



County of Yuba

Community Development & Services Agency

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Planning Department

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DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

MEETING DATE: September 01, 2022

TO: DEVELOPMENT REVIEW COMMITTEE

FROM: Vanessa Franken, Planner II

RE: ADMINISTRATIVE USE PERMIT AP 2021-0018 (Pham)

REQUEST: The applicant is requesting approval of an Administrative Use Permit to legally permit an affordable single-room occupancy housing facility that has been constructed within a converted church building.

RECOMMENDATION: Staff recommends that the Development Review Committee (DRC) make a determination that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15301(a) (*Existing Facilities*) subject to making the necessary findings and the conditions of approval contained herein (Attachment 2).

BACKGROUND/DISCUSSION: The applicant, Nick Pham, is requesting approval of this Administrative Use Permit to provide single-room occupancy housing for lower income residents. Per Development Code land use definition, the term Single-Room Occupancy (SRO) is defined as: “a residential rental facility containing individual secured rooms (residential unit) that have a minimum floor area of 120 square feet that may have individual or shared kitchen and/or bathroom facilities. SROs shall be developed as a multi-unit development or located on the upper stories of a commercial building where mixed uses are permitted. Each unit shall be occupied by no more than two persons & is offered on a monthly rental basis.” The SRO will be developed to conform to section 11.32.260 *Single-Room Occupancy* of the Development Code, as well as applicable standards of a multi-family development. Per section 11.32.260 (K) *Single-Room Occupancy*, a written management plan has been provided by the project applicant (Attachment 4).

The proposed SRO is to be contained within a converted church building located at 5638 North Gledhill Avenue (APN: 020-293-007) in the community of Olivehurst. Although the SRO is to be within a church building, the SRO facility is not a faith-based organization. The maximum occupancy of the original church building is 100 persons. The proposed use will reduce the 100 temporary occupants to 15 long term occupants. The change of land use will be of a lesser intensity. The subject property is 0.40± acres in size with an existing church, storage shed, parking lot with 16 on-site parking stalls. No off-street parking will be available or used, as

there are plans for sidewalks & a bike lane. The main point of street access for vehicles is proposed from North Gledhill Avenue. Currently, the property has two points of access; North Gledhill Avenue & Grand Avenue. The plan is to close off the Grand Avenue driveway access point & to create additional parking stalls in its place. There is a third access point on the property used for Recology waste service. The access point is also on North Gledhill Avenue, but offers no thoroughfare for vehicles or Recology trucks. Recology service trucks pull up to the waste receptacle that is wheeled to the public road, this is the current form of waste pick-up.

The change of land use also requires landscape to be installed per Chapter 11.24 *Landscape*; requiring trash areas to be screened & landscaped, install street trees on public road frontage areas outside of right-of-way, & to landscape the parking areas as well. There is some 2,000± square feet of unused gravel parking surrounded by perimeter fencing that is to be used as common open space for residents. Currently, the existing parking lot is gravel with disintegrated encroachment points. The Department of Public Works has standards for parking lot resurfacing, parking lot re-striping, & for all driveways to be improved to meet current standards. These requirements are incorporated into the conditions of approval & will be enforced at building permit review.

Furthermore, the converted church is proposed to accommodate a total of 15 bedrooms (1 tenant per bedroom) & 4 bathrooms. Each room is to have one resident with shared common facilities; such as restrooms, dining & laundering areas. The property owner performs all management functions, including: tenant selection, enforcement of leases & agreements, affordable rent calculations, & facility/grounds management. There is also a manager that lives on site at all times (24/7). Any visitors are required to sign into a visitors log book & leave by 9:00pm. Cleaning scheduling is as follows: common areas are sanitized daily, deep cleanings are done monthly & exterior trash pick-up is conducted weekly. In addition, Recology waste service has reviewed the proposed site plan & gave approval for what is proposed. As a result, additional trash pick-ups can be scheduled.

The housing is a non-medical facility & does not require any additional licensing. Tenants are able-bodied & are able to obtain employment or are currently employed. There is a zero tolerance policy for illegal substance possession, use or sales on premises. Alcohol may not be consumed anywhere on site. The goal of the single-room occupancy housing facility is to assist residents by providing tenants with a permanent address in order to establish long-term stability through job placement, public assistance, and vocational schooling. The proposed project meets the land use definition in that each individual secured room (residential unit) is over 120 square feet, that there is no more than two persons per residential unit, there is shared kitchen & bathroom facilities, applicable CA building code requirements are met with building permit issuance, & the facility is required to meet all applicable requirements of a multi-unit development.

