



**CITY OF YUBA CITY
PLANNING COMMISSION
STAFF REPORT**

Meeting Date: September 11, 2019

To: Chair and Planning Commissioners

From: Development Services Department

Presentation By: Gary Pedroni, Contract Planner

Public Hearing: Public hearing and consideration of a Use Permit to allow operation of a Psychiatric Health Facility and Mental Health Rehabilitation Center providing therapeutic and rehabilitation services and make a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Project Location: The 5.46-acre project is located at 1251 Stabler Lane approximately 270 feet south of Butte House Road (APN 59-010-050).

Recommendation: Conduct a public hearing and take the following action:

1. Determine the project is Categorical Exempt pursuant to California Environmental Quality Act, Section 15301; and
2. Approve a Use Permit to allow operation of a Psychiatric Health Facility and Mental Health Rehabilitation Center providing therapeutic and rehabilitation services located at 1251 Stabler Lane.

Applicant/Owner: Stabler Rehab, LLC

Project Number: #UP19-02

APN: #59-010-050

Property Address: 1251 Stabler Lane (South of Butte House Rd and North of Poole Blvd.)

General Plan/Zoning: Office and Office Park / Commercial Office (C-O)

Project Proposal:

The project consists of the following components:

1. Use Permit (UP) 19-02: To permit a Psychiatric Health Facility and Mental Health Rehabilitation Center providing therapeutic and rehabilitation services; and
2. Environmental Assessment (EA19-05). An environmental assessment concluding that the project is Categorically Exempt pursuant to California Environmental Quality Act Section 15301 (Existing Facilities).

Project Information:

Stabler Rehab, LLC is a proposed 56-60 bed rehabilitation facility licensed by the California Department of Health Care Services to provide non-hospital (Psychiatric Health Facility - PHF) or sub-acute (Mental Health Rehabilitation Center - MHRC) services pursuant to California Code of Regulations, Title 22, Division 5 and Title 9, Division 1. The project will serve adults 18 and older who are experiencing a psychiatric emergency or other acute or sub-acute mental health challenges.

The operation would include 56-60 beds for inhouse patients, as well as out-patient services which will vary depending upon demand. There will be a maximum of 50 employees on site at any given time.

The project site consists of a 5.46-acre parcel on the east side of Stabler Lane, approximately 270 feet south of Butte House Road. The site is developed with a 51,000 square foot structure that formerly housed a psychiatric hospital (which closed in 2008). The site is currently vacant. The facility would be locked, with 24/7 awake staff providing care, supervision and security for all patients. Patients will not have access to any outdoor areas on their own. All staff receive training in crisis prevention techniques from a certified trainer. In circumstances where a client is a danger to themselves or others, and cannot be managed with less restrictive interventions, seclusion and/or restraint is permitted by the licensing agency (Department of HealthCare Services) and with a physician's order.

The project scope would consist of two proposed providers (Willow Glen Care Center and North Valley Behavioral Health, LLC.) operating at 1251 Stabler Lane would contract with up to 25 northern California counties, including Sutter and Yuba Counties. Other counties of origin are likely to include (in no particular order): Plumas, Placer, Yolo, Napa, El Dorado, Colusa, Shasta, Marin, Kings, Lassen, Humboldt, Tehama, Mendocino, Solano, Del Norte, Butte, Trinity, Glenn, Mariposa, Merced, Lake, Amador, and Sacramento. Depending on county utilization, it is anticipated that Yuba/Sutter County clients will comprise up to 20% of the clientele at these new facilities, though additional clientele from Sutter Youth Mental Health (SYMh) may be accommodated at the request of the host County.

Patients are typically transported by a private 3rd party provider (e.g. ambulance, private security, etc.), or by the contracted County. The majority of patients come from private residences or emergency rooms. Upon arrival clients will be escorted directly from the vehicle into the locked facility. Upon discharge clients will return via a 3rd party

transportation provider or county vehicle back to their county of origin (typically home, board and care or shelter) or to an alternative level of care in another community approved by the referring County. Patients will not be discharged directly into Yuba City unless they are a Yuba/Sutter resident and it is pre-authorized and at the directive of SYMH, the client's Public Guardian, or similar public agency. Patients not native to the Yuba-Sutter area will not be discharged directly into the community.

It is expected that all patients moving to a lower level of care (e.g., board and care, supervised living, etc.) would be returned to the county of origin for placement or other disposition upon discharge from the program.

