



Planning & Building Department Planning Commission

Laurie Simonson, 1st District
Frederick Hansson, 2nd District
Chris Ranken, 3rd District
Manuel Ramirez, Jr., 4th District
Steve Dworetzky, 5th District

County Office Building
455 County Center
Redwood City, California 94063
(650) 363-1859

Action Minutes

MEETING NO. 1572

Wednesday, January 22, 2014

In the Board of Supervisors Chambers, Hall of Justice and Records, located at 400 County Center, Redwood City.

Chair Ranken called the meeting to order at 9:11 a.m.

Pledge of Allegiance: The Pledge of Allegiance was led by Chair Ranken.

Roll Call: Commissioners Present: Dworetzky, Ramirez, Ranken, Simonson
Commissioners Absent: Hansson
Staff Present: Eggemeyer, Fox, Shu

Legal notice published in the San Mateo County Times on January 11, 2014.

Oral Communications to allow the public to address the Commission on any matter not on the agenda.

None.

Consideration of the Minutes of the Planning Commission meeting of December 11, 2013.

Commissioner Simonson moved, and Commissioner Dworetzky seconded, that the minutes be approved as submitted. Motion carried 3-0-1-1.

Ayes: Commissioners Dworetzky, Ranken, Simonson
Noes: None
Absent: Commissioner Hansson
Abstained: Commissioner Ramirez

CONSENT AGENDA

Commissioner Dworetzky moved for approval of the Consent Agenda, and Commissioner Ramirez seconded the motion. Motion carried 4-0-1-0, approving the item below.

Ayes: Commissioners Dworetzky, Ramirez, Ranken, Simonson
 Noes: None
 Absent: Commissioner Hansson
 Abstained: None

1. **Owner: San Mateo County Office of Education**
Applicant: County of San Mateo Real Property Services Division
 File No.: PLN2014-00015
 Location: Adjacent to Memorial Park in unincorporated Loma Mar
 APNs: 084-101-010, 084-101-020, 084-102-010, 084-102-020, 084-102-030, and 084-102-040

Consideration of a request by the Real Property Services Division of the County of San Mateo to determine if the County’s acquisition of six parcels totaling approximately 173.60 acres, adjacent to Memorial Park in unincorporated Loma Mar, conform to the San Mateo General Plan. Application filed January 13, 2014. PROJECT PLANNER: Will Gibson. Telephone: 650/363-1816 or Email: wgibson@smcgov.org.

FINDING:

Found that the proposed acquisition by the County of parcels 084-101-010, 084-101-020, 084-102-010, 084-102-020, 084-102-030, and 084-102-040 for use as park, recreation, nature preserve, and open space use conforms to the General Plan Vegetative, Water, Fish and Wildlife Resources Policies, Soil Resources Policies, and Park and Recreation Resource Policies, and is consistent with the County’s General Plan.

END OF THE CONSENT AGENDA

**REGULAR AGENDA
 9:00 a.m.**

2. **Owner: Stillheart Institute**
Applicant: Stillpath Recovery Center, LLC
 File No.: PLN2006-00181
 Location: 16350 Skyline Boulevard in unincorporated Woodside
 APN: 072-331-010

Consideration of a Use Permit Amendment, pursuant to Section 6500 of the County Zoning Regulations, to allow a change in use for the Stillheart Retreat Facility, from an educational/meditation retreat center to a non-medical residential treatment center. The project is located at 16350 Skyline Boulevard, in the unincorporated Woodside area of San Mateo County. This item is continued from the October 23, 2013 and December 11, 2013 meetings. Application filed July 29, 2013. SENIOR PLANNER: Mike Schaller. Telephone: 650/363-1849 or Email: mschaller@smcgov.org.

SPEAKERS:

1. J.R. Rodine
2. Ellen Wise
3. Annie Mudge
4. Leiv Lea
5. Amy Bogart
6. Martin Eberhard
7. Gary Gechlik, M.D., J.D.
8. Michael Wise
9. Marc Kaufman
10. Anthony Alfred
11. Sandy Shapero
12. Lori Palazzolo
13. Peggy Bogart
14. Severo Ornstein
15. Kathy Kennedy-Miller
16. Lennie Roberts
17. Linda Maepa
18. Alex Wise (video)
19. Captain Gallagher
20. Andrew Bell
21. Dr. Brigitte Lank

COMMISSION ACTION:

Commissioner Simonson moved and Commissioner Dworetzky seconded to close the public hearing. **Motion carried 4-0-1-0.**

Commissioner Dworetzky moved to approve the Use Permit Amendment with revised language on Condition 7 and the addition of a Condition disallowing court ordered referrals and filing the necessary paperwork indicating the project is categorically exempt from CEQA. Commissioner Ramirez seconded the motion. **Motion carried 3-1-1-0**

Ayes: Commissioners Dworetzky, Ramirez, Ranken
Noes: Commissioner Simonson
Absent: Commissioner Hansson
Abstained: None

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Use Permit Amendment, making the findings and adopting conditions of approval as follows:

FINDINGS:

Regarding the Environmental Review, Found:

1. That this project is categorically exempt pursuant to Section 15301 of the California Environmental Quality Act, consisting of the operation, permitting, leasing, licensing, or minor alteration of existing public or private structures and facilities, involving negligible or no expansion of use.

