



OROVILLE PLANNING COMMISSION

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**June 27, 2019
REGULAR MEETING
OPEN SESSION 7:00 PM
AGENDA**

CITY OF OROVILLE PLANNING COMMISSION

CHAIR: Damon Robinson
VICE-CHAIR: Carl Durling
MEMBERS: Randy Chapman; Wyatt Jenkins; Michael Britton, Susan Sears, Tammy Flicker

ALL MEETINGS ARE RECORDED AND BROADCAST LIVE

*This meeting may be broadcast remotely via audio and/or video conference at the following address:
Cota Cole, LLP, 2261 Lava Ridge Court, Roseville, California 95661.
Meeting is streamed live at cityoforoville.org and on YouTube*

CALL TO ORDER

ROLL CALL

Commissioners: Susan Sears, Michael Britton, Randy Chapman, Wyatt Jenkins, Tammy Flicker, Vice Chairperson Carl Durling, Chairperson Damon Robison

PLEDGE OF ALLEGIANCE

INSTRUCTIONS TO INDIVIDUALS WHO WISH TO SPEAK

If you would like to address the commission at this meeting, you are requested to complete the blue speaker request form (located on the wall by the agendas) and hand it to the City Clerk, who is seated on the right of the Council Chamber. The form assists the Clerk with minute taking and assists the Mayor or presiding chair in conducting an orderly meeting. Providing personal information on the form is voluntary. For scheduled agenda items, please submit the form prior to the conclusion of the staff presentation for that item. Council has established time limitations of three (3) minutes per speaker on all items and an overall time limit of thirty minutes for non-agenda items. If more than 10 speaker cards are submitted for non-agenda items, the time limitation would be reduced to two minutes per speaker. If more than 15 speaker cards are submitted for non-agenda items, the first 15 speakers will be randomly selected to speak at the beginning of the meeting, with the remaining speakers given an opportunity at the end. **(California Government Code §54954.3(b)).** Pursuant to Government Code Section 54954.2, the commission is prohibited from taking action except for a brief response from the Council or staff to statements or questions relating to a non-agenda item.

PUBLIC COMMENTS

This is an opportunity for members of the public to address the Planning Commission on any subject not on the agenda related to the Planning Commission.

APPROVAL OF MINUTES

1. Approval of the Planning Commission Special Meeting Minutes from June 6, 2019.

PUBLIC HEARINGS

The Public Hearing Procedure is as follows:

- Chairperson opens the public hearing.
- Staff and Applicant introduce item and take questions from the Commissioners
- Hearing is opened for public comment limited to three (3) minutes. Under Government Code 54954.3. the time for each presentation may be limited.
- Public comment session is closed
- Commissioners, discuss, debate and action.

1. USE PERMIT - EMERGENCY SHELTER - 3010 MYERS STREET

The Planning Commission will convene a public hearing to consider approving a Use Permit to change the use of a previous pharmacy to an emergency shelter for up to 25 homeless individuals located at 3010 Myers Street, Oroville, CA.

DIRECTOR'S REPORT

The Director shall report on information pertinent to the Planning Commission.

- Project List Update
- July Meeting

COMMISSION REPORTS

Reports by commission members on information pertinent to the Planning Commission.

ADJOURNMENT

The planning commission will adjourn.

***** NOTICE *****

Accommodating Those Individuals with Special Needs – In compliance with the Americans with Disabilities Act, the City of Oroville encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact the City Clerk at (530) 538-2535, well in advance of the regular meeting you wish to attend, so that we may make every reasonable effort to accommodate you. Documents distributed for public session items, less than 72 hours prior to meeting, are available for public inspection at City Hall, 1735 Montgomery Street, Oroville, California.

***** NOTICE *****

Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the City Council by filing with the Zoning Administrator within fifteen days from the date of the action. A written notice of appeal specifying the grounds and an appeal fee immediately payable to the City of Oroville must be submitted at the time of filing. The Oroville City Council may sustain, modify or overrule this decision.



**OROVILLE PLANNING COMMISSION
HISTORICAL ADVISORY COMMISSION**

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**June 06, 2019
Meeting Minutes**

This meeting may be viewed online at cityoforoville.org. This agenda was posted on May 31, 2019 at 8:57am.