The application was submitted on June 26, 2019 with additional information submitted on August 28, 2019 in order to provide a complete application for the City's consideration. The applicant also held a voluntary outreach event to allow interested parties to meet the health providers and ask questions about the facility.

Property Description:

The existing facility was constructed on the subject site in 1989 after receiving Planning Commission approval in 1988 as a psychiatric hospital. The complex is composed of a single-story structure approximately 51,000 square feet in area. The site includes several open areas, including a 3,800 square foot area used by patients/clients for relaxation and a 20,000 square foot outdoor area that is enclosed by 15-foot-high masonry wall. The site and facility provide indoor and outside activity space, including 32 semi-private bedrooms with shower, dinning space, activity/group rooms and office spaces. Located on the grounds are multiple outdoor patio spaces for activities and relaxation. The site offers security and privacy for patients and families.

The existing structures exterior is clad in tan stucco. Several portions of the roof line are vaulted and finished with tile roofing. All roof mounted equipment is shielded from view by a mansard roof. Windows are lightly trimmed and are flush with the stucco finish. The primary entrance is located on the west side of building and accented with a canopy. Other entrances into the building include a loading area on the south side of the building and secured employee entrances on the north, east, and south side.

The site is landscaped with a variety of trees and shrubs. There is a landscaped area along Stabler Lane that ranges in width from 22 to 38 feet. The landscape area is planted with various shrubs and trees; however the area lacks street trees. The lawn area located along the northerly property line is approximately 80 feet in width at Stabler Lane and tapers down to 24 feet in width. Aside from the open area in the northwest corner, all fenced areas are landscaped with shrubs, trees, and ground cover that range in width from 5 to 12 feet in depth. Landscaping is also provided along the exterior of the building.

The site uses a 5.5-foot high slated cyclone fence which extends along the entirety of the northerly and easterly property line. The southerly property line includes an 8-foot high masonry wall, covered with vines, that is adjacent to the Yuba City Police Department

and extends approximately 210 feet from the southwest corner to the west. The remainder of the southerly boundary is fenced with 5.5-foot slated cyclone fencing.

There are a total of 137 onsite parking spaces, including 7 handicap accessible spaces.

The site is relatively flat with no unique topographic features. The site drains to the existing storm drain system on Stabler Lane. There are no rock outcroppings or heritage-type trees on the site. Public utilities are located in a Public Utility Easement located along Stabler Lane.

All public improvements are in place. There is an attached sidewalk along Stabler Lane, the site's only street frontage. Stabler Lane is a Major Arterial road that provides two travel lanes in each direction with a continuous left turn lane. There are bicycle lanes on both the east and west side of Stabler Lane.

Adjacent Property Information:

The following table provides the General Plan land use and zoning for adjacent properties:

Table 2: Project and Bordering Site Information			
	General Plan Land Use Classification	Zoning	Existing Land Use
<i>Project Site</i>	Office & Office Park	C-O (Office Commercial District)	51,000 sq. ft. former psychiatric facility and parking
<i>North</i>	Community Commercial	C-2 (Community Commercial District)	Retail and commercial
<i>East</i>	Community Commercial	C-2 (Community Commercial District)	Religious facility
<i>West</i>	Community Commercial	C-2 (Community Commercial District)	Feather Down Shopping Center
<i>South</i>	Community Commercial & Public Facility	C-2 (Community Commercial District) & PF (Public Facility)	Retail & Police Department

General Plan:

Existing Land Use Classification: *Office & Office Park.* This classification encourages development containing professional and medical offices. This classification includes neighborhood, community, and downtown offices as well as office development in a low-intensity, campus-like setting. Office sites could include a mix of uses, such as a small-scale support services and residential uses that are secondary to the office development. Development intensity for buildout projections is assumed at Floor Area Ratio (FAR) of

0.25; the maximum FAR is 1.0. The site is developed at a FAR of 0.21.

FAR is the relationship between the total amount of usable floor area that a building has and the total area of the lot on which the building stands. For instance, a 10,000 square foot parcel with a 0.75 FAR could have up to 7,500 square feet of useable floor area. The building could be single-story or have multiple stories, but not to exceed a total useable floor area of 7,500 square feet.