The converted building interior had previously undergone construction of bedrooms without building permits. On November 03, 2020, a building code case was opened up to address the non-permitted conversion after notice of the conversion was received. Pursuant to Development Code Section 11.08.020, Single Room Occupancy is permitted on parcels zoned for Neighborhood Mixed Use with an Administrative Use Permit. On August 16, 2021, an

application for an Administrative Use Permit was submitted for review. Prior to Use Permit processing, engineered plans were requested from the applicant for the interior work that had been constructed. The Administrative Use Permit needed an interior floor plan to ensure the project met the requiring of the SRO definition before the Planning Department could proceed with project processing. On January 04, 2022, a building permit was applied for & associated building fees were paid. On April 13, 2022, plans were received by the Building Department & distributed internally to departments for review.

Routing and distribution of the proposed project was sent to the appropriate district Supervisor, as well as both internal and external departments for comments and review. Consultation with the local fire chief was sought to ensure fire safety standards would be met & that work constructed would not impose any hindrance for emergency service providers. Notice of Intent to approve the Administrative Use Permit was mailed to neighboring properties within a 300 foot radius of the project site on July 22nd, 2022. Recipients had 10 days to respond to the notification, the last day to request a public hearing was August 2nd, 2022. On August 2nd, a public hearing request was received by Gabe Alvarez. The basis for the public hearing, according to the request received, states the concern is in regard to impacts to quality of life & safety concerns as a neighboring property owner (Attachment 3). After receiving the public hearing request, the Administrative Use Permit is required to be heard before the DRC for further action.

Planning Department staff basis for approval of this project is based upon the aforementioned standards of the Development Code being met, the compatibility of the proposed use with the surrounding area, and physical suitability of the subject property. Relevant setbacks and development standards specific to the property zoning are met with the proposed location, waste management & public water service is available, ample parking & improved points of entrance/exit will be improved & landscaping will be required as part of use permit & building permit approval. Moreover, Building Permits are currently in the review process at this point in time.

SURROUNDING USES:

	GENERAL PLAN LAND USE DESIGNATION	ZONING	EXISTING LAND USE
Subject Property	Valley Neighborhood	Neighborhood Mixed Use	Single Room Occupancy
North	Valley Neighborhood	Single Family Residential	Single Family Residential
East	Valley Neighborhood	Single Family Residential	Single Family Residential
South	Valley Neighborhood	Single Family Residential	Single Family Residential
West	Valley Neighborhood	Single Family Residential	Single Family Residential

The surrounding properties all have the same General Plan Designation of Valley Neighborhood and zoning designation of single family residential. The immediate neighborhood & surrounding area is comprised of typical single-family residences. Multi-unit developments are existing within a mile from the subject site. The proposed use is consistent with the existing usage pattern of the community in that the facility may be compared to the use of a multi-unit development. Local businesses serving the surrounding residential area are available & located within a short walkable distance. Public transportation via Yuba-Sutter transit is also available nearby.

GENERAL PLAN/ZONING: The project site is designated Valley Neighborhood as shown on the 2030 General Plan Land Use Map. The Valley Neighborhood land use classification is a mixed land use designation that allows for a variety of residential, commercial, and other land uses. The intent of the General Plan designation is to provide for the full range of housing types, commercial and public services, retail offices, and other components of a complete neighborhood in valley portions of the County. The property has a zoning designation of Neighborhood Mixed Use (NMX) & is intended to allow for both residential & neighborhood services uses. Pursuant to Development Code Section 11.08.020, Single Room Occupancy is permitted on parcels zoned for Neighborhood Mixed Use with an Administrative Use Permit. The proposed project is consistent with both zoning & general plan land use designations, as well as the Yuba County Development Code. The project complies with the following General Plan Policies:

1. *Policy CD2.3: The County will support reinvestment in Linda & Olivehurst that increases local shopping, job, & housing opportunities.*

The project may be considered a reinvestment in the Olivehurst community in that the facility intends to serve as a permanent residency for residents that are re-establishing themselves in the community through employment. The facility is to offer rent at a value suited for low to very low-income individuals. Affordable rent, including housing aimed to those in a transitory state, are little to non-existent in the area. The communities of Linda & Olivehurst have been considered areas where specialized community groups of focus are in need of services, such as housing, to transition to an established & secure foothold of the community.

