



Jesse Arreguín
City Councilmember, District 4

ACTION CALENDAR

July 12, 2016

(Continued from June 28, 2016)

To: Honorable Mayor and Members of the City Council
From: Councilmember Jesse Arreguín
Subject: Referral to Planning Commission: Community Hospital Zoning Overlay

RECOMMENDATION:

Refer to the Planning Commission the creation of an overlay zone for the area bounded by Ashby Avenue to the north, Colby Street to the west, Hospital Drive to the south, and Regent Street to the east (see attached map) to maintain existing community hospital uses. The overlay zone would supersede the uses permitted in the underlying zoning districts.

The only permissible uses in the Community Hospital Overlay Zone would be:

Hospital: *A facility for in-patient medical care, which is licensed under the provisions of the California Administrative Code, Title [17](#), Section 237 or 238 or amendments thereto.*

Medical Practitioner Office: *Clinics or offices for doctors, dentists, chiropractors, optometrists, osteopaths, chiropodists or similar practitioners of the traditional healing arts, as well as practitioners of a non-traditional nature, including, but not limited to, acupuncturists, herbalists, nutritionists, midwives, reflexologists, iridologists, physical therapists, bodyworkers, but not including offices for veterinarians or opticians.*

BACKGROUND:

Berkeley's geographic location along a fault line makes it vulnerable to a major earthquake. The United States Geological Survey calculated that there is a 63 percent chance that a 6.7 magnitude earthquake will strike the Bay Area by 2038, and a 31 percent chance that that earthquake will occur on the Hayward/Rogers Creek Fault system, which runs directly through Berkeley. In addition, Berkeley is susceptible to wildland-urban interface fires as occurred in the 1991 Oakland-Berkeley Hills Fire. There are also a number of other natural and manmade hazards of concern which may affect the safety of our residents.

In order to prepare our community in the event of a natural or manmade disaster, the City has adopted numerous plans and policies to guide emergency preparedness

efforts. Policy 1 from the Berkeley General Plan Disaster Preparedness and Safety Element states:

“Establish and maintain an effective emergency response program that anticipates the potential for disasters, maintain continuity of life-support functions during an emergency, and institutes community-based disaster response planning, involving businesses, non-governmental organizations and neighborhoods.”

The City of Berkeley has also adopted plans which set goals to prevent the loss of life and injury due to hazards. Two key goals from 2014 Local Hazard Mitigation Plan stated:

- A. *Reduce the potential for loss of life, injury and economic damage to Berkeley residents and businesses from earthquakes, wildfires, landslides, floods, tsunamis, climate change, and their secondary impacts.*
- B. *Encourage mitigation activities to increase the disaster resilience of institutions, private companies and lifeline systems that are essential to Berkeley’s functioning.*

Central to protecting our residents against the loss of life or injury is an effective emergency care system. Currently there is only one emergency room in the City of Berkeley at Alta Bates Summit Medical Center, Alta Bates Campus. Recently the Sutter Corporation announced its plans to close the Alta Bates Campus by 2030. This move could leave hundreds of thousands of residents in the City of Berkeley and throughout the East Bay region without an emergency room for miles. Berkeley must prevent against the loss of emergency and acute care for our residents. This is critical not only to the ongoing health and welfare of residents, but to our disaster response efforts. Berkeley leaders have an obligation to protect the health, safety, and welfare of our residents. To that end, creation of a Community Hospital Overlay is an appropriate use of the city’s police powers.

A proposed Community Hospital Overlay could ensure that the future use of the Alta Bates property continues to provide emergency and medical care services for the Berkeley community.

FINANCIAL IMPLICATIONS:

Staff time to analyze proposal and present recommendations to Planning Commission.

CONTACT PERSON:

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- 1. Map of Proposed Overlay Zone
- 2. Map of Current Zoning Designations