

<b>Location:</b>	<b>2815 West Street (See map on reverse)</b>
<b>Assessor's Parcel Numbers:</b>	APN 009 -0693-004-00
<b>Proposal:</b>	To establish a Service-Enriched Permanent Housing Residential Activity for 16 adults within an existing structure; no external changes proposed.
<b>Applicant:</b>	Carolyn Robinson, East Bay Transitional Housing
<b>Contact Person/Phone Number:</b>	Carolyn Robinson, (510) ) 978-1146
<b>Owner:</b>	Carolyn Robinson, East Bay Transitional Housing
<b>Case File Number:</b>	<b>CM06-245</b>
<b>Planning Permits Required:</b>	Major Conditional Use Permit
<b>General Plan:</b>	Mixed Housing Type
<b>Zoning:</b>	R-36 Special Small Lot Residential Zone
<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines; minor alterations to existing facilities
<b>Historic Status:</b>	The building is not a Potentially Designated Historic Property(PDHP); post 1945
<b>Service Delivery District:</b>	1
<b>City Council District:</b>	3
<b>Date Filed:</b>	May 19, 2006
<b>Status:</b>	Pending.
<b>Action to be Taken:</b>	Public hearing. An action may or may not be taken at the hearing.
<b>Staff Recommendation:</b>	Take public testimony and provide direction to staff and the applicant or take action to approve the project.
<b>Finality of Decision:</b>	Appealable to City Council
<b>For Further Information:</b>	Contact the case planner, <b>Chris Candell</b> , at <b>(510) 238-6986</b> or by e-mail at <a href="mailto:ccandell@oaklandnet.com">ccandell@oaklandnet.com</a>

**SUMMARY**

The applicant wishes to establish a Service-Enriched Permanent Housing Activity for up to 16 adults who participate in the program on a voluntary basis. Residents must be employed to participate in the program and most will travel offsite to work. All residents will attend one or more ongoing recovery programs off site. Most residents will use public transportation to commute to jobs. Residents will be under supervision when on site by a volunteer house manager. There will be one manager per living unit. Residency is contingent upon adherence to the specific recovery program(s) enrolled in and rules of behavior (see letter from applicant dated 8/18/06 attachment "B" and house rules see Attachment "C"). Residents unable to meet these rules will be subject to discipline including removal from the program.

The program will take place within an existing two-story three unit 3,846 square foot apartment building (see plans, attachment "A"). The building is on a 6,000 square foot lot located mid-block adjacent to a vacant parcel on one side and a church on the other in a neighborhood primarily developed with single family and small multifamily structures. There are three parking stalls to the rear of the building. An outdoor recreation area, and an un-permitted storage shed and laundry shed occupy the remainder of the rear yard. No external changes are proposed. A Major Conditional Use Permit is required in the R-36 Special Small Lot Residential zoning district to establish this type of activity.

The existing facilities were constructed in 1966 as a medical office and converted to a 15 bed residential care facility approved under CM85-112. This makes the residential structure particularly well suited for the proposed use. The impacts from traffic and parking would be minimal and not greater than a purely residential use of the property.

The use is compatible with surrounding residential, commercial and civic uses in this mixed use neighborhood. As conditioned, nuisance activity such as loitering will be prohibited. The project meets the standard Conditional Use Permit findings and the special findings for Service-Enriched Permanent Housing Activities (17.102.212) related to traffic, parking, staffing, deliveries, and distance to other similar facilities. Therefore, staff recommends approval of the Major Conditional Use Permit.

**PROJECT DESCRIPTION**

The applicant wishes to legalize a Service-Enriched Permanent Housing for up to 16 adults from Oakland and the East Bay who voluntarily join the program and sign agreements to abide by the rules and regulations of East Bay Transitional Housing. The program is not subject to State licensure. East Bay Transitional receives its funding from rents paid by the residents. The housing portion of the program is primarily paid for by rents. Residents are responsible for food and supplies.