CALL TO ORDER - Vice Chair Durling called the meeting to order at 7pm

ROLL CALL

PRESENT: Commissioners: Susan Sears, Michael Britton, Wyatt Jenkins, Tammy Flicker,
Vice Chairperson Carl Durling
ABSENT: Chairperson Damon Robison and Commissioner Randy Chapman
STAFF PRESENT: Principal Planner Wes Ervin, Assistant City Clerk Jackie Glover

PLEDGE OF ALLEGIANCE - Led by Vice Chairperson Durling

APPROVAL OF MINUTES

Motion by Commissioner Flicker and second by Commissioner Sears to approve the minutes from April 25, 2019. Motion Passed.

AYES: Commissioners Sears, Britton, Jenkins, Flicker, Durling
NOES: None
ABSTAIN: None
ABSENT: Commissioner Chapman and Chairperson Robison

PUBLIC HEARING

1. STATE THEATRE SIGN & MARQUEE RESTORATION PROJECT

Motion by Commissioner Britton and second by Commissioner Sears to approve a a Landmark Modification Permit to restore the original marquee and sign at the Historic State Theatre, 1489 Myers Street, Oroville, CA; and to Adopt Resolution No. P2019-11 – A RESOLUTION APPROVING THE LANDMARK MODIFICATION PERMIT TO RESTORE THE ORIGINAL MARQUEE AND SIGN AT THE HISTORIC STATE THEATRE, 1489 MYERS STREET, OROVILLE, CA. Motion Passed.

There were two public speakers – Eric Smith and Mike Phulps

AYES: Commissioners Sears, Britton, Jenkins, Flicker, Durling
NOES: None
ABSTAIN: None
ABSENT: Commissioner Chapman and Chairperson Robison

ADJOURNMENT - Chairperson Durling adjourned the meeting at 7:42pm.

APPROVED:

ATTESTED:

Chairperson Damon Robison

Jackie Glover, Assistant City Clerk



City of Oroville

Gary Layman
CHIEF BUILDING OFFICIAL

COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

PLANNING COMMISSION STAFF REPORT

Thursday, June 27, 2019

RE: Conditional Use Permit for Haven of Hope Emergency Shelter at 3010 Myers Street

SUMMARY:

The Planning Commission will convene a public hearing to consider approving a Use Permit to change the use of a previous pharmacy to an emergency shelter for up to 25 homeless individuals located at 3010 Myers Street, Oroville, CA.

RECOMMENDATION: Staff recommends that the Planning Commission:

1. Approve the Use Permit, with the recommended findings and conditions;
2. ADOPT RESOLUTION NO. 2019-10 – A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT NUMBER PL1903-003 FOR AN EMERGENCY SHELTER AT 3010 MYERS STREET.

APPLICANTS: Haven of Hope Emergency

LOCATION:
3010 Myers Street,
Oroville, CA 95695

GENERAL PLAN: RBS
ZONING: C-1
FLOOD ZONE:

ENVIRONMENTAL DETERMINATION: EnterTextHere

REPORT PREPARED BY:

Wes Ervin, Contract Planner
Community Development Department

REVIEWED BY:

Leo DePaulo, Assistant City Administrator
Administration Department

DISCUSSION

The Haven of Hope Emergency Shelter (HOH) will provide year-round, seven day a week emergency shelter and twice-daily meals for up to 25 homeless individuals in

Oroville during the hours of 4:30 PM to 8 AM. The shelter will be low-barrier and open to all homeless persons 18 years of age or older. Each participant will receive a 30 day at a time referral from agency partners, including the HOPE Center, Butte County Public Health, and the Oroville Police Department. Extensions will be granted based on client participation. If cots are still available at 7 PM, drop-ins will be accepted. HOH has already secured a lease for 4,200 square feet of space at 3010 Myers Street in Oroville. The unit contains bathrooms and is zoned for shelter use with the issuance of a use permit.

The overarching goal is to assist each client in obtaining permanent/supportive housing. As such, the shelter will maintain two overlapping case manager shifts each day to ensure entry into HMIS/Clarity and referral of clients to appropriate resources. Participants will also have access to shower/personal hygiene services and laundry each afternoon/evening via Haven of Hope Mobile Hygiene Unit. Clients will also have access to the computer bar, television, games, and books. Life skills courses/programming will also be available during the afternoon/evening; all classes will be incentivized with gift card drawings, in addition to a quarterly graduation ceremony.

