



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 2/3/2010

Agenda Placement: 9A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Melissa Gray for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: John McDowell, Deputy Director - 299-1354
SUBJECT: Piner's Ambulance Use Permit P09-00536-UP

RECOMMENDATION

PINER'S AMBULANCE SERVICE / GARY AND JEREMY PINER - DENNIS AND KAREN VEIEN – USE PERMIT REQUEST (#P09-00536-UP)

CEQA Status: Categorically Exempt pursuant to Section 15303 Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15303.

Request: Approval of a Use Permit to establish ambulance dispatch from one of two existing residences located at 2020 Imola Avenue. Rotating two person crews will occupy the smaller of the two residences on the property on a 24 hour, 7 days a week basis while awaiting service calls. The residence will be used for sleeping, bathing, eating, cooking of meals and leisure activities between service calls. It is anticipated that 7 to 10 service calls will occur during a 24 period of time. One ambulance will be parked on site behind the existing gated driveway located between the two residences. Use of the ambulance siren will not occur until the ambulance is approximately 500 ft. from the property. The project will replace the existing ambulance dispatch substation located in a residence at 2002 Imola Avenue on Napa State Hospital property approximately 400 ft. west of this currently proposed location. The currently proposed location is an approximately .47 acre parcel on the north side Imola Avenue approximately 550 feet east of its intersection with Shurtleff Ave. within an RS:UR (Residential Single Family:Urban Reserve) zoning district. (Assessor's Parcel #: 046-311-012) (Site address: 2020 Imola Avenue, Napa).

Staff Recommendation: Find the project Categorically Exempt from CEQA and approve the Use Permit proposed conditions of approval.

Staff Contact: John McDowell 299-1354 or jmcdowell@co.napa.ca.us

EXECUTIVE SUMMARY

Proposed Action:

That the Planning Commission:

1. Finds the project Categorically Exempt from the provisions of CEQA as set forth in finding 1 of Exhibit A;
2. Approves Use Permit #P09-00536-UP for Piner's Ambulance Service based on findings 2-9 of Exhibit A and subject to the attached Conditions of Approval (Exhibit B); and,

Discussion:

The applicant requests approval of a Use Permit to establish an ambulance service substation from one of two existing residences on a property located at 2020 Imola Avenue. Currently, Piner's Ambulance uses a similar residence located at 2002 Imola Avenue, on the grounds of Napa State Hospital and located approximately 400 ft. west of the currently proposed site. Piner's has indicated that they will no longer be able to use the 2002 Imola Avenue residence, and are desirous of maintaining a dispatch substation in this general locale. The County and City have no record of issues with their current operation, and the applicant is proposing to operate the new location in the same fashion as the existing location. Sirens will not be turned on until the ambulance is at least 500 ft. away from the property.

The substation will be occupied by rotating 2-person crews serving 48-hour shifts. This facility will operate 24 hours a day and 7 days a week. Crew members will "reside" in the living quarters during their shifts and deploy as necessary when service calls come in. It is anticipated that 7 to 10 service calls will happen during a typical 24 hour period and consist of both emergency and non-emergency events. Sirens are not used for non-emergency events. The applicant has agreed to conditions of approval concerning parking of the ambulance and use of the siren.

Staff is generally supportive of the proposal, but that support is qualified as it is unknown if there is any neighborhood support for the proposal. Ambulance services do have the potential to negatively impact a neighborhood. However, there is no record of complaints occurring from Piner's existing nearby location, so it is possible that neighbors can support the new location. As of the writing of this staff report, the applicant has not indicated that they have performed any neighborhood outreach.

Since the site is located within the Rural Urban Limit (RUL) line of the City of Napa, and zoned with Urban Reserve (:UR) combination zoning, there are special findings required in order to allow this use without requiring prior annexation to the City. Staff has general concerns about the proposal being consistent with these required findings.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Categorically Exempt pursuant to Section 15303 Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15303.

BACKGROUND AND DISCUSSION

Current Owner: Dennis and Karen Veien

Applicant: Gary and Jeremy Piner (in contract to purchase subject property)

Representative (Project Manager): Stewart Slipiec

Zoning: RS:UR - Residential Single: Urban Reserve

General Plan Designation: Rural Residential

Filed: December 16, 2009 **Determined Completed:** January 25, 2010

Property Use: Existing - two residential units
Approximately 1,305 sq. ft. primary dwelling unit
Approximately 685 sq. ft. secondary dwelling unit
Approximately 1,390 sq. ft. garage and shop accessory building in rear of lot

Proposed - convert secondary dwelling unit to crew member living quarters, with no changes to primary dwelling unit and other portions of the property except to trim landscaping to improve visibility from the driveway.

Number of Employees On site: 2 person crews rotating on 48 hour shifts

Days and Hours of Operation: 24 hours a day, seven days a week.

Parking: 6 parking spaces (outside of garage), 2 proposed for crew members vehicles, 1 proposed for ambulance to be located behind an existing gate located between the two residences.

Adjacent Zoning / Land Use:

North

RS:UR - Residential Single: Urban Reserve - several unincorporated single family home lots bordering existing subdivision within City of Napa

South

PD - Planned Development - Napa State Hospital grounds

East

RS:UR - Residential Single: Urban Reserve - vacant lot adjoining with unincorporated single family home lots and City subdivision lots beyond

West

RS:UR - Residential Single: Urban Reserve - several unincorporated single family home lots adjacent with an existing incorporated apartment complex beyond

Property History:

Date Unknown

The age of the two existing dwelling units on the site are not documented in the Planning and Building Division's records. Aerial photographs indicate that dwelling units existed on the property dating back to 1940 but those building footprints do not appear to match with the current building footprints and it is assumed that they were reconstructed at some point between 1940 and 1975 based on aerial photographs.

