

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: January 22, 2014

TO: Planning Commission

FROM: Planning Staff

SUBJECT: SUPPLEMENTAL STAFF REPORT: 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 facility to a non-medical residential treatment center. The project is located at 16350 Skyline Boulevard, in the unincorporated Woodside area of San Mateo County.

County File Number: PLN 2006-00181 (Stillpath Recovery Center, LLC)

RECOMMENDATION

That the Planning Commission approve the Use Permit Amendment, County File No. PLN 2006-00181, by making the required findings and adopting the conditions of approval in Attachment A.

BACKGROUND

This item was continued by your Commission on December 11, 2013, to allow the full Commission to be in attendance. At the time of the Commission's vote regarding the necessary environmental document required under CEQA for the project, only four Commissioners were in attendance. The Commission voted 2-2 on the motion to require an Initial Study as opposed to Staff's recommendation to adopt a Categorical Exemption from CEQA.

DISCUSSION

Two days before the hearing, Ms. Anne Mudge, counsel representing the neighbors opposed to the project, submitted a letter outlining why she believes that the County cannot adopt the proposed Categorical Exemption and should instead perform a higher level of analysis to comply with CEQA. What follows is a breakdown of Ms. Mudge's points (in bold) and Staff's response.

- 1. Staffing levels are still below those of Stillpath's sister facility, Alta Mira, Sausalito, and well below those of the other facilities included in the chart above.**

Staff's Response: In the letter, Ms. Mudge points to differences in the staffing levels for the Alta Mira facility and the proposed staffing levels for the Stillpath Center. The conclusion reached is that the applicant cannot be telling the truth regarding their staffing levels. This conclusion, however, ignores the fact that the two programs have significant differences. The Alta Mira program includes a number of daily off-site activities as part of their treatment program, including hiking in the Marin Headlands and kayaking on the San Francisco Bay. These types of off-site activities generally require a higher level of supervision as compared to a program where all activities are conducted on-site. In the materials submitted by the applicant, the Stillpath program is not proposing off-site activities. The staffing levels provided as Attachment D in the December 11, 2013 staff report were established by the applicant's Clinical Director, Dr. Lank, who spoke at the December 11, 2013 hearing. Staff has no evidence to contradict or doubt the applicant's proposed staffing levels as presented in the December 11, 2013 staff report.

2. **The Supplemental Staff Report indicates that the applicant now proposes to run a shuttle from a designated hotel to transport visitors to the facility, the applicant has not provided any information regarding the feasibility of this proposal, and the proposed conditions of approval do not require use of a shuttle.**

Staff's Response: The current Stillheart Retreat operates a guest shuttle to handle larger groups when they are scheduled for the Retreat. The applicant has proposed utilizing a similar shuttle system to accommodate patient's guests. But the letter is correct in stating that no condition was included to enforce the applicant's proposal. Condition No. 6 has been included in Attachment A of this report to rectify this oversight.

3. **The increase in staffing levels relative to the existing use of the Property will substantially increase trip generation.**

Staff's Response: The traffic study submitted by Ms. Mudge estimates that the project will add 16 additional PM peak hour trips given the full staffing numbers that the applicant has provided. The San Mateo County Congestion Management Program has established the maximum capacity of the two-lane segments of Skyline Boulevard at 2,800 vehicles per hour. According to the 2012 "Traffic Volumes on the California State Highway System" (CalTrans) this segment of Highway 35 (Skyline Boulevard), between Woodside Road and King's Mountain Road, peak hour traffic is 330 vehicles per hour. The additional 16 vehicle trips cited above represents less than a 1/2 percentage point increase in traffic (0.47%).

The current traffic volumes on this segment of Skyline Boulevard are 11.8% of maximum capacity. The additional 16 vehicles per hour will increase the traffic

volumes on this segment of Skyline Boulevard to 12.3% of maximum capacity. The proposed project represents only a 0.5% increase.

- 4. Reliance on the existing facilities exemption is inappropriate because the Stillpath project would involve both construction of new structures that do not currently exist, and a significant intensification of use of the Property relative to its current use as a predominantly weekend-oriented meditation retreat center.**

Staff's Response: As stated in previous staff reports and at public hearings, no new structures are proposed. All buildings that were approved as part of the 2007 UP Amendment have been constructed with the exception of the Meditation Temple which the applicant does not intend to construct. All 12 treehouse buildings have been constructed. However, the interiors of Units 5-8, 13-16, and 21-24 have not been completed. Completion of these interiors will not require any site disturbance nor generate erosion of soil.

- 5. The Coalition is gravely concerned that Planning Staff have not adequately addressed the fire hazard issue. As noted above, the City of Pleasant Hill was sufficiently concerned about the increased fire hazards related to a drug and alcohol rehabilitation center that it imposed a no smoking condition on the entire facility.**

Staff's Response: Staff reviewed the referenced Initial Study and could find no mitigation measure or condition of approval that imposed a no smoking condition. In fact, the said Initial Study stated that:

“The proposed project would not be located in an area that would expose future residents to wildland fires as the site is located within an urbanized area and not near any wildland areas; therefore, there would be no impact related to exposure of people to fire hazards or to risk of significant loss, injury or death related to potential wildland fires.”

- 6. While the applicant recently advised the County that it would enforce a smoking policy aimed at reducing fire danger, there is no condition of approval requiring implementation of the policy.**

Staff's Response: The applicant's proposal is to convert the existing indoor pool area to a restricted smoking lounge. No smoking will be enforced outside of this indoor area. Treatment Center staff will be responsible for enforcing this restriction. The County does not typically break out specific portions of an applicant's proposal as conditions. However, given the high amount of community concern regarding fire safety on the project site a condition of approval (see Condition No. 7) has been included in Attachment A.

- 7. The proposed conditions of approval would eliminate the vast majority of current conditions on the Property designed to minimize fire hazard. The Staff Report fails to explain why those conditions were eliminated and how fire risk will still be adequately addressed.**

Staff's Response: In consultation with County Fire (Cal-Fire), Staff determined the vast majority of fire related conditions of approval that were previously placed on this use permit addressed construction requirements for the structures that were proposed in the 2007 amendment. These requirements included such things as installing sprinkler systems within all buildings, the placement of fire hydrants on the project site, and the design requirements for the internal access road. These previous conditions of approval were completed at the time of construction of the buildings on the project site. They were not included with the current project proposal because they are no longer relevant. Those conditions of approval that are still relevant and not tied specifically to building construction were carried over to the project under consideration today by your Commission. These include portable fire extinguishers and maintaining defensible zones around structures.

- 8. Prior to approving the intensification of this use, the County must also demonstrate that the septic system is adequate to handle the increased waste water production and will not leach into any of the nearby creeks. In the 2006 approvals, there were concerns raised that "proposed drain fields may interfere with drainage pits."**

Staff's Response: Ms. Mudge has cited one line out of the Environmental Health Division's 2006 case review notes. However, further on in the same entry by Environmental Health, they state that they received the information they had requested and had approved the proposed septic system design. The project parcel has a fully functioning waste disposal system which was designed to accommodate 12,000 gallons per day of waste water. The applicant's consultant (BioSphere Consulting) estimates that the proposed Recovery Center will generate approximately 8,300 gallons of waste water per day, which is well below the system's maximum design capacity.

- 9. Fire risk reduction measures necessary to protect against increased fire risk on the Property will undoubtedly result in increased erosion and siltation of La Honda Creek, and construction along the steep hillsides on the Property, is resulting in the deposit of toxic pressure treated wood in the creek and erosion of the area's steep slopes.**

Staff's Response: The reduction measure in question is the establishment of "defensible zones" as required by State Fire Regulations. These are the same defensible zones as required for all private residences in the area. These defensible zones do not require the wholesale removal of all vegetation or the scraping of the ground down to bare soil. What is required is:

- The trimming back of brush so that there is space between clumps of brush,
- The trimming back of tree limbs so that they are at least 10 feet from the structure, and
- The removal of built up needles and leaves from around structures.

A recent inspection by the County Fire Marshal found that for the most part, the site is in compliance with the requirements with regard to proximity of tree limbs and brush to the buildings on-site. Regarding construction, no new buildings are proposed by the applicant. All buildings that were approved as part of the 2007 UP Amendment have been constructed with the exception of the Meditation Temple which the applicant does not intend to construct. During Staff's site visit on January 7, 2014, there was no evidence of construction debris or pressure treated wood littered on the site. Staff could find no evidence to support this claim nor do the pictures submitted by Ms. Mudge clearly show construction debris.

- 10. The Pleasant Hill IS/MND analyzed potential police response impacts of the proposed rehabilitation facility. To analyze the issue, Pleasant Hill analyzed police response at several similar facilities and considered whether the project was likely to require police resources such that a significant impact to police service levels would occur. Here, no such analysis has been completed. This is especially troublesome, given the long distance between the Property and the nearest emergency response facilities.**

Staff's Response: The implication of this statement is that the proposed Stillpath Center will unduly burden police (Sheriff) resources, but then confuses the issue by questioning the distance to the nearest emergency response facility. The Pleasant Hill document presents seven random treatment facilities but provides no information about the socio-economic characteristics of the clients, whether the clients are court referrals or what impact these facilities have had upon their surrounding neighborhoods. The cited document then compares the total number of police responses to a transitional housing project for the homeless against the total number of police responses within the City of Pleasant Hill. The report's conclusion is that the proposed Pleasant Hill facility will not significantly impact police services.

In regard to the distance of the Stillpath location to the nearest emergency response facility, the nearest such facility would be the Cal-Fire station near the intersection of Highway 84 and Skyline Boulevard (approximately 1.5 miles). This station, as do all Cal-Fire stations in the County, has 24-hours/day paramedic service, in order to respond to medical emergencies. In addition, the applicant will have nursing staff on-site 24-hours/day.

- 11. To approve the use of the Property as a substance abuse rehabilitation facility in the RM zone, the Planning Commission must also find that**

location of the Stillpath facility on the Property is “necessary for the public health, safety, convenience or welfare.”

Staff’s Response: Ms. Mudge is correct that staff inadvertently omitted this finding. Section 6500(c) of the Zoning Regulations states “Location of the following uses in any district outside the Coastal Zone, except the R-1/CCP District, when found to be necessary for the public health, safety, convenience or welfare,” the list of uses includes Hospitals, Rest Homes, and Sanitariums. The proposed Stillpath Center would most closely conform with the Sanitarium category. Contrary to Ms. Mudge’s letter, at no point do the zoning regulations state that the use must be “absolutely” necessary, nor do the zoning regulations elevate the RM Zoning District to a higher or different standard than the other non-coastal zoning districts.

From a larger perspective, substance abuse treatment facilities are necessary for the public health. According to the 2012 National Survey on Drug Use and Health (U.S. Department of Health and Human Services) 8.9% of the national population (all persons 12 and older) needed treatment for substance abuse (illicit drugs and/or alcohol). In San Mateo County that translates into 65,798 people, yet our County only has 287 beds in treatment facilities. While not every patient at the proposed Stillpath Center will be a County citizen, it is safe to assume that at least some will. Thus, Stillpath will provide a public health service by providing a necessary substance abuse treatment facility to County residents that is geographically near the County’s urban populations.