Regarding the Use Permit Amendment, Found:

2. That the establishment, maintenance and/or conducting of the proposed use, under the circumstances of the particular case and as conditioned, will not be detrimental to the public welfare or injurious to property or improvements in said neighborhood. This project will have minimal impacts upon surrounding lands. The nature of the project site (topography and heavy vegetation) severely limits the visibility of the existing structures from surrounding public viewing points. There will be little to no increase in traffic volume due to the change in use. In fact, traffic to and from the facility will be more spread out over the course of the week, as compared to the current use of the site. There are no new structures proposed at this time. There is no evidence to suggest that the proposed change in use will have a detrimental effect upon the public welfare or improvements in the area.
3. That the proposed substance abuse treatment center is necessary for the public health, safety, convenience or welfare. As discussed in the staff report, San Mateo County has a significant shortfall in the number of available beds for substance abuse treatment. The proposed Stillpath Center will provide a public health benefit by providing a necessary substance abuse treatment facility to County residents that is geographically near the County's urban populations.

CONDITIONS OF APPROVAL:

Current Planning Section

1. This approval applies only to the proposal, documents, and plans described in this report and submitted to and approved by the Planning Commission on January 22, 2014. Minor modifications to the project may be approved by the Community Development Director if they are consistent with the intent of, and in substantial conformance with, this approval.
2. This Use Permit shall be valid for five (5) years following the date of final approval. This permit shall be subject to administrative review for compliance with conditions of approval every two (2) years. The applicant shall file for a renewal of this permit six months prior to expiration with the County Planning and Building Department, if continuation of this use is desired.
3. Any change in use or intensity shall require an amendment to this use permit. Amendment of this use permit requires an application for amendment, payment of applicable fees, and consideration at a public hearing.
4. The applicant shall implement the proposed trail plan as presented at the December 11, 2013 Planning Commission hearing. All trails to be abandoned shall be closed by constructing a 4-foot tall berm across the trail at the point it is to be closed. The portions of the trail behind the berm (to be abandoned) shall be scarified, and then a native plant seed mix shall be broadcast over the

scarified surface and then covered by a native forest mulch (to be applied 2 feet thick). The proposed trail plan shall be implemented within 180 days of final project approval.

5. The applicant shall apply for a building permit to construct new signage for the entry gate of the property. Said signage shall be non-illuminated, utilize natural materials, and be subdued in character and color. The applicant shall arrange for a site inspection by the County Planning and Building Department prior to a final sign off on the associated building permit. Said application for permit must be made within 180 days of final project approval.
6. Prior to the issuance of a Certificate of Occupancy for the revised main lodge or any other buildings to be occupied by patients, the applicant shall submit for review and approval an "off-site shuttle plan." Said plan is intended to address the parking demand during patient visiting hours. The plan shall outline where visitors to Stillpath will be picked up and the size of vehicle to be used. The plan shall also outline the procedure by which a patient is allowed to have visitors and how the visiting session is scheduled.
7. The applicant shall implement their "restricted smoking" policy as proposed. To facilitate fire safety, smoking shall be permitted during designated periods within the existing indoor pool/spa room. As a condition of occupancy, this room shall remain unchanged as currently constructed with non-combustible materials, one hour fire separations, separate ventilation, heat and smoke detectors. This pool/spa room is essential for the principal purpose of hydrotherapy in recovery treatment; therefore, the secondary allowance of controlled indoor smoking shall be scheduled and restricted to prevent conflicting uses. The applicant shall incorporate and implement a controlled schedule for indoor smoking into their "restricted smoking" policy.
8. This Use Permit Amendment does not authorize the permit holder to accept patients who have been ordered by a court of law to attend or enroll in a substance abuse treatment program.

Conditions Applicable to Unfinished Buildings

9. All remaining deferred construction work, approved under Use Permit Amendment (PLN 2006-00181) on January 24, 2007, shall be completed under a valid building permit prior to occupancy.
10. All new utilities (for the previously approved but not completed structures) shall be installed underground from the nearest existing utility pole. No new utility poles are to be installed.
11. The applicant shall incorporate energy efficiency measures for all approved (but not completed) development, including any mechanical systems and appliances.
12. There shall be no removal of any significant vegetation that screens the view of the project from Skyline Boulevard. Removal of any such vegetation shall be permitted only by the Planning Commission as part of an application for Architectural Review.
13. Prior to the beginning of any new construction activities (for the previously approved but not completed structures), the applicant shall submit to the Current Planning Section for review and approval an erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry

sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.
- b. Minimize the area of bare soil exposed at one time (phased grading).
- c. Clear only areas essential for construction.
- d. Within 5 days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative Best Management Practices (BMPs), such as mulching or vegetative erosion control methods, such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
- e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
- f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
- g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
- h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using appropriately designed earth dikes, perimeter dikes or swales, or diversions.
- i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
- j. Install appropriately designed storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems.
- k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume)
- l. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5-acre or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence

height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.