Residents at this facility may be part of a variety of recovery programs. Residents pay rent to East Bay Transitional Housing and live on site as permanent residents for a minimum of 30 days as part of a recovery program. There is no maximum stay. Residents typically use public transit to get to the jobs and treatment. Since the site is close to San Pablo Avenue access to public transportation is good. Typical agreements for treatment and house rules are attached as exhibit (see attachment "C"). Project input occurs off site. There is a smoking/socializing area and laundry area to the rear of the building. House rules do not permit smoking and loitering in the front of the building.

Staffing

Residents will be under supervision when on site by one of three volunteer house managers and East Bay Transitional paid staff members who visit and inspect the facility. There is no "paid" staff on site.

Parking and deliveries

There is a driveway and three parking stalls located on site. Residents will generally not have cars but there is no prohibition against car ownership. There should be no general deliveries since residents are expected to provide for their own supplies and food. Delivery times for deliveries to residents from general delivery services would be time restricted from between 8:00 AM to 6:00 PM, weekdays.

Conditions of residency

Residency is contingent upon adherence to rules of behavior and contingent upon participation in recovery programs (see attachment "C"). Residents unable to meet these rules will be subject to discipline including removal from the program. Residents are subject to random drug and alcohol testing and may be excluded from the program for testing positive. Attendance is also required at off-site AA, NA programs.

Visitation

House rules, signed by each tenant, allow visitors on Saturday at posted times. Residents are also encouraged to meet with family and friends off site. Visiting hours are time limited from 9:00 AM to 10:00 PM maximum.

Location and facilities

The program will take place within an existing two-story four unit 3,846 square foot apartment building. The building is on a 6,000 square foot lot located mid-block adjacent to a single family home on one side and a church on the other in a neighborhood developed with single family and small multifamily structures. There are three parking stalls to the rear of the building. An outdoor recreation area, and an un-permitted storage shed and laundry shed occupy the remainder of the rear yard. No external changes are proposed.

**PROPERTY DESCRIPTION**

The property is located at 2815 West Street. The building is located mid-block adjacent to a vacant parcel on one side and a church on the other in a neighborhood developed with single family to small multifamily structures. There are three parking stalls to the rear of the building. An outdoor recreation area, storage shed, and laundry shed occupy the remainder of the rear yard. There is mature landscaping in the front yard. No external changes are proposed.

**GENERAL PLAN ANALYSIS**

This project is located in the Mixed Housing Type General Plan designation. The General Plan is silent regarding Service-Enriched Permanent Housing Activities. The Mixed Housing Type Residential classification is intended to “create, maintain, and enhance residential areas typically located near the City’s major arterials and characterized by a mix of single family homes, townhouses, small multi-family businesses, and neighborhood businesses where appropriated.” The desired character and uses section of the General Plan states that primary future uses should be “residential, small commercial enterprises, schools, and other small scale, compatible civic uses possible in appropriate locations.” This use is residential in character; the program participants will live on site; treatment will be off-site. The use is compatible in density and intensity to surrounding residential uses. Therefore the proposed use conforms to the intent of the General Plan Land Use Classification.

**ZONING ANALYSIS**

The proposed use is Service-Enriched Permanent Housing. This activity requires a major Conditional Use Permit in the R-36 Special Small Lot Residential Zone.

A Service-Enriched Permanent Housing Activity is defined at Section 17.10.112 which includes the provision of offsite treatment. The long term occupancy of up to 16 adults who are enrolled in an off site treatment, educational, and rehabilitation programs meets this definition.

Service-Enriched Permanent Housing Residential Activities which include permanent housing in which residents are tenants who live independently and have access to various support services, such as, health, mental health, education and employment/training services.

The Facility type is a Multifamily Residential Dwelling which is permitted in the R-36 zoning district.