At a more site specific level, this proposal will reuse existing buildings for a similar use, thus not requiring the conversion of undeveloped land or the conversion of other existing buildings in other parts of the County. The applicant has stated that one of the reasons they are interested in the Stillheart property is because it is a peaceful setting in the redwoods, away from the “hustle and bustle” of urban areas. They believe this is conducive to the healing/treatment process. In addition, conversion of existing commercial or industrially zoned buildings (assuming any that are the right size and configuration can be found) within other parts of the County would not provide the same type of environment nor necessarily be compatible with surrounding land uses at that location. Conversion of multi-family residential units would take desperately needed housing stock off the market.

ALTERNATIVES

To assist the Planning Commission in your deliberations, Staff has outlined three possible actions for the Commission’s consideration:

1. Approve the project subject to the Findings and Conditions of Approval contained in Attachment A. Additional conditions of approval could be placed upon the project as a result of discussions at the public hearing.

2. Deny the project. If the Commission chooses this action, Staff would request that the Commission continue the item to the following hearing date so that findings for denial can be prepared.
3. Continue the public hearing and direct Staff to prepare an Initial Study. Staff would re-agendize the project once the Initial Study and appropriate environmental document (e.g., – Negative Declaration, Mitigated Negative Declaration, or EIR) had been completed and circulated in accordance with the CEQA Guidelines.

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. December 11, 2013 Planning Commission Report

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2006-00181 Hearing Date: January 22, 2014

Prepared By: Michael Schaller For Adoption By: Planning Commission
Senior Planner

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

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, Find:

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.

RECOMMENDED 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. 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 apply for a demolition permit to remove the existing pool and convert it into an indoor restricted smoking area. No smoking or other outdoor flames shall be allowed on the project site.

Conditions Applicable to Unfinished Buildings

8. 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.
9. 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.
10. The applicant shall incorporate energy efficiency measures for all approved (but not completed) development, including any mechanical systems and appliances.
11. 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.
12. 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 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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

19. The applicant shall comply with the provisions of the County Drainage Guidelines and NPDES permit throughout all phases of construction (for the deferred building permits).

San Mateo County Fire Department

20. 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.

21. 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

22. 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
23. 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
24.
 - 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.

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County of San Mateo - Planning and Building Department

ATTACHMENT B

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: December 11, 2013

TO: Planning Commission

FROM: Planning Staff

SUBJECT: SUPPLEMENTAL STAFF REPORT: 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 facility to a non-medical residential treatment center. The project is located at 16350 Skyline Boulevard, in the unincorporated Woodside area of San Mateo County.

County File Number: PLN 2006-00181 (Stillpath Recovery Center, LLC)

RECOMMENDATION

That the Planning Commission approve the Use Permit Amendment, County File No. PLN 2006-00181, by making the required findings and adopting the conditions of approval in Attachment A.

BACKGROUND

This item was continued by the Planning Commission on October 23, 2013 to allow the applicant and staff an opportunity to prepare responses to several questions that were raised during the public hearing, specifically:

1. Trails

At the October 23, 2013 hearing there was extensive discussion of existing trails on the Stillheart property. There were two main points of contention regarding these trails: (1) that they have been constructed onto adjacent property without permission, and (2) that potential patients of the proposed Stillpath Recovery Center could become disoriented and lost if they use these paths potentially putting themselves and perhaps others at risk.

The current applicant understands that this is a major point of friction with the adjacent property owners and is proposing a new trail plan (Attachment B). The applicant is proposing to remove those portions of the existing trails that leave the Stillheart property. That portion of the westerly trail that crosses onto Mr. Eberhard's property will be reconnected with the adjacent remaining segment

to create a loop around the main building on-site. The southerly trail segment will end at a flat terminus area that can be used as a small meeting/meditation area. The applicant has stated that facility patients will only be able to use this trail segment while under the supervision of facility staff. Staff has included Condition No. 4 in Attachment A to address the trails issue.

2. Smoking Areas and Fire Hazard

At the October 23, 2013 hearing there was extensive discussion of increased fire hazard associated with the target population of the proposed treatment facility. In particular, it was asserted that potential patients of the facility have a higher incidence of smoking than the general population and that, because of their addiction, these people will be less careful in both their location of smoking and their disposal of spent cigarettes and matches. Combined with the high fire hazard of the project area, these concerns lead many to question what measures would be taken by the applicant to address fire hazards.

The applicant has submitted a copy of their proposed smoking policy (Attachment C). This document outlines where patients, staff and guests may smoke on the premises (the area just outside the northerly end of the main building). The applicant will also offer patients a nicotine cessation program, which includes the use of nicotine patches and other non-smoking methods to help patients reduce their nicotine addiction. The applicant is also proposing to “employ a 24-hour staff member...whose primary responsibility will be the security, property safety and enforcement of the smoking policies of the facility.”

Regarding the overall fire hazard on the project site, the applicant wishes to point out that they are required to upgrade the existing buildings in accordance with the current fire code. This includes an automatic fire sprinkler system in all buildings as well as hand-held fire extinguishers throughout the facility. The Stillheart facility has a 100,000 gallon water tank for fire suppression and a 2,500 gallon pressurized water tank for domestic water. The Stillheart facility also has a condition of approval upon it that requires:

“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.”

This condition will carry over with the amended Use Permit. The applicant has stated that they will also arrange to have the County Fire Marshal (CDF) perform annual “defensible space” inspections. A condition of approval (Condition No. 19) has been added to memorialize the applicant’s intent.

3. Staffing and Traffic

There was considerable discussion at the October 23, 2013 public hearing regarding proposed staffing levels and their implication on traffic and parking impacts as well as safety issues. Staff requested that the applicant provide a detailed breakdown of their proposed staffing, which is included as Attachment D. The table shows staffing numbers at different patient levels. As stated previously, there are several unfinished buildings on the project site that are not currently habitable. The applicant is proposing initially to only utilize the completed, habitable buildings on the property. This would allow a total of 52 beds. Upon completion of the remaining unfinished tree houses, the applicant has stated that they would be able to accommodate a maximum of 76 beds. At the 52 bed threshold, the applicant is proposing a total of 24 staff members during the day shift (the most populous shift). At the 76 bed threshold, there will be 32 staff members on-site during the day shift.

Parking: The project site has 39 designated parking spaces within the parking structure and curb side parking along the entry driveway. Assuming, at the 76 bed threshold, that all 32 staff members drive to the project site individually, there will still be 7 vacant (guest) parking spaces. The applicant has stated that patients are not allowed to drive themselves to the project site; therefore, patient cars will not be occupying parking spaces on site. As a point of reference, the County Parking Regulations require one parking space for each five beds for “Convalescent Homes, Skilled Nursing Facilities, and Hospitals.” At that rate, the proposed Stillpath Recovery Center would only be required to have 15 parking spaces at the maximum 76 bed threshold.

Regarding parking for patient visitors, the applicant has provided the following information:

“The visitation day is usually on Saturday or Sunday with conditions. Clients are only allowed visitors if they are stabilized in the treatment program and their recovery plan. This usually means that a client receives visitors once a month. The number of visitors are limited and are clinically approved. All visitors and clients must sign a visitation contract before they arrive agreeing to the policies and procedures of the program. Most families who visit only bring one car and we offer a shuttle service from a designated hotel for both out of town and local visitors. We have found that most visitors use the shuttle out of ease and con-

venience. The Stillheart Retreat Facility currently has one shuttle and we are in the process of purchasing a second.”

Traffic: The applicant has provided what they anticipate will be their average number of daily vehicle trips, again at different occupancy levels based upon the 52 bed (Phase I) and 76 bed (Phase II) threshold. As a point of comparison, the applicant has also provided average daily vehicle trips for the existing Stillheart Retreat Facility. There are several marked differences between the existing Stillheart use and the proposed recovery center. The current use has (and is permitted) for a greater number of beds than what the current applicant is proposing under both phases. More importantly there are important differences between the two client groups. Under the present use, guests of Stillheart arrive in relatively large groups, either in individual cars (alone or carpooling) or by bus. These guests either stay for just the day or overnight for 1-2 nights. Staffing levels tend to remain relatively stable. The bulk of the vehicle traffic generated by the current Retreat Facility use is guests coming and going.

Conversely, the patients of the proposed recovery center arrive in smaller numbers (1-2 patients per day)¹, and they stay for longer periods of time (approximately 45 days). The applicant has stated that the patients will not be allowed to drive themselves to the center, but must be dropped off. This policy will reduce demand on parking and discourage patients from leaving the program before they have completed treatment.

As shown in Attachment E, the number of staff is relatively equal between the current Retreat Facility use and the proposed recovery center. Regarding maintenance/service vehicle trips, the applicant has estimated that the Stillpath Center will require two food deliveries per week, inspection of the on-site sewage treatment equipment once a month, and refill of the on-site propane tank once a month. All laundry (bedding and towels) will be done on-site. In sum, when comparing the two uses, current to proposed, the number of vehicle trips under the proposed use should drop from the existing use.

4. Signage

Numerous statements were made at the October 23, 2013 hearing regarding the existing signage at the entrance to the Stillheart Retreat Facility. The general tenor of the comments were that this signage, in particular its nighttime illumination, were not appropriate for the Skyline State Scenic Corridor. At the hearing, the current applicant, Ray Blatt, stated that he would be willing to

¹ The applicant has provided the following information regarding patient check-in procedures: “A client usually calls in and we do an initial over-the-phone interview with them to determine if they are appropriate for our program, answer questions and hopefully plan their intake. This process could take several days to over a week and even several months. The admissions are staggered for staff convenience, and to have a complete history and physical done by the MD on-site. Weekend admissions will be discouraged but not denied. We expect to have between 1 to 2 clients check in per day during the week.”

replace this signage with something more appropriate for this setting and the proposed use. Condition of Approval No. 5 has been added to the project to reflect this statement.

5. Corrections to Original Staff Report

On-Site Water

It was pointed out that the October 23, 2013 staff report states that the Stillheart facility is served by an on-site well. This is incorrect. The Stillheart property is served by the California Water Service.

State Licensing

The October 23, 2013 staff report also incorrectly stated that the proposed Stillpath Recovery Center was fully licensed. The applicant has pointed out that they cannot submit their application for licensing to the State Department of Health Services, until they have received local approval for the proposed use.

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Applicant's proposed Trail Plan
- C. Applicant's proposed Fire Safety and Smoking Policy
- D. Applicant's proposed Staff Utilization Plan
- E. Applicant's Traffic Impact Analysis
- F. Staff Report from October 23, 2013

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2006-00181 Hearing Date: December 11, 2013

Prepared By: Michael Schaller
Senior Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

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, Find:

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.

RECOMMENDED 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 December 11, 2013. 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 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 ft.-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 ft. 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.

Conditions Applicable to Unfinished Buildings

6. 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.
7. 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.
8. The applicant shall incorporate energy efficiency measures for all approved (but not completed) development, including any mechanical systems and appliances.
9. 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.

10. 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 five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative 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 acres 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.
11. 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 two 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.
12. 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.
13. 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.

14. 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.
15. 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.
16. 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

17. The applicant shall comply with the provisions of the County Drainage Guidelines and NPDES permit throughout all phases of construction (for the deferred building permits).

San Mateo County Fire Department

18. 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.
19. 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

20. 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.
21. 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.
22. a. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved (galvanized), spark arrestor 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.