2003

The County reissued a year 2000 building permit for the detached accessory garage to the current property owner which is located on the rear portion of the site.

Late 2009

The project applicant entered into escrow to purchase the subject property contingent upon approval to operate the requested ambulance service. The applicant has indicated that they will no longer be permitted to operate from their current location at 2002 Imola Avenue, which is an older single family home owned by Napa State Hospital, and located on Hospital property approximately 400 west of current subject property.

Code Compliance History:

Based on a review of the County Planning and Building files, there have been no complaints or code compliance issues filed against this property.

In addition, the County and City of Napa Community Development Department have no record of complaints concerning operation of the ambulance service from its current location at 2002 Imola Avenue located approximately 400 ft. west of the currently proposed site.

Discussion Points:

I. Neighborhood Compatibility

Staff from the City and County are concerned that ambulances dispatching from a residential neighborhood could have negative effects on the neighborhood, most notably from regularly sounding sirens. The applicant points out that they are currently operating from a residence located approximately 400 ft. away, which to date, City and County planning offices have not received any complaints on its operation. The applicant has stated that crews are instructed only to use sirens when necessary, and they do not turn the siren on until they are several blocks from the residence. As a condition of approval, the use permit would prohibit use of the siren within 500 ft. of the subject property, and encourages it not be used in the neighborhood unless necessary. Other neighborhood-related conditions proposed are that the ambulance be parked behind an existing gate while parked on the property, and that the ambulance not be left idling. As of the writing of this staff report, the applicant has not indicated whether they have done any outreach with surrounding neighbors.

II. Urban Reserve Annexation Requirement

The subject property lies within the Rural Urban Limit (RUL) for the City of Napa, which was adopted in the mid-1970's. In concert with the adoption of the boundary, the County created the Urban Reserve Combination Zoning District that established requirements supporting the policies and objectives set forth in RUL. To summarize these regulations, the City and County essentially mandate annexation of property within the RUL into the City of Napa prior to "new development" occurring.

Urban Reserve Section 18.100.030.A.1 of County Code requires that three specific findings be made in order for the County to grant a use permit within the Urban Reserve. The first finding requires the project to be consistent with the City General Plan and Zoning. The second finding requires the applicant to have reasonably attempted annexation to the City and been denied within one year of the use permit being filed with the County. The third finding requires the County to determine that no other reasonable use of the land exists should the proposed use

requiring a use permit be prohibited.

Exhibit A, attached, contains a detailed analysis of each finding. Staff believe the findings can be met as briefly summarized below:

1. City General Plan / Zoning Consistency - The City of Napa Planning Staff have reviewed the application and provided the attached January 26, 2010 letter indicating project consistency. The City will assume regulatory authority over the use permit upon future annexation. The City has reviewed and commented that the draft conditions of approval meet their requirements.
2. Annexation Denial - The City of Napa has directed the applicant to not proceed with annexation at this time, but mandates that the applicant be willing to agree to annexation at such point in the future when the City proceeds with annexation of the surrounding properties. Given that this is a quasi-public use supporting emergency services in the area, City Staff did not wish to subject to project to the lengthy and involved annexation process. Annexation can often take up to a year to complete.
3. No Other Reasonable Use - The site currently contains a single family residence and a second unit. The second unit will be used as the living quarters for the ambulance crew members. It will essentially continue to be used in a residential manner. In the event that ambulance service dispatch is discontinued from the site, the second unit will return to exclusive residential use. Therefore, for the purpose of this finding, the reasonable existing residential use of the property will not be altered as a result of this use permit.

III. Public Service Contract Required:

Napa County Code Section 18.120.010.B.9 allows "public" and "quasi-public" uses upon issuance of a use permit on land within any zoning district. In order to approve this use permit, the Commission must determine that the ambulance service qualifies as a "public" or "quasi-public" use. Napa County Code Section 18.08.497 defines a "quasi-public use" as: "...a use serving the public at large, and operated by a private entity under a franchise or other similar governmental authorization designed to promote the interests of the general public or operated by a recognized civic organization for the benefit of the general public." Piner is currently under contractual obligation to provide ambulance services to both the City and County, and therefore the use qualifies as a quasi-public use. The proposed conditions of approval require the permittee to provide documentation that it continues to be under similar contractual obligation to provide ambulance services to both the City and County prior to commencing the use, and to provide an annual report documenting such quasi-public use. The conditions also mandate that the use be immediately discontinued and the use permit automatically terminates if the ambulance service provider is no longer in contract to provide a quasi-public service.

Consistency with Standards:

Building Division Requirements

The Building Division has no comments on the proposal, and does not consider the change in use to living quarters as triggering any Uniform Building Code improvements.

Fire Department Requirements

The Fire Department requires fire alarms to be installed and supports the use as noted in their attached comments.

Public Works Department Requirements

The Public Works Department has reviewed the driveway location and is requiring landscaping to be trimmed back to improve site distance requirements.

Environmental Management Department Requirements

The Department has no comments on the proposal due to the property already being connected to City water and Napa Sanitation District sewer.

Sheriff's Department Requirements

The Sheriff's Department has reviewed this application and has no comments.

SUPPORTING DOCUMENTS

- A . Exhibit A - Findings
- B . Exhibit B - Proposed Conditions of Approval
- C . County Fire Marshal Memo
- D . City of Napa January 26, 2009 Memo
- E . Application Submittal Materials
- F . Project Graphics

Napa County Planning Commission: Approve

Reviewed By: Melissa Gray