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COMMUNITY DEVELOPMENT DEPARTMENT

## **NOTICE TO THE PUBLIC**

July 13, 2021

To Whom It May Concern:

The Beloit Plan Commission and City Council are considering the attached Ordinance to create, amend, and repeal various sections of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit pertaining to medical facility uses.

The proposed Ordinance replaces “hospital” as a use category with a broader and more inclusive category known as “medical facility,” and clarifies that hospitals, medical clinics, ambulatory surgery centers, nursing homes, etc. are all examples of medical facilities to be allowed in the same list of zoning districts. For clarity, the proposed Ordinance defines the following examples of medical facilities: hospice facility, hospital, nursing home, and ambulatory surgery center. Since they are included in the medical facility category, the proposed ordinance removes “emergency medical care” as an example of retail service and “medical and dental clinics” as examples of office uses. The proposed Ordinance also amends the group living sections of the Zoning Ordinance and makes numerous minor technical corrections.

The following public hearings will be held regarding this proposed Ordinance:

**City Plan Commission:** Wednesday, August 4, 2021, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Monday, August 16, 2021, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**We are interested in your opinion.\***

**\*Due to the COVID-19 crisis, members of the public are highly encouraged to provide oral or written comments to the Commission and City Council via alternative means. You may mail your comments to the Planning Division at 100 State Street or via email to [planning@beloitwi.gov](mailto:planning@beloitwi.gov). You may also call (608) 364-6700 to provide your comments over the phone. In-person attendance at Commission and Council meetings may be limited.**

**ORDINANCE NO. 3719**

**AN ORDINANCE TO CREATE, AMEND AND REPEAL VARIOUS SECTIONS OF CHAPTER 19 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO ZONING OF MEDICAL FACILITY USES**

**The City Council of the City of Beloit, Rock County, Wisconsin do ordain as follows:**

**Section 1.** Section 5-101 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“5-101 DESCRIPTION. Although large public and institutional uses are intended to be zoned "PLI," some public and quasi-public uses are allowed within residential, commercial and industrial zoning districts. The PLI, Public Lands and Institutions district is a special purpose district that is intended to accommodate major public and quasi-public uses.”

**Section 2.** Section 5-102 a.8. of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“8. Public and nonprofit quasi-public institutions, such as colleges, elementary, middle and senior high schools, and hospitals, ~~sanitariums, and nursing homes.~~”

**Section 3.** Table 6.1-1 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to include the following amendment under *Institutional and Civic Use Categories*:

Use Category	Specific Use Type	Residential					Commercial					Mfg.		Conditions
		R 1 A	R 1 B	R 2	R 3	R 4	C 1	C 2	C 3	C B 1	C B 2	M 1	M 2	
<i>Institutional and Civic Use Categories</i>														
<del>Hospital</del> Medical Facility		<del>C</del>	<del>C</del>	<del>C</del>	C	C	C	P	P	<del>P</del> <u>C</u>	P	-	-	

**Section 4.** Section 6.2.12 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“6.2.12 RETAIL SALES/SERVICE (PERSONAL SERVICE-ORIENTED). In the C-1 district, the permitted Personal Service-Oriented uses shall be limited to those listed as examples in Section 11.2.5.e.3(b). The following uses shall be expressly prohibited: ~~emergency medical care,~~ veterinarian clinics, animal hospitals, animal grooming, and kennels.”

**Section 5.** Section 11.2.3.a of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“a. Group Living.

1. *Characteristics.* Group Living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of Household Living. The size of the group may be larger than the average size of a family. Tenancy is arranged on a monthly or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are generally considered to be a form of transient lodging (see the Retail Sales/Service and Community Service categories). Generally, Group Living structures have a common eating area for residents. The residents may receive limited care, training, or treatment, ~~as long as the care givers also reside at the site.~~
2. *Typical Accessory Uses.* Accessory uses commonly associated with Group Living are recreational facilities and parking of vehicles for occupants and staff.
3. *Examples.* Examples of Group Living include dormitories; fraternities and sororities; monasteries and convents; ~~nursing and convalescent homes; community living arrangements;~~ some group homes for the physically or developmentally disabled or for individuals diagnosed with a mental illness, mentally retarded, or emotionally disturbed; some residential programs for drug and alcohol treatment; alternative or post incarceration facilities.
4. *Exceptions.* Except in nursing homes and hospice facilities, ~~L~~odging where tenancy may be arranged for periods of less than 30 days is to be considered a hotel or motel use and classified in the Retail Sales/Service category. Lodging where the residents meet the definition of "family" and where tenancy is arranged on a month-to-month basis, or for a longer period is classified as Household Living. Facilities for people who are under judicial detainment and under the supervision of sworn officers are included in the Detention Facilities category.”

**Section 6.** Section 11.2.4.d of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

"d. Hospitals~~Medical Facility~~.