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County of San Mateo - Planning and Building Department

ATTACHMENT B

Stillpath Recovery Center LLC

96 Harrison Avenue

Jewellite OR 94965

November 25, 2013

Chairman Chris Ranken and Honorable Planning Commissioners
Care of the Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063

VIA ELECTRONIC AND REGULAR MAIL:

Re: **PLN 2006-00181 Trail System**

Dear Mr. Ranken:

At the October 23rd Planning Commission meeting, allegations of trespassing onto adjacent properties by Stillheart Institute guests were made and the fear that trespassing would continue was voiced by some area residents. I asked the current Stillheart Institute management of any history of incidents or complaints of trespassing. They stated that they had not received any notification or call from any neighbor about trespassing. They agreed with Senior Planner Mike Schaller's assessment in his October 23rd letter to Steve Jones that it "is possible that some of the trespassing and littering that Mr. Eberhard is experiencing could be coming from people utilizing...the public lands" and not from Stillheart Institute guests.

I do not think a back and forth argument about the validity of allegations of trespassing will serve anyone as there is no evidence or complaints made to authorities and I don't think that it will solve any problems, imagined or otherwise. I can however agree that the current trail plan does criss-cross property lines of the adjacent and Stillheart Institute property.

In an effort to resolve this issue and as a condition of approval for our application, we would like to submit a new trail plan that would de-commission any trail on the existing Stillheart property that crosses into a neighboring property. I would also agree that the plan to de-commission trails would be done not at the property line but to a distance that would allow a buffer between the trail and the property line. **EXHIBIT B** to this letter is a trail plan showing which existing trails will be de-commissioned and any new trails that will be added. **EXHIBIT C** is the new trail system that would exist after the proposed de-commissioning work is completed. .

I believe another relevant point on this issue would be to describe the structured living environment of the residential treatment program. A client's typical day has them involved in an intense therapy schedule from morning until lights out. The program is voluntary and our clients have chosen to recover from their condition in a serene and safe environment.

By combining the changes to the existing trail plan with our 24-hour on-site staff, program policies and the structured living environment of a residential treatment program we believe this use will be a substantial improvement in regards to any trespassing concerns.

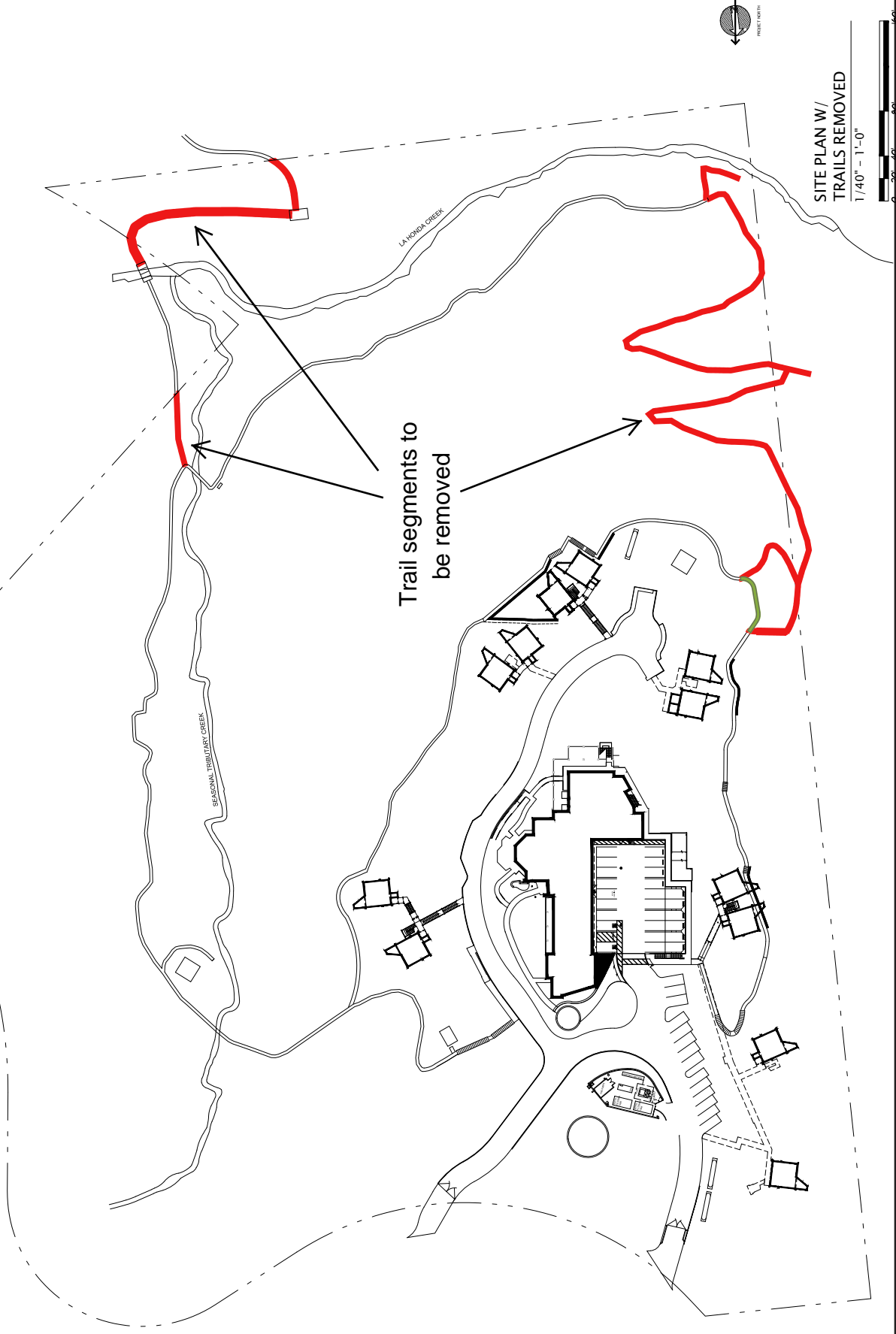
If you have any additional questions please feel free to call me at 415-233-0178.

Regards,



Raymond Blatt
Stillpath Recovery Center LLC
Managing Member

Cc: Jim Eggermeyer
Michael Schaller, Senior Planner
Heather Hardy, Planning Commission Secretary
Sybil Plank, Kings Mountain Association President



San Mateo County Planning Commission Meeting

Owner/Applicant: _____

File Numbers: _____

Attachment: _____



County of San Mateo - Planning and Building Department

ATTACHMENT C

Stillpath Recovery Center LLC

96 Harrison Avenue
Sausalito CA 94965

November 25, 2013

Chairman Chris Ranken and Honorable Planning Commissioners
Care of the Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063

VIA ELECTRONIC AND REGULAR MAIL:

Re: **PLN 2006-00181 Fire Safety & Smoking Policy**

Dear Mr. Ranken:

The American Society of Addiction Medicine (ASAM) recognizes that nicotine is an addictive drug, and there is no safe level of consumption for tobacco products, in any age group, among any special populations. Abstinence from tobacco use is the ultimate goal for those clients of Stillpath Recovery Center who engage in any tobacco use.

Stillpath Recovery Center advocates and supports the development of policies and procedures and internal programs which promote the prevention and treatment of nicotine addiction. These include, but are not limited to, the following:

1. Designated Smoking Section
2. Medically Supervised Nicotine Cessation Program
 - A. Assessment: Fagerstrom Questionnaire
 - B. Adjunctive Treatment: *Nicotine Replacement Therapies:
 1. Transdermal Nicotine Patch
 2. Nicotine gum
 3. Electronic Cigarettes
 4. Tobacco Cessation Treatment Track

* any client who opts for Nicotine Replacement Therapy will be provided with complimentary transdermal nicotine patches or e-cigarettes.

Currently, the Stillheart Institute operation has no restriction on smoking on the exterior of their property. The Stillheart Institute does have an existing smoking area for guests who choose to smoke. We were lucky to have a current member of the Stillheart Institute staff at the Community Meeting who verified to the group that in the last few weeks the property had hosted a group with a large number of smokers. It is therefore evident that smokers have enjoyed the use of on the property without any restrictions on tobacco products and nicotine.

We have proposed a very strict code of conduct in our policies and procedures for future clients which will include a written document that must be signed at admission by all clients informing them of the smoking policy, the existing designated smoking area (that is located in a concrete area away from trees) will be clearly marked and will be the only location that smoking is allowed at the property, a nicotine cessation program that will be offered to all clients, nicotine patches, nicotine gum and e-cigarettes offered at no charge to every client and strict consequences to disobeying the smoking protocols will be enforced.

We plan to employ a qualified on-site staff to monitor the clients on the property. The entire staff will be thoroughly trained on the rules and enforcement of the smoking policy. We also plan to employ a additional staff member on a 24hour/7day basis whose primary responsibility will be the security, property safety and enforcement smoking policies of the facility.

In conclusion, our proposal of the above measures will provide an increase in fire safety from the existing property and operation. We hope the Planning Staff and neighbors will analyze this information objectively as it is clear that our proposal is a benefit to the community.

Regards,



Raymond Blatt
Stillpath Recovery Center LLC
Managing Member

Cc: Jim Eggermeyer
Michael Schaller, Senior Planner
Heather Hardy, Planning Commission Secretary
Sybil Plank, Kings Mountain Association President



County of San Mateo - Planning and Building Department

ATTACHMENT D

Stillpath Recovery Center LLC

**96 Harrison Avenue
Sausalito CA 94965**

November 25, 2013

Chairman Chris Ranken and Honorable Planning Commissioners
Care of the Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063

VIA ELECTRONIC AND REGULAR MAIL:

Re: **PLN 2006-00181 Staffing Utilization and Detail**

Dear Mr. Ranken:

The Stillpath Recovery Center will offer 24-hour residential treatment, licensed by the State of California, to provide intensive support and rehabilitation services to assist persons, 18 years or older, who are in need of a community milieu and structured residence to treat addiction and mental health disorders to develop skills to become self sufficient and capable of increasing levels of recovery, independence and functioning.

The program staff and consultants consist of qualified and trained multi-disciplinary professionals. The Medical consultants include Licensed Psychiatrists (MD), a Nursing Staff that is made up of Registered Nurses (RN), Licensed Vocational Nurses (LVN) or Nurse Practitioners (NP). The Clinical Staff consists of a Clinical Director, several Program Directors who are Licensed Psychologists (Ph.D.; Psy.D.), Marriage, Family Therapists (M.A.; M.F.T.) or Licensed Clinical Social Workers (LCSW) and Program Staff who are made up of but not limited to Certified Addiction Professionals, Counselors, EMDR Therapists, Art Therapists, Psycho-Dramatists, Yoga Instructors, Health, Wellness and Integrative Healers and Nutritionists.

The entire staff will be thoroughly trained on the rules and enforcement of the smoking policy as well as the policies and procedures of the treatment program. We also will employ a staff member on a 24/7 basis whose responsibility will be security, property safety and enforcement of smoking policies of the facility.

A thorough list of job descriptions and qualifications is attached to this letter as Exhibit E.

Since our program is 24-hours, the number of staff on-site at any given time will vary depending on the time of day and census of the program. Attached to this letter are Exhibit F and Exhibit J, which give a detailed staff utilization plan per shift at various census levels.

If you have any additional questions please feel free to call me at 415-233-0178.