General Plan Policies:

Although the proposed project is not in a residential area the General Plan does recognize the need to allow “...*alcoholism or drug abuse recovery or treatment facilities... consistent with state and federal law...*” The General Plan provides the following Guiding and Implementing Policies relating to residential areas and pertinent to this project:

Table 3: Applicable City Policies

Guiding Principles

3.4-G-7	Achieve compatibility between employment center development and surrounding neighborhoods through buffering requirements and performance standards intended to minimize harmful effects of excessive noise, light, glare, and other adverse environmental impacts.
6.3-G-2	Promote the development of medical facilities in Yuba City to serve a local and regional population.

Implementing Policies

6.3-I-17	Work with health care providers to maintain a full range of health care facilities and services designed to meet regional and community needs.
----------	--

Zoning District Classification:

Existing Zoning: The site is zoned C-O (Office Commercial District). The C-O district is intended to provide for the establishment and concentration of professional and business and administrative offices and business support services normally associated with offices. This district is consistent with the Institutional and Professional, Community Commercial and Regional Commercial General Plan designations. The district allows hospitals and care facilities with a Use Permit. There is no proposed change of zone.

Previous Commission Action:

On October 11, 1988 the Planning Commission approved Development Plan Amendment No. 88-15 to allow a psychiatric hospital. The site was part of the Civic Center Area Study when the psychiatric hospital was approved. It was anticipated that the hospital would be developed with an initial 80 beds and a subsequent future expansion. The first phase of development, approved with DP 88-15 did not include the proposed future expansion of the hospital with an additional 20-bed wing. The existing structure was constructed in 1989 and was operated by Sterling Development Group for approximately 10 years. The

State of California then operated the psychiatric facility for several years until its closure in 2008 when the property was purchased by Rideout Hospital. The facility has been vacant since 2008. There was an application submitted in 2017 (UP17-04) for a similar type of facility which was approved by the Planning Commission but the applicant never enacted to use.

Staff Comments:

The facility will be licensed through the California Department of Health Care Services. The Project application, as well as proposed Conditions of Approval, address a wide range of items to ensure that the proposed use is compatible with the area and provides certain operational assurances such as the type of operation, staffing, security, and services provided. As such, the proposed facility will operate in accordance with:

- A. The Project Description
- B. Conditions of Approval

Operational Standards: The applicant, Stabler Rehab, LLC, is proposing a Psychiatric Health Facility and Mental Health Rehabilitation Center providing therapeutic and rehabilitation services in a non-hospital 24-hour setting for adults 18 and older who are experiencing psychiatric emergency or other acute or sub-acute mental health challenges.

The operation would include 56-60 beds for inhouse patients, as well as out-patient services which will vary depending upon demand. There will be a maximum of 50 staff members onsite at any given time who provide 24-hour care.

Facility Modifications: The proposed Stabler Rehab operation will utilize a site which contains an existing 51,000 square foot structure that has been vacant for approximately 11 years. Minor interior and exterior modification are proposed to meet current building code standards and to address landscaping concerns. These modifications are not expected to impact building footprint or aesthetics in a significant manner.

Project Amenities: As previously noted, the site provides several outdoor areas that were previously used for passive and active recreating purposes.

Landscaping: There is existing landscaping throughout the site which generally needs attention. The applicant is proposing to improve the site aesthetics pursuant to city municipal code (see Attachment C, Preliminary Landscape Plan).

Fencing and Wall: The existing fencing is well maintained and does not show signs of disrepair. Existing landscaping softens the appearance of the fencing. Nonetheless, staff recommends that a condition of approval require that the applicant maintain the existing fencing and wall as well as landscape buffers.

Lighting: There is existing lighting throughout the site. Staff recommends several

conditions of approval requiring that lighting be pedestrian in scale and spaced appropriately for the fixture, type of illumination, and pole height. More specifically, the condition requires that the site be appropriately lit, with special attention given to main entry, parking, and other common facilities.

Parking: As previously noted, there are a total of 137 existing onsite parking spaces which exceeds the Code requirement of 123 spaces. In addition, staff is recommending a condition of approval that the applicant provide a minimum of five bicycle parking spaces.

Security: The applicant has indicated that onsite staff (orderlies) and as necessary other medical staff will provide 24-hour supervision and security. The facility will be locked. Staff is recommending a condition of approval that security cameras be provided in all common areas both inside and outside the facility.