2. *Policy CD5.3: Valley residential development in existing and planned Valley Neighborhoods should provide for the full range of housing types and densities.*

The project building (church) has the ability to accommodate up to 15 bedrooms (residential units) in an existing & established valley neighborhood. The housing facility is comparable in nature to a multi-unit development. In the immediate area of the project site, there are both multi-unit & single family residential housing options. Approval of the project will create an added range of housing types & densities to the area.

FINDINGS: Projects are evaluated for consistency with the County's General Plan, conformance with the County's Zoning Ordinance, and potential for impacts to the health, safety and welfare of persons who reside or work in the area surrounding the project. In the case of addressing

project impacts to health, safety, and welfare, specific findings need to be met for each entitlement. Below are the findings for each project entitlement needed for project approval.

ADMINISTRATIVE USE PERMIT:

- A. The proposed use is allowed within the applicable zoning district or overlay district and complies with all other applicable provisions of this Code and all other titles of the Yuba County Code;**

The project seeks to establish Single Room Occupancy for the purposes of low income housing within the Neighborhood Mixed Use (NMX) zoning designation. Pursuant to Development Code Section 11.08.020, Single Room Occupancy is permitted on parcels zoned for Neighborhood Mixed Use with an Administrative Use Permit.

- B. The proposed use is consistent with the General Plan, and any applicable adopted community plan or specific plan;**

The General Plan Land Use Designation for the property is Valley Neighborhood, which is intended to provide the full range of housing types, commercial and public services, retail, offices, amenities, and other components that make up a neighborhood in the valley portion of the Yuba County. Appropriate uses for this classification include residential, commercial, public and quasi-public and open space. Therefore, providing low income housing on the property is an appropriate and consistent use within the Valley Neighborhood General Plan Designation. There are no applicable community plans or specific plans on this property.

- C. The proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the surrounding area;**

The proposed use is necessary at this particular location as the availability for units or housing for transitional individuals may be considered non-existent in certain areas of the County. The project seeks to uplift & provide necessary services to members of the community who may be experiencing hardships. The positive impacts of this project includes giving disadvantaged members of the community a platform to receive rehabilitating services, a transition from poverty and a tactic towards mitigating homelessness in the County. This particular location is zoned appropriately for the project proposal, approval of this Administrative Use Permit will legally permit the facility.

- D. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;**

The creation of additional low-income housing opportunities will not impose an incredibly adverse impact to the general welfare of the nearby community. Residents of the facility are to be inside of the facility at most times with the exception of leaving for personal matters or spending time outside when weather permits. Property owner & management are required

to address & follow through with management plans to address impacts such as noise, trash, loitering & any needs for safety or health needs for residents. The intent of this affordable housing project is to give residents an opportunity for long-term stability & to eventually transition to an individually supported future; a goal that enriches local public health & what should be available to all County residents in times of need.

E. The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of this Code;

The applicant has modified an existing structure to accommodate 15 bedrooms, four bathrooms and common areas, such as a dining area & shared kitchen; no new structures are proposed. The proposed use will be brought into compliance when the existing modifications & renovations become legally permitted with a building permit & with the approval of this Administrative Use Permit. At this time, permits are currently under review in the building permit process. The building permit process will impose additional development standards that have otherwise been non-existent or unaddressed. Furthermore, the conditions of approval (Attachment 2) associated with this entitlement state additional development standards that need to be improved for the Administrative Use Permit to remain valid. In regard to safety, consultation with the local fire chief has also been satisfied to ensure emergency service standards have been met. All development & construction associated with the facility shall be in compliance with Yuba County Ordinance Code related to permits for structures, setbacks, height restrictions, circulation access and fire department access.

F. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and reasonably foreseeable future land uses in the vicinity;

The surrounding area is a single-family residential neighborhood. The project building was formerly a church. The exterior design of the building is synonymous with typical neighborhood characteristics in that the appearance resembles a church. Accommodations for residents will be inside the building & out of sight. The size of the building can easily accommodate the interior plans. The size of the property currently accommodates trash receptacles & clear path for Recology service. Traffic associated with the development may be compared to a multi-tenant development, although even lesser so as some residents may not have vehicles. The location of the proposed use is desirable in that a less than a mile walk to public transit is available to residents, as well as a local market & small eateries nearby. The residential use focus of a single room occupancy facility is compatible with the residential use of the neighborhood, as it may be similar in nature to a multi-family facility.

G. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints; and

The project site is approximately 0.40 acres in size and is proposed to be used to for Single Room Occupancy affordable housing. The use is easily accommodated by the project site's

acreage & existing building size. The new bedrooms are all contained within the existing building. The existing two points of access into the site is satisfactory for the use that is proposed. Ample on-site parking & adequate off-street vehicle parking is available, meeting section 11.25.040(A)(4) *Parking Requirements* of the Development Code as well. The size of the property currently accommodates trash receptacles & clear path for Recology service. Connections to public water & wastewater is available & existing. There are no physical constraints on-site. The site is physically suitable for the type, density & intensity of the use proposed.

H. An environmental determination has been prepared in accordance with the California Environmental Quality Act.

The proposed project is exempt per *Existing Facilities* Section 15301 (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. All construction work associated with the subject project is contained entirely within the existing building. All work that has been constructed requires a building permit & is considered ministerial in nature & is considered exempt per the aforementioned CEQA exemption section.

ENVIRONMENTAL REVIEW: Staff has determined that the project is categorically exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15301(a), *Existing Facilities*. Section 15301(a) (*Existing Facilities*) allows development consisting of interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances subject to making the necessary findings and the conditions of approval contained herein (Attachment 2).

The proposed project meets all the requirements of Section 15301(a). The project is a singular parcel and is located in an urbanized area; it is consistent with both the General Plan and zoning; access exists to the site via North Gledhill Avenue & Grand Avenue; Linda County Water District provides water and wastewater services and PG&E provides gas and electrical services; the project has not been subdivided in the last 2 years; no variances or exceptions to County standards are required; and the project does not have an average slope over 20 percent.

COMMENTS: The project was circulated to various agencies and County departments for review and comment during the early consultation phase and the environmental review stages of the project. The following is a summary of comments:

- County Staff – The Public Works Department, Environmental Health Department, and Building Department have reviewed the project and provided comments and/or conditions of approval that are incorporated into the attached Conditions of Approval.
- Fire Chief – No opposition.
- Public Hearing Request: The request received pertains to concerns for impacts to quality of life & safety concerns as neighbors (Attachment 3).

Report Prepared By:

Vanessa Franken

Vanessa Franken
Planner II

Reviewed By:

Kevin Perkins
Assistant CDSA Director

ATTACHMENTS:

1. Site Map
2. Conditions of Approval
3. Public Hearing Request
4. SRO Management Plan



STRUCTURAL DESIGN:
Ross P. Shoaf - Civil Engineer
6970 Marusville Rd.
Browns Valley, CA 95918
530-749-0142

Nick Pham Project
Site Plan

Nick Pham
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Sacramento CA 95829
Phone: 916-592-2100
Email: nickpham@gmail.com
APN: 020-293-007

Richard Neves Construction
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P.O. Box 729
Oregon House, Ca. 95962
Phone: 530-701-1341
Email: richdvns@gmail.com

Drawn by:
Rich Neves

Date 9/20/2021

Scale: NTS

A1

≡ Scale: NRS



Existing Building - 4747 sq. ft. conditioned

CONDITIONS OF APPROVAL FOR FILE # AP2021-0018**GENERAL CONDITIONS:**

- 1) Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County. Failure to comply with this provision may be used as grounds for revocation of this permit.
- 2) As a condition for project approval, Owner or an agent of Owner acceptable to County shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding, against the County or its agents, officers, and employees; including all costs, attorneys' fees, expenses, and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, void or annul an approval by the County, Planning Commission, Design Review Committee, or other County advisory agency, appeal board, or legislative body concerning the administrative use permit. County shall promptly notify owner of any such claim, action, or proceeding and shall cooperate fully in the defense of said claim, action, or proceeding.
- 3) Owner(s), Owner's agent(s) or Applicant shall comply with all applicable federal, state, and local laws, ordinances, and regulations, and the Yuba County Ordinance Code.
- 4) The Administrative Use Permit may be effectuated at the end of the ten (10) day appeal period which is September 12, 2022. Administrative Use Permit AP 2021-0018 shall be designed and operated in substantial conformance with the approved administrative use permit as outlined in the approved site plan filed with the Community Development & Services Agency and as conditioned or modified below. No other expansion of uses are authorized or permitted by this use permit.
- 5) This use permit approval shall be effectuated within a period of twelve (12) months from this approval date and if not effectuated shall expire on September 01, 2023. Prior to said expiration date, the applicant may apply for an extension of time.
- 6) Minor modifications to final configuration of the Administrative Use Permit may be approved by the Community Development and Services Agency Director or Zoning Administrator.