Regards,



Raymond Blatt
Stillpath Recovery Center LLC
Managing Member

Cc: Jim Eggermeyer
Michael Schaller, Senior Planner
Heather Hardy, Planning Commission Secretary
Sybil Plank, Kings Mountain Association President

**Stillpath
Utilization Table**

CLINICAL/PROFESSIONAL STAFF

1-16 Beds	17-28 Beds	29-36 Beds	37-44 Beds	45-52 Beds
--------------	---------------	---------------	---------------	---------------

Day Shift

Clinical Staff:					
Clinical Director	1	1	1	1	1
Program Director	2	3	4	5	6
Program Assistant	4	5	6	7	8
Medical Staff:					
Med Director	1	1	1	1	1
Nursing	1	1	1	1	2
Ancillary Staff:					
Kitchen	2	2	2	2	2
Prop Management	2	2	3	3	3
Security & Prop Safety	1	1	1	1	1
Total Day Shift Staff	14	16	19	21	24

Evening Shift

Clinical Staff:					
Clinical Director					
Program Director	1	1	1	1	1
Program Assistant	4	5	6	7	8
Medical Staff:					
Med Director	On Call	On Call	On Call	On Call	On Call
Nursing	1	1	1	1	2
Ancillary Staff:					
Kitchen					
Prop Management	On Call	On Call	On Call	On Call	On Call
Security & Prop Safety	1	1	1	1	1
Total Evening Shift Staff	7	8	9	10	12

Night Shift

Clinical Staff:					
Clinical Director					
Program Director	1	1	1	1	1
Program Assistant	2	2	3	4	5
Medical Staff:					
Med Director	On Call	On Call	On Call	On Call	On Call
Nursing	1	1	1	1	2
Ancillary Staff:					
Kitchen					
Prop Management	On Call	On Call	On Call	On Call	On Call
Security & Prop Safety	1	1	1	1	1
Total Night Shift Staff	5	5	6	7	9

**Stillpath
Utilization Table**

CLINICAL/PROFESSIONAL STAFF

53-60 Beds	61-68 Beds	69-76 Beds
---------------	---------------	---------------

Day Shift

Clinical Staff:				
Clinical Director		1	1	1
Program Director		7	8	9
Program Assistant		9	10	11
Medical Staff:				
Med Director		1	1	1
Nursing		2	2	2
Ancillary Staff:				
Kitchen		3	3	3
Prop Management		3	3	3
Security & Prop Safety		2	2	2
Total Day Shift Staff		28	30	32

Evening Shift

Clinical Staff:				
Clinical Director				
Program Director		1	1	1
Program Assistant		9	10	11
Medical Staff:				
Med Director		On Call	On Call	On Call
Nursing		2	2	2
Ancillary Staff:				
Kitchen				
Prop Management		On Call	On Call	On Call
Security & Prop Safety		2	2	2
Total Evening Shift Staff		14	15	16

Night Shift

Clinical Staff:				
Clinical Director				
Program Director		1	1	1
Program Assistant		6	7	8
Medical Staff:				
Med Director		On Call	On Call	On Call
Nursing		2	2	2
Ancillary Staff:				
Kitchen				
Prop Management		On Call	On Call	On Call
Security & Prop Safety		2	2	2
Total Night Shift Staff		11	12	13

Medical Consultants

I. Position Title: MEDICAL DIRECTOR

Description of Job Responsibilities: Physician to assume responsibility for the medical department and to supervise and perform medical services provided to clients; including initial assessment and physical; authorizing and supervising dispensing of daily medication and management by medical staff; train all staff in Universal Precautions and emergency medical procedures.

Required Skills/Education/License, Certification and Experience: Licensed in good standing to practice medicine in the State of California and will have a current and valid DEA registration. The applicant must never have had an application for a DEA license denied a DEA registration revoked or denied or have surrendered a DEA registration for cause. Member of the American Society of Addiction Medicine and at least one year of primary medical care and substance abuse treatment experience is strongly preferred; CPR and First Aid Certified.

II. Position Title: NURSING STAFF

Required Skills/Education/License, Certification and Experience: Must possess State of California License as a Registered Nurse (RN) or Licensed Vocational Nurses (LVN) or Nurse Practitioners License must be current and valid and free of documented disciplinary or corrective action. Must possess 2-5 years previous nursing experience. CPR and First Aid Certified. Previous experience working in a therapeutic community (TC), substance abuse treatment, hospital or mental health environment strong preferred. For NP: Possession of the legal requirements to practice as a Registered Nurse as determined by the California Board of Registered Nursing, BRN license as a Nurse Practitioner in the State of California, certificate of completion from a college or university-based Nurse Practitioner program. Perform medical screenings at intake; Respond to resident medical need; Triage medical complaints and provide nursing care to clients; Act as liaison between physicians and other medical service providers; Supervise resident compliance with prescribed medical regimen

and oversee self-administration of medication; Advise and consult with medical and clinical treatment team regarding medical and health matters; Observe clients and report adverse reactions to medication and/or treatment, signs of illness or changes in client condition immediately to Medical Director; Perform drug screen urinalysis and record and report and record results; Maintain client medical record according to professional nursing documentation standards; Place orders for client prescriptions; Maintain medical supplies and equipment; May assist with physical examinations as requested; Respond to medical emergencies at the direction Medical Director; Assist in preparation and storage of medication, medical forms, and/or departmental reports as requested.

Clinical Staff

I. Position Title: CLINICAL DIRECTOR

Description of Job Responsibilities: Shall have knowledge of addictive and substance-related disorders, process addiction disorders, dual diagnoses, mental illness and the treatment process and recovery; Shall have sufficient administrative and personnel skills to direct the program; hiring, training, performance evaluation, scheduling of case load, program development, and retention of assigned personnel; Provides direct supervision to all clinical staff; Manages quality improvement throughout the organization and accreditation; Monitors program to ensure its compliance with State, Federal, and County laws and regulations; Develops, coordinates, and is responsible for the distribution of treatment information between medical and staff.

Required Skills/Education/License, Certification and Experience: Doctoral Degree in Clinical or Counseling Psychology; Completion of pre-doctoral and post-doctoral internship in Clinical or Counseling Psychology; (3,000 clock hours) supervised academic pre-doctoral and post-doctoral internships in Clinical or Counseling Psychology; current valid license as a psychologist by the California Board of Psychology; five or more years of clinical experience including substance related disorders, mental health; CPR and First Aid Certified.

II. Position Title: PROGRAM DIRECTORS

Description of Job Responsibilities: Performs screening and assessment services in order to determine the appropriateness of treatment track; Develops short and long term treatment goal, needs assessment; Modifies treatment plans to comply with changes in client status; Performs psychological and substance abuse assessment and gathers information which can be used in the diagnosis, treatment planning, and discharge process; Provides clients or family members with information about addiction issues and about available services and programs, making appropriate referrals when necessary; Acts as liaisons between clients and medical staff ; Makes referrals to appropriate supportive services for the client and family members in anticipation of discharge; Completes and maintains accurate records and reports regarding the client's histories and progress, services provided, and other required information.

Required Skills/Education/License, Certification and Experience: Ph.D or Psy.D. in Clinical or Counseling Psychology; completion of one year (1,500 clock hours) supervised academic post-doctoral internship in Clinical or Counseling Psychology; current valid license as a psychologist by the California Board of Psychology; two or more years of clinical experience including substance use, mental health; CPR and First Aid Certified.

Or:

Master's Degree and Licensure in Mental Health or Social Work (MA; MFT; LCSW); CAADAC (California Association of Alcohol and Drug Abuse Counselor) certification. CPR and First Aid Certified.

III. Position Title: PROGRAM STAFF

Description of Job Responsibilities: Provide client supervision in 24 hr per day residential facility; Monitor client whereabouts in the facility; Maintains an administrative and clinical log for each client; provides client transportation as required; completes and maintains accurate records and reports regarding the client's treatment services provided, and other required information. Multi-skilled and qualified in program and holistic therapies including but not limited to EMDR Therapy, Art Therapy, Certified Substance Abuse Counseling, Psychodrama, Nutrition, Yoga, Health, Wellness and Integrative Healers.

Evaluates and assesses nutrition status of clients, and screens clients for eating disorders and nutritional risk in accordance with established program protocols and standards; Plans and initiates nutrition therapy to clients if indicated by patient requirements and clinical protocol; Knowledge of eating disordered residential and outpatient treatment programs and sponsored nutritional programs for referral for post discharge from treatment; Ability to develop and deliver presentations on nutrition; Educates and counsels clients, medical and clinical staff on nutritional issues, either individually or in groups; Communicates individual nutritional care plans to medical and clinical staff; Participation as part of a multidisciplinary treatment team.

Skills/Education/License, Certification and Experience: College level education preferred and valid California driver's license. Prior experience in residential program setting desired. Ability to work a flexible schedule; may include overnight shifts. CAADAC (California Association of Alcohol and Drug Abuse Counselor) certification; Certification / License: Certified Yoga Instructor; Two years experience of yoga instruction; A certification to teach group fitness classes (American Council on Exercise (ACE) preferred; Able to demonstrate competence in the appropriate field; Special expertise or certification as required; Able to demonstrate knowledge of instructional and evaluation design, principles of adult education, and group dynamics; Bachelor's degree in Nutrition, Dietetics, or an equivalent field; at least 1 year of experience that is directly related to the duties and responsibilities specified. State of California Licensed Dietitian (LD) or Licensed Nutritionist (LN) or ADA Registered Dietician (RD); CPR and First Aid Certified.

IV. Position Title: SECURITY AND PROPERTY SAFETY

Description of Job Responsibilities: Provide client supervision and property supervision in 24 hr per day residential facility; Monitor the property; Supervise the Designated Smoking Area and following of the Smoking Policies.

Skills/Education/License, Certification and Experience: College level education preferred and valid California driver's license. Prior experience in residential program setting desired. Ability to work a flexible schedule; may include overnight shifts. CPR and First Aid Certified.



County of San Mateo - Planning and Building Department

ATTACHMENT E

Stillpath Recovery Center LLC

96 Harrison Avenue
Sausalito CA 94965

November 25, 2013

Chairman Chris Ranken and Honorable Planning Commissioners
Care of the Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063

VIA ELECTRONIC AND REGULAR MAIL:

Re: **PLN 2006-00181 Traffic Impact Analysis**

Dear Mr. Ranken:

We have completed a review of the traffic impacts for the existing and proposed uses of the property located at 16350 Skyline Blvd., Woodside CA. In this analysis we included traffic from clients/guest, day visitors, family visitors, caterers, professional and ancillary staff at various levels of occupancy for each use.

As stated in the Planning Staff Report the although the existing Stillheart Institute meditation/retreat center Use Permit currently does not have a maximum overnight occupancy load but it does currently contains 57 beds. In an effort to give a balanced analysis we will use the current 57 beds as the current maximum.

The retreats or programs at the existing Stillheart Institute are hosted by outside individuals or groups. There is an average of 2 hosts for every group that has a retreat or program at the Stillheart Institute.

The proposed residential treatment center is requesting a capacity of 52 beds if using the same space as the existing use. Each of the uses has the ability to add an equal amount of beds (24 with double occupancy) if the unfinished "tree-houses" are completed. In order to achieve a fair and balanced traffic impact for each operation we used the existing footprint for each on attached EXHIBIT G and then the comparable traffic once the unfinished "tree-houses" are completed in the attached EXHIBIT I.