In the R-36 Special Small Lot Residential Zone Garden Apartment Zone, Emergency Shelter Activities, Transitional Housing Residential Activity, and Service-Enriched Housing require a Conditional Use Permit. This activity requires a Major Conditional Use Permit as enumerated in Section 17.134.020(A) 2, Definition of major and minor conditional use permits. To permit the establishment of this use, the Planning Commission must make the regular Conditional Use Permit findings of Section 17.134.050, and the special use permit findings for Service-Enriched Housing Section 17.102.212. The special findings are related to: staffing, traffic, parking, and delivery of goods, noise, and a restriction on overconcentration of such facilities. Multifamily Residential Dwelling Facilities are permitted by right.

## ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act (CEQA) Guidelines list projects that are categorically exempt from environmental review. Section 15301 exempts minor alterations to existing facilities. No external changes are proposed. The off-site environmental impacts and overall intensity of the use will be similar to that of the earlier use of the building as a residential structure. Therefore, the proposed change in use is minor and will not create any adverse environmental impacts.

## KEY ISSUES AND IMPACTS

### Program and history

The structure was constructed in 1966 as a medical facility. At that time, the property was zoned R-70. In 1974, the property was re-zoned R-40. In 1985, a Major Conditional Use Permit was issued to convert the building to a 15 bed residential care facility. The property is currently zoned R-36. As constructed in 1966 there were several parking stalls. At some time since construction, two sheds have been added to the property reducing the number of parking stalls to three. The sheds are large enough to require building permits but there are no permits on file. From observation the sheds are less than three feet from the property lines and would require one hour firewall construction. It is unclear if they have this construction. The sheds will need to be removed, or reviewed and approved regardless of the status of this proposal.

The applicant is a Certified Nurse Assistant and Unit Secretary at MPI Chemical Dependency Treatment Services, a division of Alta Bates Summit Medical Center. She now seeks to own and operate a Service-Enriched Permanent Housing Residential Activity for 16 adults.

As conditioned, it is unlikely to create any impacts more adverse than a regular multifamily residential facility related to nuisance, noise, traffic, or parking. The program rules are not specific, but provide for the removal of disruptive residents. As conditioned, residents will not be allowed to loiter on public property or on the front steps of the building. A designated smoking area will be established for residents who smoke at the rear of the property. Curfew hours are established to provide quiet hours for neighbors.

### Traffic and Parking

Parking is adequate and traffic will not be significantly affected. Multi-family facilities in this zone normally require 1 stall per dwelling unit. There are 3 dwelling units and 3 stalls are provided. However, the proposed use is new and does require parking at the rate prescribed by the planning code.

The Oakland Municipal Code Section 17.116.060 B, requires two thirds of a parking stall for each dwelling unit, one third of a parking stall for each employee at peak shift, and one stall for each facility vehicle. There are 3 dwelling units, which generates (2.0) parking stalls, three unpaid employees generating (1.0) parking stall, and no facility vehicles generating (0)-parking stalls. The total required parking is therefore 3 parking stalls. The existing three parking stalls could accommodate this number. Additional parking if needed would occur on city streets. The need for deliveries would be the same as that required for ordinary multi-family residences. As there are no communal supplies there are no planned deliveries; each resident is responsible for their own. This would not create the need for deliveries beyond that required for ordinary residences.

The residents would use public transportation as much as possible to commute to school, jobs, and other services and multiple bus lines are available on San Pablo Avenue nearby. The impact from parking and traffic would be no different and possibly less than if families lived in the three units. West Street, 28<sup>th</sup> street, 29<sup>th</sup> Street, and nearby San Pablo Avenue have sufficient capacity to handle the anticipated traffic without detrimentally affecting the level of service at adjacent intersections.

Compatibility of Facilities to existing surrounding uses and neighborhood context

The neighborhood context is varied ranging from religious institutions to single family and multi-family residential buildings along West Street and adjoining streets.