PUBLIC WORKS DEPARTMENT:

- 7) Owner shall dedicate to the County of Yuba sufficient right-of-way easement to provide a 24-foot strip of land adjoining the centerline of North Gledhill Avenue, classed as an Urban Residential (local) Road, lying within the bounds of this property.
- 8) Owner shall dedicate to the County of Yuba sufficient right-of-way easement to provide a 34-foot strip of land adjoining the centerline of Grand Avenue, classed as an Urban Collector Road, lying within the bounds of this property.
- 9) Owner shall provide and offer to dedicate to the County of Yuba a 10-foot easement for public services along the street frontages of this property measured from the County's right of way.
- 10) Property along North Gledhill Avenue shall meet the half-width requirements for an Urban Residential (Local) Road in conformance with the Yuba County Standard (Drawing No. 101) or as modified by the Public Works Director. Property along Grand Avenue shall meet the half-width requirements for an Urban Collector Road in conformance with the Yuba County

Standard (Drawing No. 102) or as modified by the Public Works Director. All proposed driveways shall meet Yuba County Standard (Drawing No. 200). Such standards includes curbs, gutters, with an attached sidewalk.

- 11) The required road and frontage construction along North Gledhill Avenue and Grand Avenue fronting this property is hereby deferred by the Public Works Director under Section 11.28.020(d) of the Yuba County Ordinance Code finding that such deferment would not be injurious to health or safety. Such deferment is granted subject to the Owner entering into a Deferred Improvement Agreement with the County of Yuba, as a recorded covenant to run with the land, to defer the above frontage improvements until such time the County determines that the extent of development along the street, the volume of traffic, or other factors such as the necessity to provide drainage, pedestrian walkways or bicycle paths, is such that the County, at its sole discretion, finds that the improvements are necessary, or in conjunction with a County funded improvement project.
- 12) If the Deferred Improvement Agreement option is not chosen, then improvement plans, prepared in compliance with Sections 3 and 7 of the Yuba County Standards shall be submitted to and approved by the Public Works Department prior to any construction. The initial submittal shall also include the necessary calculations for all improvements and associated drainage facilities along with the appropriate plan checking fees based upon a preliminary engineer's estimate. The engineer's estimate shall include estimated costs for the construction of the road and drainage improvements, landscaping requirements (if any), construction staking, and monumentation. Such approvals shall include the alignment and grades of roads and drainage facilities.
- 13) If the deferred Improvement Agreement option is chosen, all existing or proposed driveway encroachments onto North Gledhill Avenue and Grand Avenue shall conform to the current Yuba County Standards for a paved Rural Driveway (Drawing No. 127 and 128) under permit issued by the Department of Public Works.
- 14) All road and drainage construction required by these conditions of approval shall be inspected in compliance with Section 4 of the Yuba County Standards and approved by the Yuba County Department of Public Works. Owner's contractor shall meet on-site with the Public Works Department representative prior to the commencement of work to discuss the various aspects of the project.
- 15) Any improvement work within the County right-of-ways for roadway connections and/or road widening or other improvements shall be accomplished under an encroachment permit issued by the Public Works Department. Improvement plans and associated checking and inspection fees shall be submitted to the Public Works Department for review and approval before any construction will be permitted within the County right-of-way.
- 16) Owner, heirs or assigns of this property, or portions thereof, shall remove and/or relocate any fence(s) located within dedication(s) or offer(s) of dedication required by this division or within existing County easement(s) or right(s)-of-way which lies within or are adjoining this property. Such fence removal or relocation may be deferred until such time as the then owner is directed by the Public Works Department of Yuba County to remove or relocate the fence(s) at the owner's expense. Any new fences installed shall be constructed outside the limits of dedications or offer(s) of dedication required by this division, or existing County easements or right-of-ways.