The proposed Stillpath Recovery Center clients will stay an average of 45 days. The staff will be on-site 24-hour a day in eight hour shifts. As per the policy of the program and the norm in the industry, clients will not be able allowed to bring their vehicles to the property. All transportation of clients will either by from family, friends or program shuttle. The program will have a shuttle to carpool clients to minimize traffic. Delivery of food supplies will average 2 per week and is included in the calculation. Family visitors were calculated using the average of 4 visitors per month and are included in the calculation. All program staffing, including the 24-hour security/property safety, from the staff utilization charts were included in the calculation.

As you can see from the attached Exhibits the traffic generated from the proposed use is lower that the existing use at every average daily occupancy. The difference of daily trips varies from 8 less trips at 30% occupancy to

34 less trips at 100% occupancy. In conclusion, the approval of our amendment to the conditional use permit will diminish the draw on local services allowed under the current Conditional Use Permit.

If you have any additional questions please feel free to call me at 415-233-0178.

Regards,



Raymond Blatt
Stillpath Recovery Center LLC
Managing Member

Cc: Jim Eggermeyer
Michael Schaller, Senior Planner
Heather Hardy, Planning Commission Secretary
Sybil Plank, Kings Mountain Association President

**EXISTING
Stillheart Institute Retreat Center
Daily Traffic Analysis
November 10, 2013**

Existing Overnight Maximum Capacity	57 beds
Total Annual Overnight Maximum Capacity	20,805 beds (57 beds x 365 days)

	30% Occupancy	40% Occupancy	50% Occupancy	60% Occupancy	70% Occupancy	80% Occupancy	90% Occupancy	100% Occupancy
Overnight Guests	17.1	22.0	27.5	33.0	38.5	44.0	49.5	55.0
Day Guests	1.9	1.9	1.9	1.9	1.9	1.9	1.9	1.9
Staff								
Full Time	8.0	8.0	8.0	8.0	10.0	10.0	10.0	10.0
Part Time	7.0	7.0	7.0	8.0	8.0	8.0	8.0	8.0
Ancillary Staff								
Retreat Hosts	0.6	0.8	1.0	1.2	1.4	1.6	1.8	2.0
Catering	0.9	1.2	1.5	1.8	2.1	2.4	2.7	3.0
Other								
TOTAL Average Daily TRIPS	36	41	47	54	62	68	74	80

**PROPOSED
Stillpath Recovery Center
Daily Traffic Analysis
November 10, 2013**

Proposed Overnight Maximum Capacity	52 beds
Average Industry Stabilized Occupancy	80%

	30% Occupancy	40% Occupancy	50% Occupancy	60% Occupancy	70% Occupancy	80% Occupancy	90% Occupancy	100% Occupancy
Clients (1)	0.3	0.5	0.6	0.7	0.8	0.9	1.0	1.2
Family Visitors (2)	2.1	2.8	3.5	4.2	4.9	5.5	6.2	6.9
Staff (3)								
Day Shift	14.0	16.0	16.0	19.0	19.0	21.0	24.0	24.0
Evening Shift	7.0	8.0	8.0	9.0	9.0	10.0	12.0	12.0
Night Shift	5.0	5.0	5.0	6.0	6.0	7.0	9.0	9.0
Less On-Site	(1.0)	(1.0)	(1.0)	(1.0)	(1.0)	(1.0)	(1.0)	(1.0)
Other								
Delivery - Food (4)	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
TOTAL Daily TRIPS	28	32	32	38	39	44	52	52

- (1) Clients: The clients daily traffic number was calculated by taking the occupancy times the maximum capacity of 52 divided by 45 days average length of stay.
- (2) Family Visitors: Traffic from family visitors was calculated using an average of 4 visitors per month per client.
- (3) Staff: Numbers were taken from EXHIBIT F Staffing Utilization Table
- (4) Delivery Food: Operation should average 2 deliveries per week divided by 7 days = .3/day

**After Unfinished Treehouses are Completed
Stillheart Institute Retreat Center
Daily Traffic Analysis
November 18, 2013**

Existing Overnight Maximum Capacity	81 beds	
Total Annual Overnight Maximum Capacity	29,565 beds	(81 beds x 365 days)

	70% Occupancy	80% Occupancy	90% Occupancy	100% Occupancy
Overnight Guests	56.7	64.8	72.9	81.0
Day Guests	1.9	1.9	1.9	1.9
Staff				
Full Time	10.0	8.0	10.0	10.0
Part Time	8.0	7.0	8.0	8.0
Ancillary Staff				
Retreat Hosts	1.4	1.6	1.8	2.0
Catering	2.1	2.4	2.7	3.0
Other				
TOTAL Average Daily TRIPS	80	86	97	106

**After Unfinished Treehouses are Completed
Stillpath Recovery Center
Daily Traffic Analysis
November 18, 2013**

Proposed Overnight Maximum Capacity	76 beds
Average Industry Stabilized Occupancy	80%

	70% Occupancy	80% Occupancy	90% Occupancy	100% Occupancy
Clients (1)	1.2	1.4	1.5	1.7
Family Visitors (2)	7.1	8.1	9.1	10.1
Staff (3)				
Day Shift	28.0	30.0	32.0	32.0
Evening Shift	14.0	15.0	16.0	16.0
Night Shift	11.0	12.0	13.0	13.0
Less On-Site	(1.0)	(1.0)	(1.0)	(1.0)
Other				
Delivery - Food (4)	0.3	0.3	0.3	0.3
TOTAL Average Daily TRIPS	61	66	71	72

- (1) Clients: The clients daily traffic number was calculated by taking the occupancy times the maximum capacity of 76 divided by 45 days average length of stay.
- (2) Family Visitors: Traffic from family visitors was calculated using an average of 4 visitors per month per client.
- (3) Staff: Numbers were taken from EXHIBIT J Staffing Utilization Table
- (4) Delivery Food: Operation should average 2 deliveries per week divided by 7 days = .3/day



County of San Mateo - Planning and Building Department

ATTACHMENT F

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: October 23, 2013

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Use Permit Amendment 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.

County File Number: PLN 2006-00181 (Stillpath Recovery Center, LLC)

PROPOSAL

The applicant, Stillpath Recovery Center, is requesting a Use Permit Amendment to change the use of the Stillheart Institute retreat facility to a non-medical residential treatment center for individuals who suffer from substance use and mental health disorders. The applicant's clinical model utilizes a holistic approach (yoga, massage, music therapy), as well as spiritual counseling and 12-step programs to address their client's particular needs. The applicant is proposing to operate within the existing buildings. No new buildings or structures are proposed. There are several buildings (tree houses and meditation temple) that were previously approved in the 2007 Use Permit Amendment but have not yet been completed. The applicant is proposing to finish the construction of these buildings.

RECOMMENDATION

Approve the Use Permit Amendment, County File No. PLN 2006-00181, by making the required findings and adopting the conditions of approval in Attachment A.

SUMMARY

Staff has reviewed the proposed change in use against the policies of the General Plan and Use Permit Regulations contained in the County Zoning Ordinance and found the proposed project to be consistent with those two documents.

The one significant difference between the current meditation/retreat facility and the proposed recovery center is traffic and parking. Under the current retreat facility model, the Stillheart Institute hosts an average of 60 groups per year, each with roughly

30 people, which stay for an average of three days. These groups tend to arrive on Friday and leave on Sunday in a relatively small time window, though not all groups are hosted exclusively on the weekends. In addition, at any given time throughout the year, the Institute hosts individuals and smaller groups for overnight or longer stays. Presently, the Institute has 26 guestrooms (14 rooms in the main lodge and 12 tree house rooms) containing 57 beds (slightly more than two beds per room). Additionally, there are six tree house buildings, each containing two guestrooms, that were previously approved in the 2007 Use Permit Amendment but have not yet been completed. Completion of these buildings would increase the total number of beds to 81 beds (assuming two beds in each new guestroom). The existing Use Permit for the Stillheart Institute does not contain a maximum overnight occupancy limit.

The applicant of this proposed amendment, Stillpath Recovery Center, intends to finish the six remaining tree house buildings. They are proposing to limit occupancy to no more than two clients per room, for a maximum occupancy of 76 clients at any given time. However, it is the Center's policy that none of the clients are allowed to bring their cars with them. All clients will be driven to the Center by staff or family/friends. Clients will stay an average of 45 days and remain on-site for the majority of that time as all dining and treatment programs are located on-site. Additionally, the Center's clients arrive throughout the month, on average 1-2 clients per day. This will minimize any clustering of traffic as may occur under the current use.

No new physical development of the site is proposed. Staff could find no evidence that the proposed change in use will negatively affect the aesthetic resources of the Skyline Scenic Corridor. With the only noticeable change from the present condition being the change in traffic patterns as noted above, staff believes the Commission can make the required findings contained in Attachment A of the Staff Report.

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**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: October 23, 2013

TO: Planning Commission

FROM: Planning Staff

SUBJECT: 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.

County File Number: PLN 2006-00181 (Stillpath Recovery Center, LLC)

PROPOSAL

The applicant, Stillpath Recovery Center, is requesting a Use Permit Amendment to change the use of the Stillheart Retreat facility to a non-medical residential treatment center for individuals who suffer from substance use and mental health disorders. The applicant's clinical model utilizes a holistic approach (yoga, massage, music therapy), as well as spiritual counseling and 12-step programs to address their client's particular needs. The applicant is proposing to operate within the existing buildings. No new buildings or structures are proposed. There are several buildings (tree houses and meditation temple) that were previously approved in the 2007 Use Permit Amendment but have not yet been completed. The applicant is proposing to finish the construction of these buildings.

The one significant difference between the current meditation/retreat facility and the proposed recovery center is traffic and parking. Under the current retreat facility model, the Stillheart Institute hosts an average of 60 groups per year, each with roughly 30 people, which stay for an average of three days. These groups tend to arrive on Friday and leave on Sunday in a relatively small time window, though not all groups are hosted exclusively on the weekends. In addition, at any given time throughout the year, the Stillheart Institute hosts individuals and smaller groups for overnight or longer stays. Presently, the Stillheart Institute has 26 guestrooms (14 rooms in the main lodge and 12 tree house rooms) containing 57 beds (slightly more than two beds per room). Additionally, there are six tree house buildings, each containing two guestrooms, that were previously approved in the 2007 Use Permit Amendment but have not yet been completed. Completion of these buildings would increase the total number of beds to

81 beds (assuming two beds in each new guestroom). The existing Use Permit for the Stillheart Institute does not contain a maximum overnight occupancy limit.

The applicant of this proposed amendment, Stillpath Recovery Center, intends to finish the six remaining tree house buildings. They are proposing to limit occupancy to no more than two clients per room, for a maximum occupancy of 76 clients at any given time. However, it is the Center's policy that none of the clients are allowed to bring their cars with them. All clients will be driven to the Center by staff or family/friends. Clients will stay an average of 45 days and remain on-site for the majority of that time as all dining and treatment programs are located on-site. Additionally, the Center's clients arrive throughout the month, on average 1-2 clients per day. This will minimize any clustering of traffic as may occur under the current use. There will be 24-hour/day supervision of the Center's clients with six full-time and six part-time staff on site. The Center is fully licensed by the State Department of Health Services.

RECOMMENDATION

Approve the Use Permit Amendment, County File No. PLN 2006-00181, by making the required findings and adopting the conditions of approval in Attachment A.