The proposed activity will operate much like a residential use. The residents, like most residents in the area, will commute off-site during the day and return in the early afternoon or evening. However, unlike neighboring residents they will be subject to a curfew. The applicant proposes curfew hours of 10:00 PM. There is no morning hour mentioned in the housing rules. Staff would propose a condition of approval amending these hours to include a daily morning curfew of 7:00 AM keeping the overall hours consistent with the noise ordinance regulations.

While on site, residents must observe strict quiet hours and other restrictions to minimize adverse off-site impacts such as loitering. As conditioned, with respect to traffic, parking, noise, and loitering, the impacts of the use will be similar to those of an ordinary residential activity

The facility is physically and aesthetically compatible to surrounding uses. The building is of a similar size, scale to the adjoining structures but is much newer than most other buildings. The appearance will not be changed.

The facilities can easily accommodate the number of residents. There are three units with the larger unit on the ground floor and two similar sized units upstairs. The upstairs units contain two bedrooms each and will house four residents apiece. The lower unit has handicap facilities and will house eight residents in four bedrooms. All units have sizable kitchens and common areas. The backyard is sufficient in size and will allow for limited outdoor recreation.

Regulatory Context

Regulations in the form of special findings were adopted in 1999 to provide guidance in evaluating applications for special Residential Care, Service-Enriched Permanent Housing, Transitional Housing, and Emergency Shelter Residential Activities. Key issues addressed in the regulations are staffing qualifications, parking, traffic, noise, and overconcentration of such activities geographically. In addition, the proposed use must meet the regular Conditional Use Permit findings. The key issues in the regular Conditional Use Permit findings are compatibility of the use and structure to the neighborhood, and that the use will enhance the functional living environment of the neighborhood without the introduction of adverse impacts on the abutting properties or appropriate development of the neighborhood.

The proposed use meets the specific criteria of Section 17.102.212 in the following ways

- Off site staff will meet or exceed the State Licensing Agency requirements even though this is not a State licensed facility.
- Residents will primarily use public transportation to get to treatment, bus lines are close by on San Pablo Avenue. This will reduce traffic impacts to a level comparable to that of the use of the site as a multiple family residence. West Street, 28<sup>th</sup> and 29<sup>th</sup> Streets, and San Pablo Avenue are capable of handling anticipated traffic.
- In general, the activity will generate less parking than the previous, residential use. There will be no on site paid staff, no regular deliveries. Visitors will only be allowed on Saturday.
- As a condition of residency, residents must abide by regulations that will include rules that limit hours and noise to levels that will not adversely affect the livability of the surrounding properties.
- As a condition of residency, residents must be employed and adhere to continuing care agreement from their treatment program.

- The proposed use is located more than 300 feet from the nearest Residential Care or Transitional Housing activity (see attachment “D”).

In addition, the project meets the regular Conditional Use Permit findings. The proposed use will be compatible with existing activities and facilities in the neighborhood. The size and scale of the building is comparable with adjacent multiple residential development, religious institutions, and other businesses. The activity will enhance the neighborhood by providing a necessary community service and preparing residents for a productive, independent life. Adverse impacts will be minimized by providing treatment and training off-site, limiting noise, and prohibiting loitering through conditional rules of residency. The approval of this Conditional Use Permit and the recommended conditions and requirements will assure that this activity will be operated in a manner that will minimize impacts on the adjacent neighborhoods. If desired, the Planning Commission may request that the report be brought to them after six months of full operation to confirm that there are no significant impacts.

**RECOMMENDATIONS:**

1. Affirm staff’s environmental determination under CEQA guidelines Section 15301 (Categorical Exemptions).
2. Approve the Major Conditional Use Permit subject to the attached findings and conditions.

Prepared by:

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Chris Candell  
Planner II

Approved by:

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SCOTT MILLER  
Zoning Administrator

Approved for forwarding to the  
City Planning Commission:

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CLAUDIA CAPPIO

**ATTACHMENTS:**

- A. Plans
- B. Letter from applicant dated August 18, 2006
- C. House Rules for residents/agreements with outside service providers
- D. Map of nearby Residential Care or Transitional Housing facilities.