- 17) Whenever construction or grading activities will disrupt an area of 1 acre or more of soil or is less than 1 acre but is associated with a larger common plan of development, the applicant is required to obtain a Yuba County grading permit issued by the Public Works Department and a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000004, Order No. 2013-0001-DWQ. Coverage under the General Permit must be obtained prior to any construction. More information may be found at <http://www.swrcb.ca.gov/stormwtr/construction.html>. Owner must obtain an approved and signed Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB), a Waste Discharge Identification (WDID) number and a Storm Water Pollution Prevention Plan (SWPPP), as described by either the RWQCB or the State Water Regional Control Board (SWRCB). The SWPPP shall describe and identify the use of Storm Water Best Management Practices (BMP's) and must be reviewed by the Yuba County Public Works Department prior to the Department's approval of Improvement Plans or issuance of a Grading Permit for the project. See Yuba County's Stormwater Regulations for Construction Activities Procedures for details. According to state law it is the responsibility of the property owner that the SWPPP is kept up to date to reflect changes in site conditions and is available on the project site at all times for review by local and state inspectors. Erosion and sediment control measures, non-stormwater and material management measures, and post-construction stormwater management measures for this project shall be in substantial compliance with the SWPPP.
- 18) Erosion control shall conform to section 11 of the Yuba County Improvement Standards.
- 19) Owner shall provide public service easements as necessary for any existing overhead or underground utilities, sewer lines, waterlines, etc. which may provide service to any or all of the parcels being created by this parcel map. Such easements shall have a minimum width of 10 feet or larger as may be required by the service provider and shall be clearly identified by metes and bounds on the parcel map. Any relocation or rearrangement of the public service provider's facilities to accommodate this project shall be at the Owner's expense.
- 20) Prior to commencing performance of any public improvement or facility to be dedicated to County, and subject to approval by the Public Works Department, Owner shall acquire and present proof of general and automobile liability and Workers Compensation and Employers Liability insurance. Such general and automobile liability insurance shall name the County and its agents as additional insured.

ENVIRONMENTAL HEALTH:

No conditions of approval.

BUILDING DEPARTMENT:

- 21) All new development must meet applicable requirements of most current adopted version of the California Code of Regulations, Title 24, and Yuba County Ordinance Code Title X, which includes, but is not limited to: building, accessibility and fire code requirements.
- 22) All new buildings and structures must obtain a building permit prior to construction.
- 23) All local fire authority requirements shall be provided and completed to the satisfaction of the local fire chief.

- 24) Any and all improvements shall be permitted, receive inspections and shall follow all state, federal and local codes and requirements.

PLANNING DEPARTMENT:

- 25) Major modifications to the project description shall require an amendment to the Administrative Use Permit.
- 26) If generators are used onsite, the applicant must receive FRAQMD permits prior to operation.
- 27) Any and all physical improvements associated with this Administrative Use Permit shall be maintained to the standards specified in these Conditions of Approval set forth for this use permit. Failure to maintain said physical improvement(s) in said manner may be used as grounds for revocation of this use permit.
- 28) Owner shall provide a landscape plan meeting applicable standards from Chapter 11.24 *Landscape* will be provided for review & install prior to building permit issuance.
- 29) Owner shall provide a landscape plan that meets applicable standards for landscape that is to be for the existing trash/waste receptacle on-site.
- 30) Owner shall remove non-conforming fencing on site or bring fencing into compliance with section 11.19.040 *Fencing* before building permit issuance & receive inspection approval from the Planning Department. Chain-link fencing is a non-acceptable fencing material for multi-unit projects.
- 31) Owner shall pave entire parking lot & all driveways leading to parking areas as part of building permit requirements & stripe parking stalls accordingly. Parking lot shall conform to Chapter 11.25 *Parking & Loading*.
- 32) Owner & facility operator shall ensure no camping of any kind or loitering will occur in parking lot, street-parking areas, or on property premises.
- 33) Owner shall provide a minimum of two sharp disposal containers to be located on exterior of building in visible view equipped with locking mechanisms & ensure premises are void of syringes & needles at all times.
- 34) Owner shall provide a minimum of two cigarette waste receptacles on site, to be located where smell will not affect neighboring lots. Owner shall receive approval of cigarette waste receptacle from Planning Department before purchase & placement.
- 35) Owner shall provide bicycle parking in accordance with section 11.25.080 *Bicycle Parking* with building permits. A minimum of two (2) bicycle-parking stalls is required.
- 36) Owner/facility operator shall provide a written management plan depicting management of exterior trash & debris, cigarette waste, loitering, noise, & all pertinent responsibilities of on-site caretaker before building permit issuance.