Compatibility with Surrounding Uses: Compatibility with surrounding uses is a critical issue that must be considered for this project. As previously noted in Table 2, areas to the north are developed with a variety of commercial uses including a pharmacy and restaurants. Property to the east is developed with play fields owned by a religious institution. Properties to the south are developed with a commercial use and the Yuba City Police Department. The area to the west is developed with Feather Down shopping center. The nearest residential area is approximately 500 feet to the north.

Given that activities at the site are within the confines of the building and recreating areas, the proposed use does not appear to be in conflict with existing uses.

Police Department Comments: During interdepartmental review of the project, Police representatives agreed to allow the facility to operate without privately contracted security for a period of one year. The applicant operates Willow Glen Care Center and North Valley Behavioral Health, LLC in Yuba City which have demonstrated no operational issues. City Police have agreed to review the project after one year in order to ascertain whether additional security measures will be required.

Fire Department Comments: The Yuba City Fire Department will require that prior to occupancy, a State fire inspection must be conducted to ensure compliance with fire codes.

Availability of City Services:

All City services, including water, sewer and storm-water drainage are available to this site.

Environmental Determination:

The Project is Categorically Exempt pursuant Section 15301, Existing Facilities, Class 1 of CEQA Guidelines. The Class 1 exemption consists of “the operation, repair,

maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities ... involving negligible or no expansion of the use or facility beyond that existing at the time of the lead agency's determination."

Recommended Action:

Findings:

The proposed project has been examined with respect to its consistency with the goals and policies of the General Plan, its compatibility with surrounding uses, and the scope of improvements, all of which has been determined not to have a significant impact on the environment.

Yuba City Municipal Code Sections 8-5.7003 requires that five findings be made in order to approve a Use Permit. Provided below is an evaluation of the findings required to approve the project. The required findings are in *italics*.

1. **Environmental:** The Project is categorically exempt pursuant Section 15301, Existing Facilities, Class 1 of CEQA Guidelines.

Staff Analysis: As noted above, a determination has been made that the project is Categorically Exempt in that the existing facility footprint will not be increased. The project improvements consist with interior modifications.

2. **Use Permit:** Based upon analysis of the Use Permit application and subject to the applicant's compliance with the conditions of approval, the following required findings of Section 8-5.7001(C) of the Municipal Code can be made:

a. The proposal is consistent with the General Plan:

The General Plan notes that the Office & Office Park designation allows for wide range of office activities including professional and medical offices. In this instance, the site contains an existing facility that is sufficient in size to accommodate the proposed use, and to provide required parking, landscaping and lighting. In addition, operational standards and security measures provided will ensure that the proposed use will have minimal impact on nearby commercial and retail uses.

b. The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping, and other features required by this Chapter (Zoning Regulations).

The project site is approximately 5.46 acres with an existing 51,000 square foot structure. There are an existing 137 onsite parking spaces. The project site is in a developed with parking, landscaping, and public improvements.

c. The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.

The site is located on a Stabler Lane a Major Arterial that is fully improved. Patient activities are limited primarily to the site. City Public Works staff have indicated that no negative traffic impacts are expected with respect to this proposal.

d. The site design, design of the building, and scale of the project will complement neighboring facilities.

The site is developed with a 30 year-old building that previously housed a psychiatric facility. The facility is of similar design and construction as other uses in the immediate area, including offices and medical offices.

e. The project will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the vicinity.

The applicant, Stabler Rehab, LLC, is proposing a Psychiatric Health Facility and Mental Health Rehabilitation Center providing therapeutic and rehabilitation services in a non-hospital 24-hour setting for adults 18 and older who are experiencing psychiatric emergency or other acute or sub-acute mental health challenges.

The operation would include 56-60 beds for inhouse patients, as well as out-patient services which will vary depending upon demand. There will be a maximum of 50 employees on site at any given time.

The project will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the vicinity given the proposed project conditions of approval and compliance with the City Municipal Code.

Commission Action:

Staff recommends that the Planning Commission:

1. Find the project is Categorically Exempt pursuant to California Environmental Quality Act Section 15301 Existing Facilities.
2. Approve Use Permit 19-02, subject to making the necessary findings as presented above, and the Conditions of Approval (Attachment B).

Attachments:

- A. Aerial
- B. Operational Statement
- C. Site Plan
- D. Floor Plan
- E. Landscape Plan
- F. Conditions of Approval