- m. Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved erosion control plan.
14. Prior to any future demolition, grading, or construction activity associated with the deferred construction work on the project site, the applicant shall implement a tree protection plan. Said plan shall include:
- a. All trees to be preserved, adjacent to construction areas will be fenced with 6-foot chain-link fencing, if feasible. The fencing shall be located in accordance with the tree protection zones identified in the tree survey prepared by the project arborist, McClenahan Consulting, dated June 29, 2006.
 - b. Said fencing shall be installed prior to commencement of construction/ demolition activities and be approved by the project arborist.
 - c. For trees where the entire tree protection zone cannot be fenced, the arborist shall determine the adjusted fencing location and prescribe additional protection measures where necessary. Larger areas of preserved trees, outside the construction zone, shall be fenced to prevent equipment from entering these locations.
 - d. All subsurface utility lines shall be placed outside of tree protection fencing areas to avoid impact to tree roots.
 - e. No grading shall occur within the area enclosed by tree protection fencing.
 - f. The pruning of branches greater than 2 inches in diameter or the cutting of roots greater than one inch in diameter must be approved in advance by the arborist.
 - g. No materials, including soil, shall be stored within the dripline or protection zone of preserved trees.
15. Noise-generating construction activities associated with the previously approved but deferred construction shall be scheduled between August 31 and February 15, outside the breeding season of raptors. If construction must occur during raptor breeding season (February 15 through August 31), pre-construction surveys shall be conducted by a qualified biologist no more than 30 days prior to construction to determine if raptors are nesting in the project area.
16. Prior to beginning construction to complete the deferred building permits, the applicant shall submit a dust control plan to the Current Planning Section for review and approval prior to the issuance of a building permit for the project. The approved plan shall be implemented for the duration of any grading, demolition, and construction activities that generate dust and other airborne particles. The plan shall include the following control measures:
- a. Water all active construction areas at least twice daily.

- b. Water or cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind.
 - c. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
 - d. Apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
 - e. Sweep daily (preferably with water sweepers) all paved access roads, parking and staging areas at construction sites.
 - f. Sweep adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
 - g. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
 - h. Limit traffic speeds on unpaved roads within the project parcel to 15 mph.
 - i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - j. Replant vegetation in disturbed areas as quickly as possible.
17. Noise levels produced by proposed construction activities shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.
18. Signs prohibiting vehicles from being left unattended and limiting the time for loading and unloading to 10 minutes shall remain posted and maintained at the entry plaza location where vehicles could be parked for extended periods of time.
19. Prior to the issuance of final occupancy permits for the deferred building permits, Planning staff shall confirm that the buildings were painted the previously approved colors.

Department of Public Works

20. The applicant shall comply with the provisions of the County Drainage Guidelines and National Pollution Discharge Elimination System (NPDES) permit throughout all phases of construction (for the deferred building permits).

San Mateo County Fire Department

21. Occupancy change will require the facility to meet all current building and fire code requirements for the new occupancy when the building permit is applied for.

- 22. Within 180 days of project approval, the applicant shall coordinate with the County Fire Marshal to conduct a “defensible space” inspection for the project site. Said inspections shall be conducted annually. The applicant shall notify the Planning and Building Department when such inspections have been conducted and their results.

Existing Conditions of Approval from 2007 Stillheart Permit Which Still Apply

- 23. Portable fire extinguishers with a minimum rating of 2A-10BC are required to be placed throughout your project. Contact a licensed/certified fire extinguisher company for proper placement of the required extinguishers
- 24. Portable type K-Extinguishers will be required in the kitchen area for this project. Contact a licensed/certified fire extinguisher company for proper size and placement of the required extinguishers
- 25.
 - a. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved, (galvanized), spark arrester of a mesh with an opening no larger than 1/2-inch in size, or an approved spark arresting device.
 - b. Maintain around and adjacent to such buildings or structures a fuel break/ firebreak made by removing and cleaning away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures or to the property line, if the property line is less than 30 feet from any structure. This is not a requirement or an authorization for the removal of live trees. Remove that flammable portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe, or within 5 feet of any portion of any building or structures.
 - c. Remove that dead or dying portion of any tree which extends over the roof line of any structure.

3. **2014 Planning Commission Election for Chair and Vice Chair**

This item was continued until the February 12, 2014 meeting in order to allow all five Commissioners to participate.

4. **Correspondence and Other Matters**

None

5. **Consideration of Study Session for Next Meeting**

Two items are tentatively scheduled for the February 12, 2014 meeting:

1. Toddle, LLC proposed daycare facility in West Menlo Park
2. Proposed Subdivision Ordinance Amendment

6. **Director's Report**

None.

7. **Adjournment**

Chair Ranken and Commissioner Simonson welcomed Commissioner Ramirez, and thanked former Commissioner Gail Slocum for her service from 2006 through 2013. The meeting adjourned at 1:06 p.m.