**FINDINGS FOR APPROVAL:**

This proposal meets the required findings under Section 17.134.050, General Use Permit Criteria and Section 17.102.212 Special Regulations Applying to Residential Care, Service-enriched Permanent Housing, Transitional Housing, and Emergency Shelter Residential Activities as set forth below. Required findings are shown in **bold** type; explanations as to why these findings can be made are in normal type.

**Section 17.134.050 (General Use Permit Criteria):**

- A. That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.**

The building is existing and compatible in size, design and operating characteristics to other businesses and residential development in the area. The primary use will be residential and as conditioned, will not adversely affect the livability or appropriate development of abutting properties by generating excessive noise, loitering, or other nuisance activity. Parking and traffic will be equal to or less than that of a comparable sized apartment complex or other residential use. Residents will use public transportation. West Street, 28<sup>th</sup> and 29<sup>th</sup> Street, and San Pablo Avenue are capable of handling the anticipated traffic without adversely affecting the level of service at adjacent intersections.

- B. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant.**

The proposed activity will not conflict with a convenient living environment. The operation of the proposed activity will not adversely affect the livability or appropriate development of abutting properties because traffic, parking and other impacts will be equal or less than those generated by a comparable sized apartment building or other residential use. Two parking stalls are required, three are provided.

- C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.**

The proposed activity will provide an essential service to the community by offering a quality-Service Enriched Housing program for adults in Oakland and the East Bay.

- D. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.070.**

As conditioned the exterior and landscaping will be maintained, Any exterior changes will be reviewed by the Zoning Administrator prior to issuance of any building permits.

- E. That the proposal conforms in all significant respects with the Oakland Comprehensive Plan and with any other applicable plan or development control map which has been adopted by the City Council.**

The proposal is a Service Enriched Housing Residential Activity and conforms to the intent of the General Plan by providing an activity that is primarily residential in nature.

**Section 17.102.212, Special Regulations Applying to Residential Care, Service-enriched Permanent Housing, Transitional Housing, and Emergency Shelter Residential Activities:**

- A. 1. That the staffing of the facility is in compliance with any State Licensing Agency requirements.**

Although not subject to State Licensing Agency requirements, staffing at the off-site facility may meet or exceed State requirements.

- 2. That if located in a residential zone, the operation of buses and vans to transport residents to and from off-site activities does not generate vehicular traffic substantially greater than that normally generated by Residential Activities in the surrounding area.**

The project is located in residential zone. Residents will use public transportation for traveling to jobs, off-site training and care facilities or medical care. There will be no on-site employees. Traffic will be similar to or less than that generated by other residential activities in the area.

- 3. That if located in a residential zone, the on-street parking demand generated by the facility due to visitors is not substantially greater than that normally generate by the surrounding Residential Activities.**

As conditioned visitors are only allowed on Saturday between 9:00 AM and 10:00 PM. As conditioned, staff will visit to inspect this site. Visitation of residents off-site will be encouraged.

- 4. That if located in a residential zone, arrangements for delivery of goods are made within the houses that are compatible with and will not adversely affect the livability of the surrounding properties.**

Because there are no communal supplies and residents are responsible for food and supplies, deliveries will be rare and would be made during normal business hours and will not adversely affect the livability of the surrounding properties or significantly increase traffic.

- 5. The facility's program does not generate noise at levels that will adversely affect the livability of the surrounding properties.**

As a condition of residency, residents must abide by regulations that will include rules that limit noise to levels that will not adversely affect the livability of the surrounding properties.

- B. Restriction on Overconcentration of Residential Care, Service-Enriched Permanent Housing, Transitional Housing, and Emergency Shelter Residential Activities. No Residential Care, Service-Enriched Permanent Housing, Transitional Housing, or Emergency Shelter Residential Activities shall be located closer than three hundred (300) feet from any other such Activity or Facility.**

There are no other such activities or facilities within three hundred (300) feet of the proposed facility.

