Minutes
Zoning Administrator Meeting
February 17, 2017

Staff Present
Kevin Thompson, Zoning Administrator
Cathy Elawadly, Planning/Building Technician/Recording Secretary

Others Present
Diane Rucker
Linda Myers
Bill Jereb
Chris Le Baudoux

1. CALL TO ORDER
Zoning Administrator Thompson called the meeting to order at 10:00 a.m. in Conference Room No. 1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

2. SITE VISIT VERIFICATION - Confirmed the site visit.

3. APPROVAL OF MINUTES – The minutes from the January 12, 2017 meeting are included for review and approval.

Zoning Administrator Thompson approved the January 12, 2017 minutes, as submitted.

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

5. APPEAL PROCESS
Zoning Administrator Thompson read the appeal process. For matters heard at this meeting the last day to appeal with the City Clerk is February 27, 2017 at 5:00 p.m.

6. VERIFICATION OF NOTICE – Confirmed by Staff.

7. PUBLIC HEARINGS
7A. Bill Jereb of Verihealth request for a Minor Use Permit at 168 Washington Avenue.
An application has been received from Falck Northern California Corporation dba Verihealth for a Minor Use Permit to allow an ambulance station to operate in a professional office building located at 168 Washington Avenue. The zoning is High Density Residential (R-3). APN 003-530-20. City File Number: Munis 2450-UP-ZA.

Planning/Building Technician Elawadly:
- Gave a staff report.
- Staff is recommending approval of the proposed project based on the draft Findings in attachment 1 of the staff report and subject to the draft Conditions of Approval in attachment 2 of the staff report.

PUBLIC HEARING OPENED: 10:03 a.m.

Bill Jereb, Applicant:
- Had no questions and/or comments regarding the staff report.
- Referenced Condition of Approval No. 1 from the Building Official and advised the ambulance service will operate 24-hours a day, seven days a week so an employee on that particular shift will have to rest at the facility and requested the aforementioned condition be amended to accommodate this need.
- Is fine with the draft Findings in attachment 1 and draft Conditions of Approval in attachment 2 with the exception of Condition of Approval No. 1 from the Building Official regarding sleeping overnight in the building.

Linda Myers, Property Owner:
- Confirmed no one will be living or sleeping overnight in the building.

**Chris Le Baudoux, CEO Verihealth:**
- Confirmed that during the daytime at 2:00 p.m. or so, an employee may need to take a nap to help him stay awake during the night so that he can perform his job adequately.

**PUBLIC HEARING CLOSED: 10:05 a.m.**

**Zoning Administrator Thompson:**
- Is fine with the draft Findings in attachment 1 of the staff report and draft conditions of approval in attachment 2 of the staff report with the exception of condition of approval no. 1 from the Building Official. He has consulted with the Building Official concerning overnight sleeping in the building and supports amending this condition to read, ‘There shall be no sleeping or living in the business office building at 168 Washington Avenue unless a permit is obtained from the City to convert a portion of the space to residential.’
- A sign permit is required if signage is to be added or replaced.
- Has visited the site.
- Is familiar with the proposed project.
- The proposed use will provide a valuable service to Ukiah.
- Supports approval of the proposed project.

**Zoning Administrator Thompson** approved Minor Use Permit for an office ambulance station to operate at 168 Washington Avenue. File No.: Munis 2450-UP-ZA based on the Findings in attachment 1 and subject to the Conditions of Approval in attachment 2 of the staff report as revised above.

8. **ADJOURNMENT**
There being no further business, the meeting was adjourned at 10:08 a.m.

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Cathy Elawadly, Recording Secretary

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**ATTACHMENT 1**

**FINAL USE PERMIT FINDINGS**

**FINAL USE PERMIT FINDINGS**
**TO ALLOW AN OFFICE AMBULANCE STATION**
**IN AN EXISTING 4,343 SQUARE FOOT COMMERCIAL BUILDING THAT WILL CONSIST OF**
**A LEASED SPACE OF 1,550 SQUARE FEET**
**WITHIN THE HIGH DENSITY RESIDENTIAL (R3) ZONING DISTRICT**
**168 WASHINGTON AVENUE, APN 003-530-20**
**FILE NO. 2450**

The following findings are supported by and based on information contained in this staff report, the application materials and documentation, and the public record.

1. The proposed project, as conditioned, is consistent with the goals and policies of the General Plan as described in Table 1 of the staff report.

2. The proposed project, as conditioned, is consistent with the Zoning Ordinance as described in Table 3 of the staff report.
3. The proposed project, as conditioned, is consistent with the purpose and applicable requirements of the (R3) High Density Residential zoning district based on the following:

   A. With an approved use permit the proposed project that includes Professional Office is a permitted use within the R3 High Density Residential zoning district.

   B. The proposed project meets the parking requirements of the zoning code in that 13 vehicle parking spaces and two ADA designated parking spaces are provided that exceed the parking requirements for the proposed Professional Office use.

4. The proposed project, as conditioned, is consistent with the Airport Compatibility requirements for the D zone based on the following:

   A. The proposed project would be a professional office use and would provide a 24-hour, 7 day a week emergency and non-emergency transport service. This use is consistent with the normally acceptable uses in the D zone with Use Permit approval.

   B. The D airport zone allows for a no limit maximum density.

   C. There is no open land requirement for the proposed project. No change or addition to the structure is proposed as part of this project; therefore, the open land available in the D zone will not change and the proposed project is consistent with this requirement.

5. The proposed project, as conditioned, is compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare based on the following:

   A. Surrounding uses to the project site include a variety of office, commercial, and residential uses all of which would be compatible with the proposed Professional Office Use.