Actions and Information since the March 28 public hearing

Since the Public Hearing on March 28, staff has requested additional clarification from the applicant, and has solicited initial comments from the Police Chief. In addition to the City's Use Permit requirements (17.48.010), City Code 17.06.210 regulates emergency shelters and includes a series of additional design and operating requirements that had not yet been required of the applicant. The new Community Development Director, Building Official, and new City Planner met with the applicant twice to work out these and other project issues. A new Site Plan and revised Floor plan will be provided by applicant prior to the Commission's action.

City code emergency shelter requirements are addressed by applicant as noted below:

17.04.60 Emergency shelter definition:

Housing with minimal supportive services for *homeless* persons; victims of domestic violence; persons requiring temporary housing; and other individuals and households made temporarily *homeless* due to natural disasters (e.g., fires and earthquakes) that is limited to occupancy of 6 months or less by a *homeless* person and operated by a government agency or private nonprofit organization.

Emergency Shelter Development Standards 17.06.210 (B).

In addition to the applicable standards as specified in this chapter, emergency shelters shall also be subject to the following development standards:

1. Each resident must be provided a minimum of 50 gross square feet of personal living space, not including space for common areas. In no case can occupancy exceed 30 residents at any one time. Applicant will provide revised floor plan to show how this requirement will be met;
2. Before commencing operations, the emergency shelter provider must have a written management plan, which must be approved by the zoning administrator. The management plan must at a minimum include: requirements for staff training; resident selection process; pet policies; scheduling of outdoor activities; temporary storage of residents' personal

- belongings; safety and security; management of outdoor areas; and counseling and social service programs for residents, if any. Permit will be conditioned to require applicant to furnish this plan for review by the Zoning Administrator prior to occupancy;
3. Not more than one emergency shelter is permitted within a radius of 300 feet from another emergency shelter. This requirement has been met.
 4. Individual occupancy in an emergency shelter is limited to 6 months during any 12 consecutive month period. This requirement has been met with the proposed 30-day maximum stay.
 5. Each emergency shelter must have an on-site management office staffed by at least one employee at all times that the emergency shelter is operating. This requirement has been met, and will be covered to be covered in detail in the Management Plan.
 6. Each emergency shelter must have on-site security, with at least one person present at the emergency shelter while it is operating. The applicant intends to train key personnel in security measures, and to have additional designated security personnel on site during intake and discharge. Details will be required to be covered in the Management Plan;
 7. Facilities must provide a refuse collection area in accordance with Section 17.12.020 to ensure it is large enough to accommodate the number of bins that are required to provide the facility with sufficient service so as to avoid the overflow of material outside of the bins provided. (Ord. 1804 § V, 2014). Site Map and Management Plan will show how this requirement will be met.

RELEVANT USE PERMIT REQUIREMENTS

- Provide Site and floor plans. Applicant will provide a revised floor plan which will indicate where the 25 cots/beds will be located, and that each participant will have the minimum 50 square feet of personal space. In addition, a site plan will be provided showing the location and hours the Mobile Hygiene Unit will be parked at the facility, and showing the location and size of the required refuse collection area;
- Plans for all lighting at entrances, including the location, type, height and brightness of each lighting fixture. Site Plan will show this information;
- Drawings of all signs that are proposed in association with the project. On May 15, 2019, the painted wall sign was as shown in this photo. Planning will need to measure and review this sign for compliance with the City's sign ordinance, and either issue the appropriate permit or require changes.



- Plans showing the location and square footage of any existing or proposed outdoor storage areas – If the applicant has any additional outside storage areas, his site plan will so indicate;
- Hours of operation --Applicant confirms that the shelter will be open essentially as a 24-hour operation, with counselling and training during the day, and cots brought out between 4:30pm and 8am;
- Number of employees --Applicant states that at least two case workers will be on staff the entire time of operation plus each afternoon. Kitchen staff and management are added, which will include up to five employees at any given time.
- Employee training -- Applicant states that training will be provided in participant engagement, self-care, trauma-informed care, and de-escalation tactics. Applicant intends to clarify in the Management Plan how his staff plans to screen participants, and how access to mental health and drug treatment practitioners will be provided – whether by the case workers themselves, or by County Health or other trained personnel.

PARKING REQUIREMENTS

Table 17.12.070-1 requires one space for every 10 beds of an emergency shelter, thus requiring a minimum of 3 parking spaces ($25/10=2.5$ round up to 3). There are 5 spaces plus two tandem spaces in the rear, and five more shared parking spaces in the front. There is therefore adequate parking for the participants and staff.