**CONDITIONS OF APPROVAL****STANDARD CONDITIONS:****1. Approved Use.****a. Ongoing.**

The project shall be constructed and operated in accordance with the authorized use of Emergency Shelter as described in the staff report dated October 4, 2006 and the plans submitted on August 21, 2006 and as amended by the following conditions. Any additional uses other than those approved with this permit, as described in the project description, will require a separate application and approval. Specifically, the project is approved solely for a Service Enriched Residential Activity for a maximum of 16 residents. There shall be no services provided or advertised for non-residents such as, but not limited to, intake of clients, clinic services, educational resources, and referral services. This condition shall be modified only upon review and approval by the Oakland Planning Commission at a noticed public hearing.

**2. Effective Date, Expiration, and Extensions****a. Ongoing.**

This permit shall become effective upon satisfactory compliance with these conditions. This permit shall expire on October 4, 2007, unless actual construction or alteration, or actual commencement of the authorized activities in the case of a permit not involving construction or alteration, has begun under necessary permits by this date. Upon written request and payment of appropriate fees, the Zoning Administrator may grant a one-year extension of this date, with additional extensions subject to approval by the City Planning Commission.

**3. Scope of This Approval; Major and Minor Changes****a. Ongoing.**

The project is approved pursuant to the Planning Code only and shall comply with all other applicable codes and requirements imposed by other affected departments, including but not limited to the Building Services Division and the Fire Marshal. Minor changes to approved plans may be approved administratively by the Zoning Administrator; major changes shall be subject to review and approval by the City Planning Commission.

**4. Modification of Conditions or Revocation****a. Ongoing.**

The City Planning Commission reserves the right, after notice and public hearing, to alter Conditions of Approval or revoke this conditional use permit if it is found that the approved facility is violating any of the Conditions of Approval or the provisions of the Zoning Regulations.

**5. Recording of Conditions of Approval****a. Prior to issuance of building permit or commencement of activity.**

The applicant shall execute and record with the Alameda County Recorder's Office a copy of these conditions of approval on a form approved by the Zoning Administrator. Proof of recordation shall be provided to the Zoning Administrator.

**6. Reproduction of Conditions on Building Plans*****CONDITIONS OF APPROVAL***

**a. Prior to issuance of building permit.**

These conditions of approval shall be reproduced on page one of any plans submitted for a building permit for this project.

**7. Indemnification**

**a. Ongoing.**

8. The applicant shall defend, indemnify, and hold harmless the City of Oakland, its agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Oakland, its agents, officers or employees to attack, set aside, void or annul, an approval by the City of Oakland, the Office of Planning and Building, Planning Commission, or City Council. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

**SPECIAL CONDITIONS FOR SERVICE ENRICHED HOUSING ACTIVITY:**

**8. Program Requirements**

**a. Prior to commencement of activity**

At a minimum, program requirements titled "Community Living/House Rules" dated received August 21, 2006, and as modified below, shall be incorporated into these conditions of approval and recorded along with these conditions of approval with the Alameda County Recorder.

**9. Number of Residents**

**a. Ongoing**

There shall be no more than 16 residents at any given time. Any increase in the number of residents will require a modification to this Conditional Use Permit.

**10. Length of Residency**

**a. Ongoing**

The minimum length of residency for those in the program will be 30 days.

**11. Noise**

**a. Ongoing**

Noise levels from the activity and grounds or any mechanical equipment on site shall comply with the performance standards of Section 17.120.050. If, at any time, noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Zoning Administrator.

**12. Contact information**

**a. Prior to commencement of activity**

The operator shall post on the property a sign that shall be clearly visible from the Stanford Avenue Street entrance at the property line indicating the name and 24-hour contact telephone number of the staff responsible for receiving and responding to all written and verbal complaints received by the facility. The letters of the sign shall be legible and contrast with the background color of the sign and have lettering of a minimum height of one inch.