BACKGROUND

Report Prepared By: Michael Schaller, Senior Planner

Applicant: Stillpath Recovery Center, LLC

Owner: Stillheart Institute

Location: 16350 Skyline Boulevard, Woodside

APN: 072-331-010

Size: 16.4 acres

Existing Zoning: RM (Resource Management)

General Plan Designation: General Open Space

Existing Land Use: Retreat facility; surrounding areas include open space covered with native vegetation, mature trees and walking trails.

Water Supply: Private (on-site) domestic water supply (well)

Sewage Disposal: Private (on-site) wastewater treatment system (septic)

Flood Zone: The project site is in Flood Zone X (areas of minimal flooding) as defined by FEMA (Community Panel Number 06081C0295E, dated October, 16, 2012).

Environmental Evaluation: Exempt under provisions of Section 15301 of the California Environmental Quality Act, consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Setting: The project site is located on the west side of Skyline Boulevard, opposite Wunderlich County Park and approximately 1.6 miles north of its intersection with Highway 84. The project site is located within the Skyline State Scenic Corridor. The property is improved with a three-story retreat lodge, on-site parking, and 12 duplex "tree house" buildings. Surrounding areas on-site include open space covered with native vegetation, mature trees and walking trails. Adjacent rural lands include single-family residences.

Chronology:

<u>Date</u>	<u>Action</u>
December 5, 1991	- Original Use Permit application for Spa/Fitness Center approved.
June 14, 2006	- Planning Commission approval of PLN 2006-00084 for a Use Permit Amendment to allow a 2,243 sq. ft. addition to the existing retreat lodge (Phase 1B).
January 24, 2007	- Planning Commission approval of PLN 2006-00181 for a Use Permit Amendment to allow the construction of a parking structure, 12 "tree house" buildings, a meditation temple, spa facility, walking trails, water tanks for fire and domestic use, and access road and landscape improvements (Phase 2).
October 12, 2011	- Planning Commission public hearing for Use Permit Renewal, PLN 2006-00181, no physical or operational changes proposed. Use Permit Renewal approved for a seven (7) year term.
October 23, 2013	- Planning Commission public hearing for Use Permit Amendment. No physical changes proposed.

DISCUSSION

A. KEY ISSUES

1. Conformance with the County General Plan

The project complies with all applicable General Plan policies, with specific discussion of the following:

a. Chapter 4 – Protection of Visual Quality

Policy 4.54 (*Commercial Signs (in Scenic Corridors)*). This policy limits on- and off-site outdoor commercial advertising and outlines design standards for outdoor signage.

The existing Stillheart facility has wrought iron signs attached to the stone retaining walls that form the outer portion of the entrance driveway for the facility, on either side of the entry. The signs sit low to the ground and are lit at night by subdued LED lighting from below. The applicant is proposing to change the signage to “Stillpath,” reflecting the change in ownership and mission. The size and style of the new signage will match the existing signs. The signage is not reflective or self-illuminated, nor blinking or rotating. Staff believes that the new signage will comply with this policy.

b. Chapter 9 – Rural Land Use Policies

Policy 9.12 (*Land Use Designations and Locational Criteria for the Rural Areas*). This policy outlines the allowed uses within the three Rural Areas land use designations. Institutional uses are defined as “cultural and educational and public service uses including but not limited to schools, libraries, hospitals, and churches.” The proposed new use, an addiction recovery center, has many similar functions as a hospital and fits into this category. Institutional uses are allowed in all three Rural Areas land use designations. As such, staff believes this proposed use is consistent with the goals of Chapter 9 of the General Plan.

2. Conformance with the Resource Management District Zoning Regulations

Section 6313 of the Zoning Regulations states that all development proposed for a location within a RM District shall require the issuance of a (Development Review) permit. Development is defined as the construction of any significant structure on land.

The proposed Use Permit amendment does not require the issuance of a new Resource Management Permit as no physical development of the parcel is being proposed. The proposed change in use will not significantly increase the intensity of use on the site above existing and approved use. The total number of persons on the site at any given time will not be greater than already approved numbers. The project site has its own well and on-site water storage system, as well as an on-site septic system, which were designed to accommodate the anticipated number of guests as envisioned in the 2007 Use Permit Amendment. No new structures or activities are proposed with this amendment.

3. Conformance with Use Permit Findings

Under the provisions of Section 6500 of the Zoning Regulations, hospitals, rest homes, and sanitariums are permitted in any zoning district outside the Coastal Zone upon issuance of a use permit, in accordance with Section 6503 of the Zoning Regulations. The proposed use of the site as a residential treatment center is functionally equivalent to a hospital and sanitarium. The current use, a Retreat/Meditation Center, operates under an approved Use Permit (originally approved in 1991). The current proposal will not significantly increase the intensity of use on the site, but the change in use does trigger this amendment to the Use Permit. The Planning Commission must make the following finding for the amendment of this Use Permit:

Find that the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, 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.

B. ENVIRONMENTAL REVIEW

This project is Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act, consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving

negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

C. REVIEWING AGENCIES

Building Inspection Section
Department of Public Works
Environmental Health Division
San Mateo County Fire Marshal

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map/Location Map
- C. Applicant's Mission Statement
- D. Copy of Planning Commission Decision Letter dated October 13, 2011

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2006-00181 Hearing Date: October 23, 2013

Prepared By: Michael Schaller For Adoption By: Planning Commission
Project Planner

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

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, Find:

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.

RECOMMENDED 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 October 23, 2013. 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. The applicant shall file for a renewal of this permit six (6) months prior to expiration with the County Planning and Building Department, if continuation of this use is desired. If the County finds that the use is not in compliance with the conditions of approval, the applicant shall have thirty (30) days to comply with the terms of the approved Use Permit or apply for a Use Permit Amendment, including payment of all applicable fees.
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. 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. Said construction shall be completed within 24 months of this Use Permit Amendment approval.
5. 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.
6. The applicant shall incorporate energy efficiency measures for all approved (but not completed) development, including any mechanical systems and appliances.
7. 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.
8. 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, 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 five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative 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.
9. 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 1-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.
10. 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.
11. 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.
12. 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.
 13. 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.
 14. 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.

15. Prior to occupancy, the applicant shall submit a copy of the state license to operate to the Current Planning Section for the project file.

Department of Public Works

16. The applicant shall comply with the provisions of the County Drainage Guidelines and NPDES permit throughout all phases of construction.

San Mateo County Fire Department

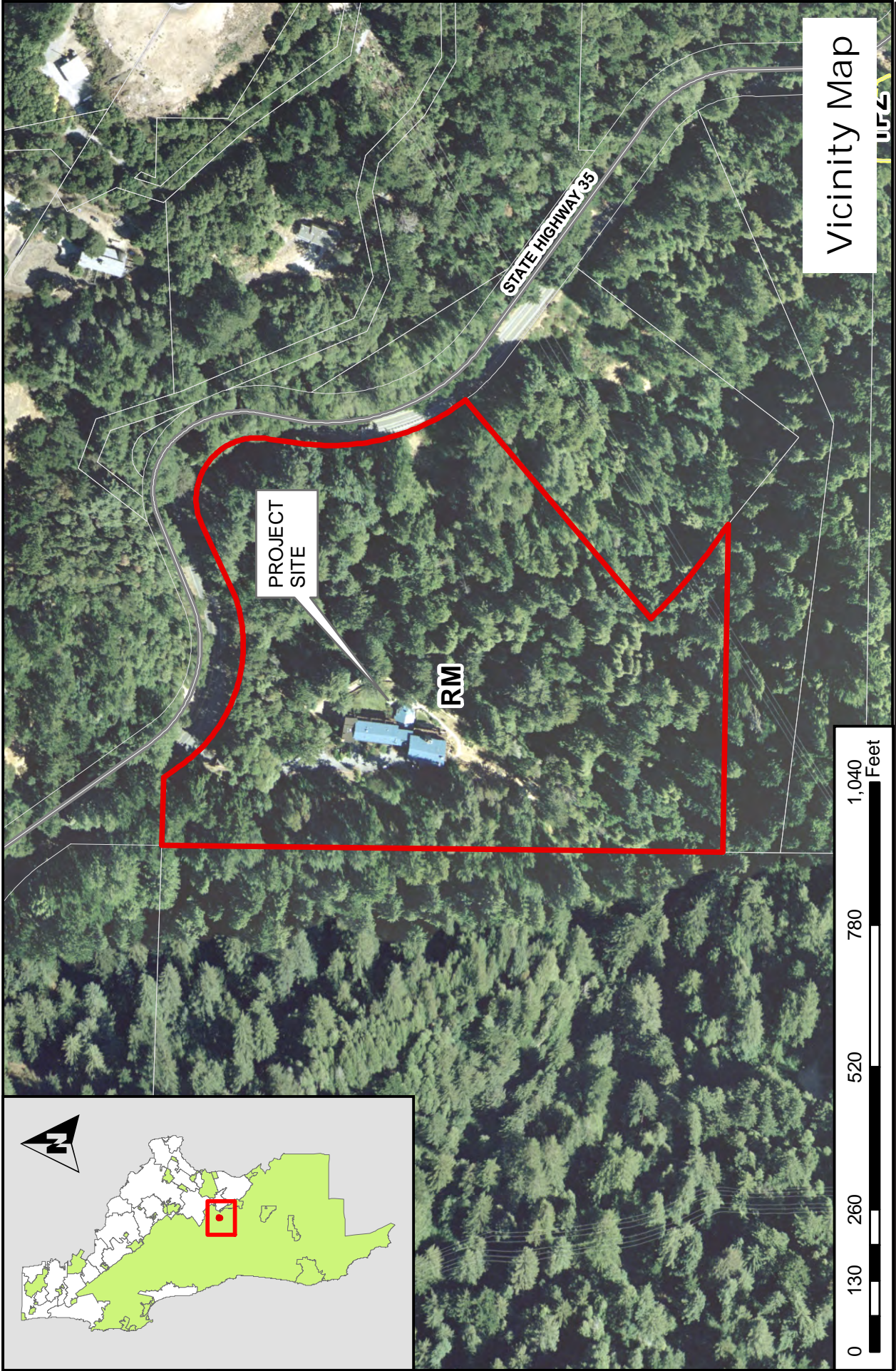
17. Occupancy change will require the facility to meet all current building and fire code requirements for the new occupancy. The applicant shall contact the County Fire Authority and the Building Inspection Section to arrange for inspections prior to occupancy/change in use.