Planning Department,

I' am writing in response to the letter that I received concerning the property at 5638 Gledhill. The owner is requesting to permit an existing single room occupancy.

The owner who does not even live in yuba county as he says lives in Sacramento BUT bough this place for a business. I Gabe Alvarez spoke to this new owner in asking what his plans was to do with the building that he purchased. His response, "building offices" and that was it. I did notice activity of contractors coming and going for remodeling with no visible permits on the front of the building. At this present time, now I'm suspicious what is going on next door. After 4 weeks or so it was brought to my attention from my daughter that a box truck back into the address and started to unload a bunch of mattresses.

So, my question now is, "what exactly in this business that this new owner created at 5638 Gledhill".

How was this existing when he clearly has already been renting and altered the interior prior to submitting for this permit?

I have serious concerns about the type of things that have gone on and continue to go on that disrupt the neighborhood as well as cause continued calls to the 5638 Gledhill property for police, fire, and Ambulance. Maybe you should pull the call logs for this address to see what I mean.

There is loud music, yelling, fights. I have found cigarette butts thrown over my fence, liquor bottles. Twice we have found hypodermic needles. We cannot leave our doors open or sit outside because of the smell of smoke and noise that is caused at this address.

One occupant continued to dry her clothes on my fence and when I approached her to ask her to stop doing this. She agreed and then proceeded to tell me that she was moving because she was being bullied by the other people that lived there and could not afford the rent that was being charged. She also apologized for the other roommate that she stated hated our dog and for the way that roommate screamed at our dog.

Most of the occupants that we have encountered seem to have some sort of mental instability and I ask you what type of oversight does this place have? Does it have a licensed-on site resident that over see's the care of these people? Should we as homeowners and residents that have to live next to this place worry about our safety and the safety of our families?

If you are asking if we have called the Authorities the answer to your question is yes!

On April 13, 2021, we came home from work. Made dinner for our family, opened our windows because there was a breeze. Afterwards we sat down to relax and watch TV and our daughter was in our front room asleep on the couch. We were in our family room at the back of our house. One of the occupants that lived at 5638 Gledhill took off our front screen and climbed through the window. He went through our desk. Then proceeded to go wake up our daughter who was sleeping on the couch and then walked out the front door.

We called 911 a report was made the cops came but because he didn't take anything, and he didn't harm her there was nothing that the Sherriff department can do. But what if he did? How do you think we felt after that? We felt violated. We felt unsafe. We do not ever leave our windows open when not at home. We have installed security doors, more cameras. So, I ask you to take into consideration this use permit and how it affects the families that have to live there, and the safety concerns it creates.

Regards,

GABE ALVAREZ
1161 GRAND AVE,
OAKLAND CA 94612
530-218-2198

A. Roles and Responsibilities of Owner/Operator/Manager

The Owner is responsible for maintaining the exterior structure, and overseeing the.: general maintenance of the building itself, as well as the property. The Owner is responsible for hiring a qualified operator and ensuring that the business is operated in a professional manner and have the authority to terminate the operator if their responsibilities are not being met. The owner has the final say on any decision made by the Operator in terms of significant modification of the building or property. The Owner will maintain records of all employed managers.

The Operator is responsible for the daily operation and management of the business, including, but not limited to hiring a qualified manager, establishing internal security, obtaining the business license and permit to operate, creating standardized forms for check in, room status, and guest log, maintaining the records.

- a. Maintain records of all employed personnel, including:
 - True name, including any known aliases
 - Age
 - Date of birth
 - Height
 - Weight
 - Hair color
 - Eye color
 - Home address
 - Phone Number
 - Social Security Number
 - Date of Hire
 - Date of Termination

1. Responsibilities of Operator

- a. Hire a qualified manager for the daily, routine administration of the property.
- b. Maintain records of all employed personnel, including:
 - True name, including any
 - Phone Number known aliases
 - Age Date of birth
 - Height
 - Weight
 - Hair color
 - Eye color
 - Home address
- c. Arrange for staff training program
- d. Establish internal security policy
- e. Obtain Permit to Operate
- f. Obtain Business License
 - Social Security Number
 - Date of Termination
 - Name and address of recognized school management
 - Dates attended
 - Written proof of course completion Date of Hire
- g. Create standardized room check forms to verify status of room before and after rental.