**13. Payphones**

**a. Ongoing**

No external pay phones are permitted on the premises.

**14. Litter**

*a. Prior to issuance of building permits*

At least one non-flammable external litter receptacle and one ashtray shall be installed on the outside of the building in a place accessible to residents. A portable ashtray may be substituted. The location of any permanent ashtray and litter receptacle shall be reviewed and approved by the Zoning Administrator. The location of garbage cans/dumpsters shall be reviewed and approved by the Zoning Administrator.

*b. Ongoing*

Litter and debris shall be cleared from the external portions of the building and 20 feet on either side of the property along Stanford Avenue once per day or as needed to maintain a litter free environment. A portable ashtray, if used, shall remain outside in a location near the entrance during all times that the building is open for business. The ashtray and litter receptacle shall be emptied as often as needed to prevent overflowing.

**15. Graffiti**

*a. Ongoing*

Graffiti shall be removed within 72 hours of application.

**16. Loitering and loitering Signage**

*a. Prior to commencement of activity*

The curfew hours in the "Community Living/House Rules" shall be modified. The new rule shall state that curfew hours are 7:00 AM to 10:00 PM daily. In addition, the applicant shall post at least one no loitering sign on the building façade or fence or other visible locations around the site. Signs shall be of a permanent nature and shall have letters a minimum of two inches in height.

The housing rules shall be further modified to include restrictions against congregating in or on the front porch or yard at any time. Outdoor activities may be permitted in the rear yard of the property.

**17. Loitering**

*a. Ongoing*

The applicant shall actively discourage loiterers. Those persons loitering longer than ten minutes shall be asked to leave the area and not allowed to loiter in front of the building. As a condition of residency residents shall be prohibited from loitering on public property. Residents may smoke only in designated sites on the property.

**18. Staffing**

*a. Ongoing*

An on-site staff person shall be assigned to each living unit at all times.

**19. Transportation**

*a. Ongoing*

Residents shall use public transportation for off-site training, education and other services.

**20. Parking**

*a. Ongoing*

Employees visiting shall utilize onsite parking first, using on street parking only when needed when all onsite-parking stalls are full. The applicant shall insure that parking by visitors and staff

does not overhang or block the sidewalk. The applicant shall work with the neighbors to resolve parking problems caused by residents, employees, deliveries, or visitations.

**21. Delivery of goods**

*a. Ongoing*

All goods for the facility, if any are needed, shall be delivered during between the hours of 8:00 AM and 6:00 PM. Delivery drivers shall be instructed not to block parking or driveways of neighbors and to the extent possible to use off street parking when available.

**22. Visitation**

*a. Ongoing*

As stated in the Housing rules, visitation by family and friends is not allowed except on Saturdays between 9:00 AM and 10:00 PM.

**23. Compliance review**

*a. Ongoing*

Staff shall provide the Planning Commission with a Conditions of Approval compliance report after six months of operation.

**DESIGN:**

**24. Un-permitted sheds in rear yard.**

*a. Prior to issuance of building permits or commencement of activity*

The applicant shall obtain valid zoning and building permits for the two un-permitted sheds in the rear yard or remove them.

**25. Tenant Improvements**

*a. Prior to issuance of building permits or commencement of activity*

The applicant shall submit floor plans for any proposed construction. The design shall be reviewed and approve by the Zoning Administrator.

**26. Signage**

*a. Ongoing*

The applicant shall maintain all exterior finishes, landscaping and signage in good repair.

*b. Ongoing*

Lighting, if any, shall be designed and maintained so as not to cast glare onto adjacent properties. Lighting plans shall be reviewed and approved by the Zoning Administrator prior to issuance of building permits.

**APPROVED BY:** City Planning Commission: \_\_\_\_\_(date)\_\_\_\_\_ (vote)  
City Council: \_\_\_\_\_(date)\_\_\_\_\_ (vote)