MS:pac - MJSX0710_WPU.DOCX



County of San Mateo - Planning and Building Department

ATTACHMENT B



Vicinity Map

San Mateo County Planning Commission Meeting

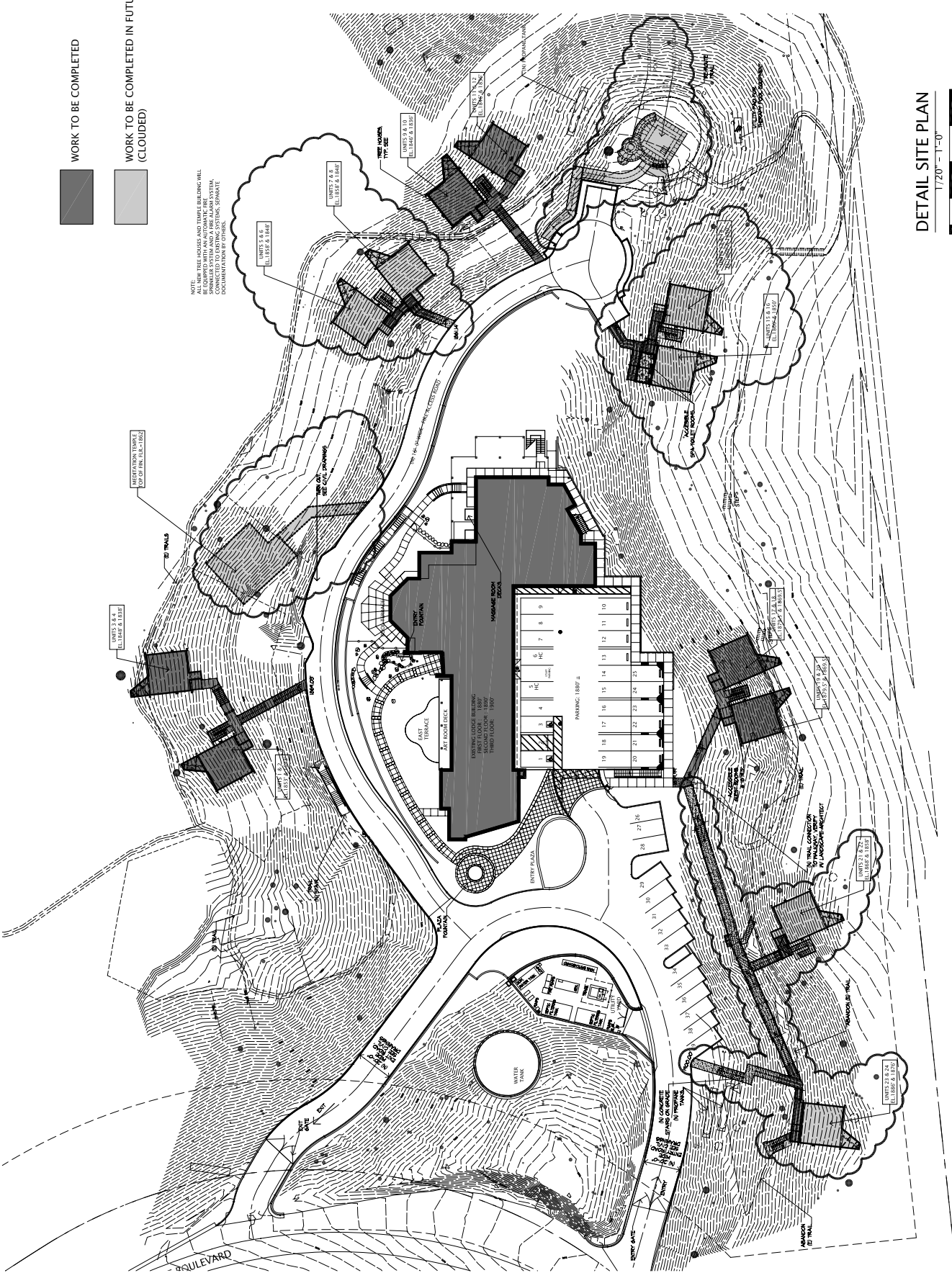
Owner/Applicant: _____

Attachment: _____

File Numbers: _____

WORK TO BE COMPLETED
 WORK TO BE COMPLETED IN FUTURE (CLOUDED)

NOTE: THE BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BUILDING DEPARTMENT'S REQUIREMENTS AND ALL OTHER APPLICABLE REGULATIONS AND ORDINANCES. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND DOCUMENTATION FROM THE LOCAL AGENCIES.



DETAIL SITE PLAN
 1/2" = 1'-0"
 0 20 40 60

Attachment: _____



County of San Mateo - Planning and Building Department

ATTACHMENT C

Sausalito Alta Mira LLC

**475 Bridgeway
Sausalito, CA 94965**

April 21, 2013

Mike Schaller
Senior Planner
County of San Mateo Planning Department
455 County Center, 2nd Floor
Redwood City, CA 94063

re: Stillheart Retreat Center
16350 Skyline Blvd., Woodside
APN: 072-311-010

Dear Mr. Schaller,

Thank you for taking the time to meet with me last week to discuss the property located at 16350 Skyline Boulevard in Woodside that is currently being operated as the Stillheart Institute Retreat Center. At your request I put together this letter to give clarity on the potential operations I hope to conduct at the site and also help your department make a decision that our use is allowed under the current use permit.

Our plan is to use the property as a non-medical residential treatment center for individuals who suffer from addiction to drugs and/or alcohol. The treatment program will be both therapeutic and educational based that will encourage and support the personal growth, professional success, and positive transformation of individuals and groups through use of proven evidence based methods. We strive to promote balance, serenity and harmony in life that is evident in the surroundings of this beautiful location.

Our program is very similar to the one currently being run at the property with the exception the length of stay is longer and is tailored towards the individual recovering from addictions. We hope you will conclude that there will be no impact due to the change of clientele and business model.

It is our plan to operate within the existing building plan and footprint. The current setting is ideal for an operation of this kind. There is significant office space, dining room space, kitchen, parking and common areas for our clients. It is not necessary to change any of the existing building to fit any of our needs. We will not alter any of the exterior of the facility or landscaping. Although we do not plan on making any interior alterations at this time we will certainly abide by all building permit requirements should we do so in the future.

We would like to complete the unfinished construction of the remaining "tree-houses" and "mediation temple" in the next 12 to 18 months. We will abide by all the conditions listed in the existing CUP and building permit requirements.

As stated in the CUP conditions of 2007 and 2011 the occupancy load is set by the San Mateo Building Department and enforced by the County Fire Department. In our review we have not found

documentation on the specific occupancy load but can assume that it is a maximum of 2 occupants per sleeping room. There are currently 26 completed sleeping rooms and another 12 sleeping rooms in the unfinished "tree-houses." Therefore we assume the occupancy load to be 52 now and an additional 24 upon completion of the unfinished "tree-houses".

Regarding traffic and parking for the site there are two factors to discuss, the program employees and clients. It is our policy that none of our clients are allowed to bring their cars with them to treatment. All of the clients are driven to the program by either our staff or their friends and family. Therefore the clients will not create any need for parking at the site. As stated in the CUP the current operation hosts on average of 60 groups of 30 people per year who stay an average of 3 days. Our program is unlike the current operation as our clients stay for an average of 45 days and remain on-site for the majority of that time as all of their dining and programs are located on-site and therefore should decrease the traffic currently created when people come and go during the current operations. Also, instead of having 30 people checking in on Friday and out on Sunday in a small time window under the current business plan our clients check in throughout the month. We project averaging 1 to 2 clients checking in on a daily basis and therefore minimizing any clustering of traffic that can be caused by the current operation.

The current operation of the Stillheart Institute has a total of 6 full-time and 3 part-time employees handling the various administrative, maintenance and housekeeping duties. Our current business model will increase the current employees with an additional 3 part-time staff members. The additional 3 part time employees will be overnight staff. Therefore there should not be anymore additional employees on-site at a given. As you know the current operation requires 16 parking spaces and the site has 38 parking spaces. Therefore, we know this minor change will not have any impact on the property.

We hope that given the above information you can see that our plan of operation should fit into the current allowed uses of the CUP. If you have any questions or would like to discuss any aspect of this please feel free to call me at 415-233-0178.

Regards,

Raymond Blatt

Raymond Blatt
Sausalito Alta Mira LLC
Managing Member

Stillpath Recovery Center LLC

96 Harrison Avenue
Sausalito, CA 94965

October 8, 2013

Mike Schaller
Senior Planner
County of San Mateo Planning Department
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: Stillpath Recovery Center
16350 Skyline Blvd., Woodside
APN: 072-311-010

Dear Mr. Schaller,

I am writing in response to your inquiry regarding the current average daily occupancy of the Stillheart Institute Retreat Center and the proposed daily occupancy of the Stillpath Recovery Center.

The current building has 26 sleeping rooms with an additional 12 unfinished "treehouse" sleeping rooms. When completed the property will have a total of 38 sleeping rooms. The current operation has 2 beds per sleeping room for a total of 52 beds currently and 76 beds when the construction of the unfinished "treehouses" is completed. Since we did not want to exceed the current capacity in anyway we will keep the same layout and not expand upon that capacity for our operation.

The Stillheart Institute Retreat Center has averaged 60 overnight groups of 30 or more guests per year with some groups exceeding 100 guests. The overnight guests of the Retreat Center drove to the property, parked and stayed on average 3 days. This does not include any number of groups, individual or family events that use the property who may not stay overnight. The Stillheart Institute has been proud to host many large gatherings over the last few years.

The operation of the Stillpath Recovery Center will be different in that our clients do not park their vehicles as they are usually dropped off by a family member or loved one and they stay for a minimum of 30 days with an average of 42 days. This will greatly diminish the volume of traffic that comes in and out of the property as you can see from the numbers below:

Current Operation: Stillheart Institute Retreat Center

60 groups/12 months = 5 groups per month x 30 people = 150 "trips"/month

Proposed Operation: Stillpath Recovery Center

76 client drop off/pickups per month = 76 "trips"/month.

I used the term "trip" above to represent one drive in and one drive out of the property. I used the total amount of beds after construction (76) for the proposed use but only the current amount of beds (52) for the current operation and also used 30 day stays instead of the 42 day average for the proposed operation to give you the most conservative of analysis. As you can see even if we are operating at 100% capacity after the unfinished "treehouses" are completed we would be approximately half amount of "trips" currently used at the property.

You had asked about the average daily census for our proposed operation and as an industry it usually runs between 75-80% for the year. The census can sway from 50% one month to 100% the next because of various factors. For instance, from Thanksgiving to New Years is usually a slower time due to the holiday season but January and February are usually very busy after people have made their New Years resolutions.

Also, since our clients do not bring their vehicles with them to the property and park them on-site during their stay our operation would eliminate any parking issues the current operation faces when it does have groups or events that have guests of 60 or more. The existing parking on-site will be more than enough for our proposed operation.

For these reasons we believe that our proposed operation will not cause any additional use to the neighborhood and should be a more sensitive to the serene environment that surrounds the property.

I hope this answers your questions if you have any concerns or would like to discuss this further please call me at 415-233-0178 or email me at ray.blatt@sbcglobal.net.

Regards,



Raymond Blatt
Stillpath Recovery Center LLC
Managing Member



County of San Mateo - Planning and Building Department

ATTACHMENT D



County of San Mateo

Planning & Building Department

455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

October 13, 2011

J. R. Rodine
3148 Marble Ridge Court
Reno, Nevada 89511-5385

PROJECT FILE

Dear Mr. Rodine:

Subject: **LETTER OF DECISION**
File Number: PLN2006-00181
Location: 16350 Skyline Blvd., Woodside
APN: 072-331-010

On October 12, 2011 the San Mateo County Planning Commission considered a Use Permit Renewal, pursuant to Section 6500 of the County Zoning Regulations, for the continued operation of a retreat center at 16350 Skyline Boulevard in the unincorporated Woodside area of San Mateo County.

Based on information provided by Staff and evidence presented at the hearing, the Planning Commission approved the use permit renewal subject to the findings and conditions of approval as shown in Attachment A to this letter.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m. on October 26, 2011.**

If you have questions regarding this matter, please contact Summer Burlison, Project Planner, at 650/363-1815.