Many patrons will arrive on foot or by bicycle. Staff therefore recommends that bicycles and shopping carts be accommodated either inside or outside of the building.

OTHER CONSIDERATIONS

- Applicant has provided a floor plan with three bathrooms, three showers, a laundry facility, and a full commercial kitchen. These facilities will be built over time as funding allows. In the interim, the mobile Hygiene facility will be parked at

the building during evening hours, providing showers, bathrooms and laundry facilities.

- The Pigs Bar and a liquor store are in the same row of buildings, which is an opportunity for temporary residents to potentially enter the facility “wet”. The Management Plan should address relations with these neighbors, and possibly prohibit patronage of these establishments as a condition of residence.
- Pets and smoking – applicant has stated he will provide an outside kennel and smoking area, to be delineated on the site plan;
- Several neighbors objected to the facility. Public testimony during the March 28 Public Hearing provided both pro and con arguments for this facility. Most speakers seemed to agree that there is already a significant homeless situation in Oroville, and acknowledged the need to provide more housing for the local homeless population. The main disagreement appears to center on the proposed location. The applicant has met or has expressed his intention to meet all code requirements, plus any conditions that the Planning Commission might require.
- The facility will be operated by the nonprofit Haven of Hope.

FISCAL IMPACT

None

ATTACHMENTS

Applicant’s Site Plan

RESOLUTION NO. P2019-10

A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT NO. 1903-003 FOR AN EMERGENCY SHELTER FOR UP TO 25 HOMELESS INDIVIDUALS TO BE LOCATED AT 3010 MYERS STREET (APN: 035-320-003).

WHEREAS, the City of Oroville has received a use permit application from Haven of Hope Emergency to locate an emergency homeless shelter at 3010 Myers Street (APN: 035-320-003);

WHEREAS, the project site is currently a vacant former pharmacy in a row of small businesses; and

WHEREAS, the site is located in the designated South Oroville Disadvantaged Community and in a Federal Opportunity Zone;

WHEREAS, the subject property has a zoning designation of Limited Commercial (C-1) and a General Plan land use designation of Retail Business Services (RBS); and

WHEREAS, per the City of Oroville Municipal Code, all transient lodging facilities must obtain a use permit; and

WHEREAS, per the City of Oroville Municipal Code 17.16.210, all Emergency Shelters require specific development standards; and

WHEREAS, pursuant to Section 17.48.010(E)(4) of the Oroville Municipal Code, the Planning Commission may grant a use permit only upon making all of the following findings, based on substantial evidence:

- a. The granting of the permit will not be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the city as a whole. Specifically, this facility and its services are intended to do a small part to alleviate an existing documented homeless concentration in the area, and to help those desiring rehabilitation;
- b. The proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity. The use is permitted in the C-1 Zone with a Use Permit, is designated as the South Oroville Disadvantaged Unincorporated Community in the General Plan, and is a Federal Opportunity Zone;
- c. Public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use. The building will be renovated as

needed prior to occupancy, and will be issued an occupancy permit only after receiving a building permit;

d. The location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties. The required Management Plan and other requirements will ensure Zoning Administrator approval of operations prior to occupancy. The operators of this facility have been and will continue to obtain training and advice from the operators of Project WeHope in San Mateo, which has a 60-bed capacity;

e. The subject site is physically suitable for the type and intensity of land use being proposed. The Zoning, building size and location can accommodate the proposed use.

f. The size, intensity and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole. The critical homeless situation in the City, and the number of homeless active in that area of the City in particular, will provide needed services to the homeless population;

g. The permit complies with all applicable laws and regulations, including the requirements of the general plan, of this title and of the city municipal code. The permit complies with City Codes 17.48.010 and 17.06.210.

CONDITIONS OF APPROVAL

Approved project: The Planning Commission hereby approves Permit Number 1903-003, subject to the following:

General Conditions

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
3. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.

4. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.
5. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
 - a. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
 - b. Any of the terms or conditions of the permit have been violated.
 - c. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
 - d. The permit was obtained by fraud.
6. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

Specific Project Conditions

1. Obtain building permit prior to occupancy, including in the plans how Accessibility requirements are met at the front, and at the rear during access to the mobile Hygiene Unit. Prior to issuance, the building permit application should be reviewed by Planning, Building, Fire, Police, and Environmental Health;
2. Prior to occupancy, provide a written Management Plan that includes operating plans for case management, security, employee training, bicycle and shopping cart parking, pets, hours of operation, meal planning, operations of the mobile Hygiene Unit, neighborhood relations, and other required topics. Prior to approval, the Plan will be routed for review to Police, Fire, and other departments as appropriate;
3. Obtain sign permit prior to occupancy;
4. Prior to finalizing the required written management plan, actively reach out to all neighboring businesses and residents, and seek input about ways to mitigate any negative impacts and nuisances which might occur. After operating for 3 months, actively reach out to the same group to discuss any issues that might arise;
5. Ensure, via ongoing program enforcement and security, that participants and their colleagues do not loiter and become a nuisance in the neighborhood, either before or after using the facility and its services. The written Management Plan shall specify how the applicant intends to comply with this condition;

6. Pave, gravel, or otherwise overlay the rear alley so that it will not deteriorate from daily visits by the mobile Hygiene Unit and employee traffic. Maintain the alleyway over time;
7. Security cameras shall be installed to adequately monitor the front and rear of the facility and shall be maintained in working order. Camera recordings shall be made available to Police if requested;
8. Security shall be provided by a licensed security firm;
9. Ensure refuse is collected frequently and that refuse does not build up beyond the capacity of the existing containers, and that trash and other debris is routinely kept clear of the facility;
10. Establish adequate bicycle and shopping cart parking areas and monitoring, either inside or outside the building;
11. Maintain the building's façade with regular paint and maintenance so that it is an attractive neighborhood feature;
12. After one year, the Zoning Administrator shall review the permit and compliance, and may ask the Planning Commission to revoke the permit if warranted;
13. The Zoning Administrator may inspect the premises for which this permit is issued at any reasonable time to ensure compliance with the above conditions;

--- End of Conditions ---

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 27th of June 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

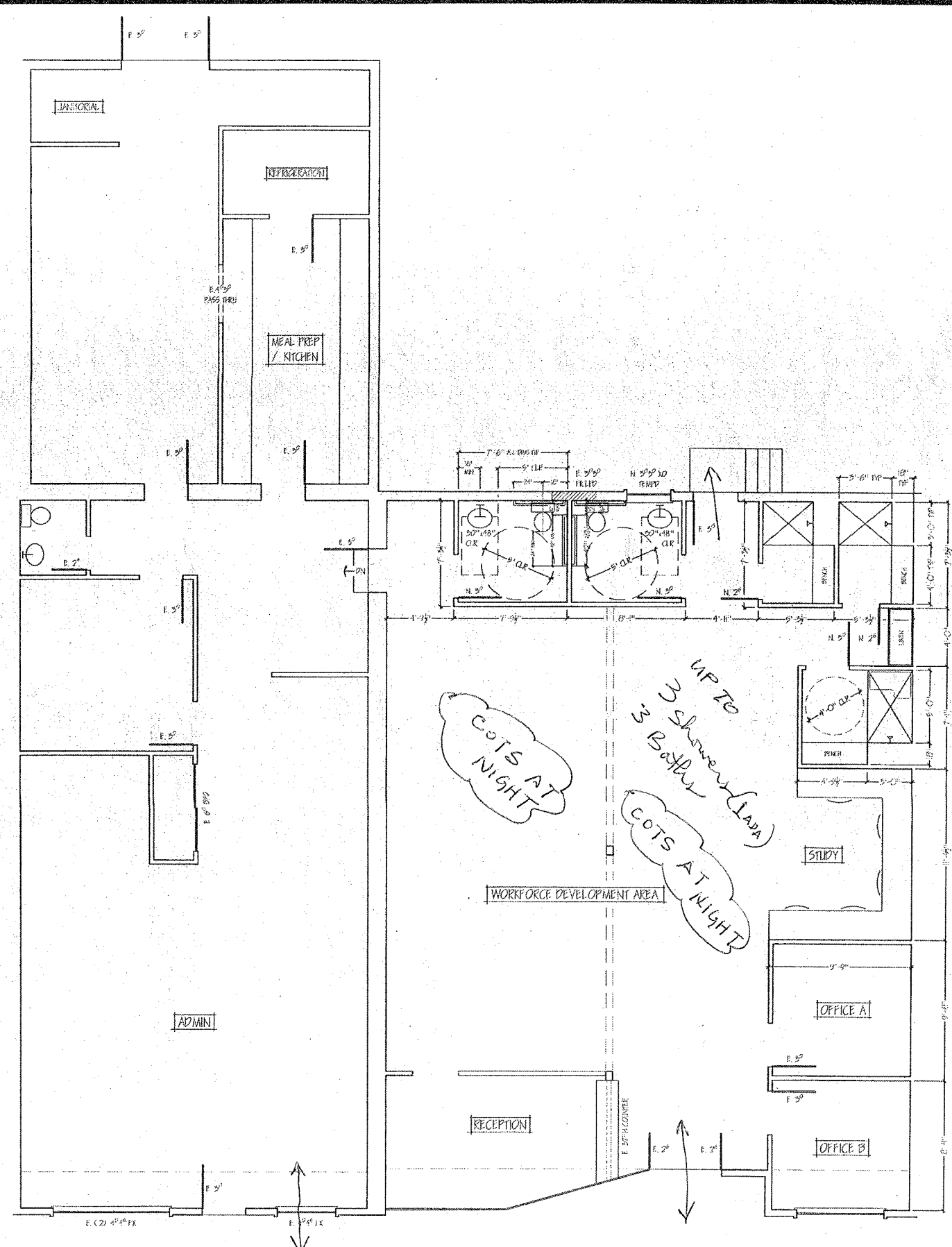
ABSENT:

ATTEST:

APPROVE:

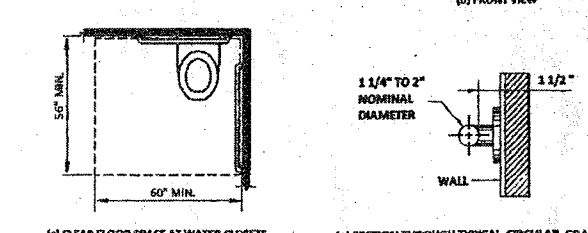
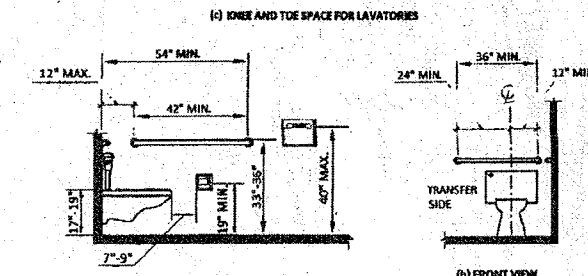
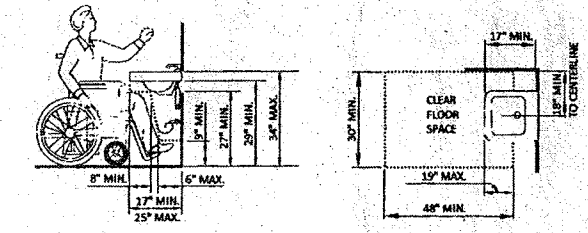
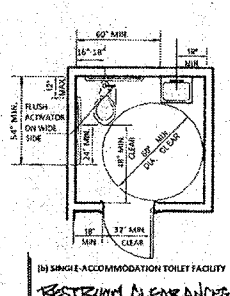
Jackie Glover, Assistant City Clerk

Damon Robison, Chair



REVISED FLOOR PLAN 1/4" = 12"

- Renovation of Haven of Hope Resource Center**
- Workforce Development Area:
 - ADA compliant bathrooms (2)
 - Standard showers (2)
 - ADA compliant shower
 - LVT tile all flooring
 - Finish two new private rooms (address wallpaper)
 - Paint and finish baseboard trim - Office A
 - Paint and finish baseboard trim - Office B
 - Paint Workforce Development Area (address wallpaper)
 - Paint and finish trim of Reception Area
 - Paint ceiling - entire room
 - Install street window treatment
 - Repair south wall - drywall holes
 - Assess and replace any faulty electrical outlets
 - Install laundry room - include washer/drier
 - Install additional lighting where necessary
 - Install motion detection light outside rear door



EQUIPMENT & GRAB BARS - RESTROOM

REVISIONS	BY

HIS
DESIGNS

1453 Downer St, Suite D
Oroville, CA 95965
(530) 533-1510
hendersonplans@gmail.com

PLANS FOR RENOVATION
HAVEN OF HOPE RESOURCE CENTER
3010 MYERS ST.
OROVILLE, CA 95986

SHEET 1: FLOOR PLAN

DRAWN A. HENDERSON
CHECKED
DATE 11-19-18
SCALE
JOB NO. 18-1105
SHEET 1