- h. Establish and maintain a set of House Rules, to be posted and distributed to all guests.
- i. Monitor day-to-day operations.
- j. Maintain accurate record of all rental revenues and expenditures.
- k. Prompt collection and payment
- l. Ensure equal access to housing.
- m. Establish, post, and maintain rent schedule.
- n. Maintain all aspects of the property and report any deficiencies to the owner.
- o. Create a permanent standardized guest registry that includes the following information:
 - Date arrived
 - Date checked out
 - Name and current address
 - Date of birth
 - Identification number from a legal form of ID
 - Room number(s) rented
 - Name and current address of any member in guest's party

2. Responsibilities of Manager

- a. Manage the daily business operations including, but not limited to, the following:
 - Collect rental charges
 - Issue keys
 - Direct maintenance personnel
 - Assign rooms to guests
 - Maintain accurate guest registry
 - Oversee security
- b. Communicate with Operator any problems that may arise.

B. Facility Maintenance

- 1. Grounds and landscaping shall be maintained, watered, and fertilized.
- 2. Waste management
 - a. Service shall be established and scheduled in a manner consistent with the facility's needs.
 - b. Solid waste must be stored, located and disposed of in a manner that will not transmit communicable diseases or odors, create a nuisance, or provide a breeding place or food source for insects or rodents.
 - c. All containers, including movable bins used for storage of solid wastes, shall have tight-fitting covers kept on them, shall be in good repair, and shall be leak-proof and rodent-proof.
 - d. All garbage must be removed from the rooms each day to outside bins.
- 3. Maintain fully operational fire alarm system
 - a. Provide fire extinguishers and notify guests of their location
 - b. Maintain annual service according to State Fire Marshall's tag
 - c. Smoke detectors are required in each room and must be inspected monthly.
The office should maintain a log as to when the smoke detectors were checked and when the batteries were replaced.
- 4. Security/Safety

- a. Dual-keyed knox box required six feet off of the ground at the main entrance to the building.
 - b. Entrance door must have a lock.
 - c. Room doors have numbers on them at least three (3) inches in height.
 - d. Master keys for each room must be securely kept in the Office.
 - e. Floor Plan drawing with all rooms marked (including water heaters, storage rooms, circuit breakers, etc.)
 - f. Security Camera installed exterior and interior common areas.
- 5. Exits
 - a. Egress to exit must be obstruction free.
 - b. Electric doors must open freely and remain open.
 - c. Windows to fire escape open freely and remain open.
 - d. Fire Escape is to remain in good working condition.
 - e. All exits must be illuminated at all times. .
 - f. Exit lights must clearly mark the direction of travel.
 - g. Emergency exit route map located in each room.
- 6. Housekeeping
 - a. Housekeeping schedules and cleaning provisions to ensure that the premises are kept in clean, healthy, and presentable condition, free of litter, pests, and vermin at all times.
 - b. Each room shall contain the minimum of a bed, mirror, minimum lighting and garbage receptacles.
 - c. All common areas shall be kept clean, free of litter and rubbish.
 - d. All kitchen, food-preparation and storage areas shall be kept clean.

C. Emergency Provisions

- 1. Who to contact
- 2. Any special instructions

D. Guest Policies

- 1. Check-In and Check-out
 - a. At check-in, the manager, or designee, and guest shall complete and sign a room check form verifying the status and contents of the room.
 - b. At check-out, that same form shall be used to verify the status and contents of the room prior to the guest's departure.
- 2. House Rules
 - a. Each guest shall be provided with a copy of the House Rules and shall sign an agreement to abide by those rules.
 - b. House rules shall include but not be limited to the following provisions:
 - Guest must verify the presence of a working smoke detector and agree not to remove the battery or manipulate the smoke detector in any manner.
 - No hot plates will be allowed in the room.
 - No bars on windows.

MANAGEMENT PLAN

5638 Gledhill Ave
Olivehurst, CA 95962

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(916) 595-2100

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