   B. The proposed project site consists of a commercial professional office building complex having 4,343 square feet with a proposed lease space consisting of 1,550 square feet. The proposed leased space was formally occupied by a physical therapy business that closed in October 2016. The proposed project would not change or intensify the existing professional office use and would not negatively impact the commercial and multi-family residential uses in the surrounding neighborhood because the proposed use is low intensity and would not result in excessive noise and/or other potential nuisance impacts.

   C. The proposed professional office use would be less intensive than the Ford car dealership located to the east of the project and the various multi-family residential uses in the neighborhood.

   D. There are 13 existing onsite vehicle parking spaces and two ADA designated parking spaces. Six parking spaces are required for the proposed project. The proposed project is consistent with the City parking requirements for the R3 zoning district.

   E. The project has been reviewed by the Fire Marshal and Police Department with no comment. The Building Official and Public Works Department comments are attached.
F. The project is required to comply with all federal, state and local laws.

G. The proposed project will operate 24 hours, 7 days a week to provide emergency and non-emergency transport services.

H. Staff hours would be 24-hours, 7 days and will consist of 2 employees. Company policy requires the ambulance siren not to be turned on until the vehicle is out of the residential neighborhood mitigate potential noise impacts to the surrounding neighborhood.

I. The project promotes the public health, safety, and welfare by providing a new local business will provide emergency and non-emergency ambulance transport services.

The proposed project is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301, Existing Facilities, which allows additions to existing building and installation of replacement signage; and Section 15303 Class 3(c), Conversion of existing small structures from one use to another provided the building does not exceed 10,000 square feet based on the following.

- the building square footage is 4,343 and the leased space for the proposed project consists of 1,550 square feet.
- the business does not use large amounts of hazardous materials;
- the site is developed with existing buildings, public utilities and services already are available at the site and no expansion of the existing buildings are proposed as part of the project; and
- The location is not environmentally sensitive and no drainage courses or bodies of water (such as creeks or streams).

Notice of the proposed project was provided in the following manner as required by the Zoning Ordinance:

A. posted in three places on the project site on February 9, 2017;
B. mailed to property owners within 300 feet of the project site on February 8, 2017; and

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**FINAL CONDITIONS OF APPROVAL – USE PERMIT**

**ATTACHMENT 2**

**FINAL USE PERMIT CONDITIONS OF APPROVAL**

ALLOW AN OFFICE AMBULANCE STATION IN AN EXISTING 4,343 SQUARE FOOT COMMERCIAL BUILDING THAT WILL CONSIST OF A LEASED SPACE OF 1,550 SQUARE FEET WITHIN THE HIGH DENSITY RESIDENTIAL (R3) ZONING DISTRICT

168 WASHINGTON AVENUE, APN 003-530-20

FILE NO. 2450

1. Approval is granted for the operation of an ambulance station at 168 Washington Avenue based on the project description submitted to the Planning and Community Development Department and as shown on the Site Plan date stamped January 13, 2017 except as modified by the following conditions of approval.

2. This Use Permit is granted subject to the following operating characteristic:
A. Provide for one emergency ambulance at the 168 Washington Avenue location.
B. No ambulance siren shall be turned on until the vehicle is out of the residential neighborhood.
C. Days and hours of operation shall be 24-hour service, 7 days a week.
D. Each 24-hour shift will consist of two employees.
E. No vehicle maintenance will be performed on the site.
F. No hazardous materials or bio-hazard waste will be stored on the site.

3. The business is required to obtain a City of Ukiah business license.

4. Application for and approval of a Sign Permit from the Planning and Community Development Department is required prior to installation of any signage.

Standard City Conditions of Approval

5. Business operations shall not commence until all permits required for the approved use, including but not limited to business license, tenant improvement building permit, have been applied for and issued/finalized.

6. No permit or entitlement shall be deemed effective unless and until all fees and charges applicable to this application and these conditions of approval have been paid in full.

7. The property owner shall obtain and maintain any permit or approval required by law, regulation, specification or ordinance of the City of Ukiah and other Local, State, or Federal agencies as applicable. All construction shall comply with all fire, building, electric, plumbing, occupancy, and structural laws, regulations, and ordinances in effect at the time the Building Permit is approved and issued.

8. A copy of all conditions of this Use Permit shall be provided to and be binding upon any future purchaser, tenant, or other party of interest.

9. All conditions of approval that do not contain specific completion periods shall be completed prior to building permit final.

10. This Use Permit may be revoked through the City's revocation process if the approved project related to this Permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the effective date of this approval; or if the established use for which the permit was granted has ceased or has been suspended for 24 consecutive months.

11. This approval is contingent upon agreement of the applicant and property owner and their agents, successors and heirs to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.
From Building Official

1. There shall be no sleeping or living in the business office building at 168 Washington Avenue unless a permit is obtained from the City to convert a portion of the space to residential.

From Public Works Department

1. If the building permit value is equal to or greater than one-third of the value of the existing structure, the construction, repair or upgrade of curb, gutter, and sidewalk to meet current ADA standards, and addition of street trees, along the subject property street frontages, may be required, pursuant to Section 9181 of the Ukiah City Code.

2. If the building permit value of work exceeds $120,000 (amount adjusted annually), or the proposed improvements create the net addition of two or more plumbing fixture units to a building, the existing sanitary sewer lateral shall be tested in accordance with Ukiah Valley Sanitation District Ordinance No. 30, and repaired or replaced if required.

3. If applicable, Ukiah Valley Sanitation District sewer connection fees shall be paid at the time of building permit issuance.