Sincerely,

A handwritten signature in cursive script that reads "Rosario Fernandez".

Rosario Fernandez
Planning Commission Secretary
pcd1012V_rf(J.R. Rodine)

Enclosure: San Mateo County Survey - An online version of our Customer Survey is also available at: <http://www.co.sanmateo.ca.us/planning/survey>

cc: Stillheart Institute

County of San Mateo
Planning and Building Department

FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2006-00181

Hearing Date: October 12, 2011

Prepared By: Summer Burlison, Project Planner

Adopted By: Planning Commission

FINDINGS

Regarding the Environmental Review Renewal, Found:

1. That the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1 relating to the continued operation of an existing facility with no expansion of use. A Notice of Exemption will be filed and posted for review.

Regarding the Use Permit, Found:

2. That the establishment, maintenance and/or conducting of the continued operation will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood as the use has been in operation since its original use permit approval in 1991 with no reported complaints from the surrounding community. Associated development is minimally visible from surrounding public views due to the site's topography and heavy vegetation. Additionally, no reviewing agency has recommended that the Use Permit Renewal be denied and no project changes are proposed with this renewal that have not already been approved under the last Use Permit Amendment in 2007.
3. That the renewal of the use permit is necessary for the public health, safety and convenience or welfare as the renewal of this use permit will allow for the continued operation of an educational retreat center and sanctuary that encourages and supports the personal growth, professional success, and positive transformation of individuals, groups and organizations. The retreat center promotes balance and serenity in harmony with nature, as confirmed by the facility's design, development and overall mission. Furthermore, there's no evidence suggesting that the continued operation of the retreat center would cause a detriment to the public health, safety, convenience or welfare.

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 October 12, 2011. 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 seven (7) years following the date of final approval. 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. If the County finds that the use is not in compliance with the conditions of approval, the applicant shall have 30 days to comply with the terms of the approved use permit or apply for a Use Permit Amendment, including payment of all applicable fees.
3. Any change in use or intensity shall require an amendment to the use permit. Amendment to this use permit requires an application for amendment, payment of applicable fees, and consideration at a public hearing.
4. 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.
5. All new utilities shall be installed underground from the nearest existing utility pole. No new utility poles are to be installed.
6. The applicant shall incorporate energy efficiency measures for all approved development, including any mechanical systems and appliances.
7. 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.
8. Prior to the beginning of any construction activities, 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, 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 five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative 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.
9. Prior to any demolition, grading, or construction activity 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 two 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.
 10. Noise-generating construction activities 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.
 11. 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.
12. 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.
 13. 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 buses and vans could be parked for extended periods of time.
 14. If any portion of the new structures are visible from Skyline Boulevard after substantiation by the applicant that they will not be visible, the applicant shall be required to submit an application for Architectural Review for review and approval

by the Planning Commission. The Planning Commission may take any appropriate action to conform the structures to the Skyline Scenic Corridor guidelines, including requiring removal of the visible portion.

15. Prior to the issuance of building permits for this project, the applicant shall submit color and material samples for review and approval of the Current Planning Section. All buildings and structures shall be painted in natural colors to match the existing trees in the vicinity. Color verification by the Current Planning Section shall occur in the field after the applicant has painted the buildings the approved color, but before the applicant schedules a final inspection.
16. To avoid or minimize impacts to nesting birds (including raptors), all tree removal and trimming as well as ground disturbing activities should be scheduled to take place outside of the breeding season (February 15 to August 31). However, if construction is unavoidable during the breeding season, a qualified biologist shall conduct a survey for nesting birds no more than three days prior to the removal or trimming of any tree and prior to the start of ground disturbing activities. If active nests are not present, project activities can take place as scheduled. However, if active nests are detected, CDFG shall be contacted on how to proceed. Prior to the Current Planning Section's release of the building permit, the biologist shall report their findings to the project planner.
17. In order to protect wildlife such as reptiles from falling into and becoming trapped in drill holes, all holes made during the day that are not backfilled shall be covered with plywood or similar material at the end of the work day. This will prevent wildlife from falling into the holes during the night or weekend.

Department of Public Works

18. The provision of San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Unless exempted by the Grading Ordinance, the applicant may be required to apply for a grading permit upon completion of their review of the plans and should access construction be necessary.
19. Prior to the issuance of the grading permit, the applicant shall submit, to the Department of Public Works for review and approval, a plan for any off-site hauling operations. This plan shall include, but not be limited to, the following information: size of trucks, haul route, disposal site, dust and debris control measures, and time and frequency of haul trips. As part of the review of the submitted plan, the County may place such restrictions on the hauling operation as it deems necessary.
20. The applicant shall comply with the provisions of the County Drainage Guidelines and NPDES permit throughout all phases of construction.

San Mateo County Fire Department

21. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.
22. An approved automatic fire system meeting the requirements of NFPA-13 is required to be installed in your project. Plans shall be designed by a licensed sprinkler system designer and submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department. Building plans will not be reviewed until the required sprinkler plans are received by the San Mateo County Building Inspection Section. All commercial automatic sprinkler systems are required to be installed by a licensed sprinkler contractor and will be required to be monitored for water flow and tamper as outlined in NFPA-72.
23. Water flow and tamper alarm hardware is required to be installed to work in conjunction with the required sprinkler system. All hardware shall be listed and monitored as required by NFPA. Hardware shall be installed so that any flow of water from a sprinkler installed in the system or an attempt to shut down any portion of the sprinkler system shall send an alarm to an approved monitoring station as approved by NFPA. All hardware is to be included on sprinkler plans submitted to the San Mateo County Building Inspection Section.
24. All fire sprinkler system risers shall be equipped with two pressure gauges, one above and one below the check valve. All fire sprinkler systems shall have an inspector's test located at the most remote end of the system. All attic accesses and potential storage areas shall be protected. Where sprinkler heads are required and plastic CPVC piping is going to be used, it must be installed and protected as per manufacturer's installation instructions and UL listing.
25. Occupancy separations will be required as per the current California Building Code. To be finished on previous building permit prior to construction beginning under this permit.
26. This project must comply with Title 19 of the California Code of Regulations (CCR).
27. Panic hardware and exit signs must be installed as per Chapter 10 of the current California Building Code.
28. Approved automatic fire extinguishing systems shall be provided for the protection of commercial-type cooking equipment and associated hood and duct systems as outlined in Section 1005 of the California Fire Code. Plans for required hood, duct, and commercial cooking operations are to be submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department.

29. Certain areas as designated by the San Mateo County Fire Department will be required to be designated and maintained as Fire Lanes.
30. The San Mateo County Fire Department is required to set a minimum fire flow requirement for the remodel and construction of all buildings using the procedure established in the San Mateo County Fire Ordinance. A fire flow of 1,500 gpm for a 1-hour with a 20-psi residual operating pressure must be available as specified by additional project conditions to the project site.
31. Manual pull stations and a smoke detection system are required to be installed in your project as outlined in the current edition of the California Building Code, San Mateo County Ordinance and the National Fire Protection Association.
32. 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.
33. 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.
34. The required fire flow shall be available from a County Standard Wet Barrel Fire Hydrant. The configuration of the hydrant shall be a minimum of 6-inch opening with a minimum of one each 4 1/2-inch outlet and one each 2 1/2-inch outlet located not less than 50 feet nor more than 250 feet from the building, measured by way of approved drivable access to the project site.
35. A site plan showing all required components of the water system is required to be submitted with the building plans to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department for verification and approval. Plans shall show the location, elevation and size of required water storage tanks, and the associated piping layout from the tank(s) to the building structures, the location of the standpipe and the location of any required pumps and their size and specifications.
36. Because of the fire flow and automatic sprinkler requirements for your project, an on-site water storage tank is required. Based upon building plans submitted to the San Mateo County Building Inspection Section, the San Mateo County Fire Department has determined that a minimum of 90,000 gallons of fire protection water will be required, in addition to the required domestic water storage. Plans showing the tank(s) type, size, location and elevation are to be submitted to the San Mateo County Fire Department for review and approval. This may be modified by the Fire Marshal with an approved system using an existing commercial water purveyor fire hydrant system with tank system, with fire pump and backup

generator, to augment fire flow. The water tank shall be filled using water that is procured from a source other than the Water District.

37. The water storage tank(s) shall be so located as to provide gravity flow to a standpipe/ hydrant, or an approved pump/pressure system shall be provided to produce a minimum of 20 pounds per square inch (psi) residual pressure. Plans and specifications shall be submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department.
38. Smoke detectors are required to be installed in accordance with Section 310.9 of the Uniform Building Code. This includes the requirement for hardwired, interconnected detectors equipped with battery backup and placed in each sleeping room in addition to the corridors and on each level of the residence.
39. All roof assemblies shall have a minimum CLASS-B fire resistive rating and be installed in accordance with the manufacturer's specifications and current Uniform Building Code.
40. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. An address sign shall be placed at each break of the road where deemed applicable by the San Mateo County Fire Department. Numerals shall be contrasting in color to their background and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke.
41.
 - 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 fuelbreak/firebreak made by removing and clearing 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 roofline of any structure.
42. The project site is located within the boundaries of the San Mateo/Santa Cruz/Santa Clara hazardous fire area, as defined in the California Code of Regulations, Title 14,

Section 1205.5. This places the project within a Hazardous Fire Area as defined in the San Mateo County Fire Ordinance, Section 3434.0.

43. All dead-end roadways shall be terminated by a turnaround bulb of not less than 80 feet in diameter. Any alternatives are to be approved by the Fire Marshal.
44. The applicant shall submit, for review by the Department of Public Works and the Fire Department having jurisdiction, a plan and profile of both the existing and the proposed access from the nearest "publicly" maintained roadway to the proposed building site.
45. All propane storage tanks shall be located with respect to buildings or adjoining property lines. The placement and orientation of tanks shall be so that the ends of the tank do not point in the direction of surrounding structures. Minimum setback distances from property lines or structures will be determined by the size of tank(s) that are being installed: Less than 125 gallons - 5 feet; 125 gallons to less than 500 gallons - 10 feet; 500 gallons to less than 2,000 gallons - 25 feet; and 2,000 gallons or more - 50 feet. The minimum distance a LPG tank may be installed from a flammable liquid fuel tank is 20 feet.
46. All Occupancy Loads will be set by the San Mateo County Building Inspection Section and will be supported and enforced by the County Fire Department.
47. Because of limited access into your property, the San Mateo County Fire Department is requiring the installation of a Knox Box or Knox Padlock to allow rapid response of emergency vehicles onto your property in case of a fire or medical emergency. For an application or further information, please contact the Fire Protection and Planning office at 650/573-3846.
48. Tree houses to have Class A roofs, ignition resistant siding, steel supports and area under tree houses to be open. Sprinklers shall be installed beneath each tree house to the satisfaction of the Community Development Director after consultation with the County Fire Marshal and applicant. Plantings below tree houses shall be needed, fire resistant ground cover.
49. Improve trail around property to 3-foot width as shown on plans for extra firebreak to the satisfaction of the Community Development Director after consultation with the County Fire Marshal and applicant.
50. Provide access to all exterior portions of building to within 150 feet of fire apparatus.
51. Turnouts to be 20-foot width and 35 feet in length with diminishing entrance and exit.