning Commission Staff Report and Attachments - October 11, 2017
7. Planning Commission Staff Report and Attachments - September 13, 2017
8. Planning Commission Minutes - October 11, 2017
9. Planning Commission Minutes - September 13, 2017