1. *Characteristics.* ~~Medical Facility Hospitals include~~ uses ~~providing~~provide medical, dental, or vision examinations, care, treatment, or laboratory services; ~~or~~ surgical care; physical therapy or rehabilitation services; palliative and supportive care for individuals with terminal illnesses; services for the donation of blood or plasma for use in medical or other products to patients and offering overnight care.
2. *Accessory Uses.* Accessory uses include ~~outpatient clinics,~~ offices, ~~laboratories,~~ meeting areas, cafeterias, parking, maintenance facilities and housing facilities for staff or trainees.
3. *Examples.* Examples include ~~medical centers and~~ hospitals, medical, dental or vision clinics or laboratories, emergency medical clinics, ambulatory surgery centers, nursing homes, blood or plasma donation facilities, and hospice facilities.
4. *Exceptions.* Uses that provide exclusive care and planned treatment or training for psychiatric, alcohol, or drug problems, where patients are residents of the program, are classified in the Group Living category. ~~Medical clinics or offices that provide care where patients are generally not kept overnight are classified as Offices. Emergency medical clinics are classified as Retail Sales/Service."~~

**Section 7.** Section 11.2.5.b of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

b. Office

1. *Characteristics.* Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, ~~medical,~~ or financial services.
2. *Accessory Uses.* Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. *Examples.* Examples include professional services such as architects, lawyers, accountants, or engineers; financial businesses such as lenders, brokerage houses, bank headquarters, or real estate agents; data processing; sales offices; government offices and public utility offices; TV and radio studios; ~~medical and dental clinics, medical and dental labs; and blood collection facilities.~~
4. *Exceptions.* Offices that are part of and located with a principal use in another category are considered accessory to the firm's primary activity. Headquarters

offices, when in conjunction with or adjacent to a principal use in another category, are considered part of the other category. Contractors and others who perform services off-site are included in the Office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.”

**Section 8.** Section 11.2.5.e.3(b) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“(b) Personal Service-Oriented. Branch banks; restaurants, cafes, delicatessens, ~~emergency medical care~~; laundromats; photographic studios; photocopy and blueprint services; hair, tanning and personal care services; business, vocational, martial arts and other trade schools; dance or music classes; taxidermists; employment agencies; mortuaries; veterinarians; and animal grooming. Other examples include custom dressmaking; undertaking establishments and funeral parlors; currency exchanges; animal hospitals; barber or beauty shops; clothes pressing establishments; tailor shops; and restricted production and repair limited to: art, needlework, jewelry, watches, and optical lenses.”

**Section 9.** Section 11.3.13.5 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby created to read as follows:

“11.3.13.5 AMBULATORY SURGERY CENTER. A distinct entity that operates exclusively for the purpose of providing surgical services to patients not requiring hospitalization and in which the expected duration of services would not exceed 24 hours following an admission.”

**Section 10.** Section 11.3.45 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“11.3.45 COMMUNITY LIVING ARRANGEMENT (“CLA”). Any of the following facilities licensed or operated or permitted under the authority of the ~~S~~state ~~D~~department of ~~H~~health ~~and Social S~~services or the state department of children and families; child welfare agencies under §48.60, Wis. Stats.; group homes for children under §48.02(7), Wis. Stats.; a foster family home or adult family home under §50.01(1), Wis. Stats.; residential care apartment complexes under §50.01(6d), Wis. Stats.; and community-based residential facilities under §50.01(1)(g), Wis. Stats. Such facilities are further classified as follows:

- a. Class I Facility. A CLA that has capacity for 8 or fewer persons being served by the program.
- b. Class II Facility. A CLA which has capacity for 9—15 individuals being served by the program.

- c. Class III Facility. A CLA, which has a capacity for serving 16, or more persons.”

**Section 11.** Section 11.3.106.5 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby created to read as follows:

“11.3.106.5 HOSPICE FACILITY. A facility licensed by the state department of health services that primarily provides palliative and supportive care and a place of residence to individuals with terminal illness and provides or arranges for short-term inpatient care as needed.”

**Section 12.** Section 11.3.106.7 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby created to read as follows:

“11.3.106.7 HOSPITAL. An institution, licensed by the state department of health services, providing primary health services and medical or surgical care to persons, primarily in-patients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.”

**Section 13.** Section 11.3.155 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby created to read as follows:

“11.3.155 NURSING HOME. A facility licensed by the state department of health services that provides 24-hour access to limited, intermediate level, and skilled nursing care, rehabilitation, and other services for the chronically ill and for patients who require access to such services while convalescing or recuperating from an illness or medical procedure or treatment.”

**Section 14.** Section 11.3.182 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby repealed.

**Section 15.** If any section, clause, provision or portion of this ordinance is judged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall remain in force and not be affected by such judgment.

**Section 16.** This ordinance shall be in force and take effect upon passage and publication.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY COUNCIL FOR THE CITY OF БЕЛОIT**

By: \_\_\_\_\_  
Clinton Anderson, President

**ATTEST:**

By: \_\_\_\_\_  
Lorena Rae Stottler, City Clerk-Treasurer

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

01-611100-5231- \_\_\_\_\_

Ch. 19 Medical Facilities = ORD 20210708 (21-1128)