

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

**DATE:** October 20, 2016

**TO:** Zoning Hearing Officer

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Use Permit Renewal, pursuant to Section 6500 of the San Mateo County Zoning Regulations, to allow the continued operation of a private middle school with a maximum enrollment of 45 students located at 201 Polhemus Road in the unincorporated San Mateo Highlands area of San Mateo County.

County File Number: PLN 2002-00650 (Odyssey School)

**PROPOSAL**

The applicant is proposing to renew their Use Permit for the continued operation of a private middle school with a maximum enrollment of 45 students.

**RECOMMENDATION**

Approve the Use Permit, County File Number PLN 2002-00650, by making the required findings and adopting the conditions of approval listed in Attachment A.

**BACKGROUND**

Report Prepared By: Tiare Peña, Project Planner, Telephone: 650/363-1850

Applicant/Owner: Ellen Byrd, Odyssey School

Location: 201 Polhemus Road, San Mateo

APN: 038-131-020

Size: 3.182 acres

Existing Zoning: Resource Management (RM)

General Plan Designation: General Open Space

Sphere-of-Influence: City of San Mateo

Existing Land Use: Private middle school

Water Supply: Existing water connection with California Water Service Company

Sewage Disposal: Existing sewer connection with Crystal Springs County Sanitation District

Flood Zone: FEMA Flood Insurance Rate Map designation indicates parcel as Zone C, Area of Minimal Flooding, Community Panel No. 060311 0414B, dated July 5, 1984.

Environmental Evaluation: The project is categorically exempt pursuant to Section 15301, Class 1 of the California Environmental Quality Act related to the continued operation of existing facilities.

Setting: The project site is located on the eastern side of Polhemus Road directly opposite the intersection with Crystal Springs Road. The adjacent land uses within a 1-mile circumference are predominantly single-family houses. The subject parcel is a gently to steeply sloping irregularly shaped parcel located near the bottom of a steep canyon hillside.

## **DISCUSSION**

### A. KEY ISSUES

#### 1. Conformance with the General Plan

Staff has determined that the project complies with all applicable General Plan Policies with specific discussion of the following:

##### Urban Land Use Policies

Policy 8.14 (*Land Use Compatibility*) protects existing single-family residences from adjacent incompatible land use designations which would degrade the environmental quality and economic stability of the area.

Odyssey School is an existing school; this use permit renewal does not involve any new construction at the site. Further, the facility maintains the scenic value of the surrounding rural land.

There are 45 students and four full-time members of staff and up to two part-time staff members at the school. The present school schedule has no morning or afternoon recess, therefore, limiting the amount of time the students are outside for recreation purposes. There is a 45-minute lunch break at mid-day when the students are supervised at all times.

The school is for gifted students mainly in the scientific field. There are no athletic or sport programs. As part of the environmental education program, the science and art classes explore the grounds to do science experiments, gardening and environmental restoration projects to improve and maintain the grounds.

These activities do not generate significant noise levels. Conditions of approval are recommended which limit the operating hours of the school, the number of students attending the school, and the area where the students are permitted during recreation time in order to reduce and minimize the impact to neighboring parcels.

2. Conformance with Zoning Resource Management (RM) District Regulations

Uses Permitted. The Resource Management Zoning District Regulations, Section 6315, allows schools subject to the issuance of a use permit, which this permit represents.

3. Compliance with the Conditions of the Last Approval

The use permit's previous conditions of approval are assessed below with regard to compliance and whether the conditions should be retained or revised. Staff recommends that some conditions, as indicated, be dropped in instances where the condition (1) has been completed, or (2) is no longer deemed feasible or necessary by the responsible department.

- (1) The term of this use permit shall be for seven years through August 2, 2014. The applicant shall submit a use permit renewal application and pay applicable fees for renewal six months prior to expiration. The permit will be subject to an administrative review within two years from the date of the approved use permit.

*Compliance with Condition?* Yes and No. The renewal application was submitted as on June 29, 2016. This was not due to any error on the part of the applicant.

*Recommend to Retain Condition?* Yes, but modified to reflect the new use permit term and administrative reviews as follows.

The term of this use permit shall be for seven (7) years, valid through October 20, 2023. An administrative review shall be conducted on the third anniversary from the date of this approval to ensure compliance with these conditions of approval. The applicant shall apply for an administrative review by October 20, 2020. The applicant shall apply for a use permit renewal six (6) months prior to expiration (May 20, 2020) or discontinue operations by October 20, 2023.

- (2) 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.

*Compliance with Condition? Yes.*

*Recommend to Retain Condition? Yes.*

- (3) The hours of student operation shall be limited to 7:30 a.m. through 6:00 p.m., Monday through Friday. Twenty-four school functions per year (approximately two per month) are permitted Monday through Friday from 7:00 p.m. through 9:30 p.m. or Saturday noon through 4:00 p.m. or Sunday 4:00 through 7:00 p.m. Any proposed changes to this schedule, including the incidence or length of outdoor recess periods shall be reviewed and approved by the Community Development Director prior to being enacted.

*Compliance with Condition? Yes.*

*Recommend to Retain Condition? Yes.*

- (4) Students shall be prohibited from using the upper 50 feet of the parcel along the eastern boundary of the site, for recreational purposes or during recess periods. This area may be used under supervision for the conducting of science or art classes.

*Compliance with Condition? Yes.*

*Recommend to Retain Condition? Yes.*

- (5) The school will continue to provide a van shuttle service for the students from the train station in order to reduce the number of daily vehicular trips generated by the use.

*Compliance with Condition? Yes.*

*Recommend to Retain Condition? Yes.*

- (6) This proposal does not include the removal of any trees. The existing trees, particularly in the front half of the parcel shall be retained in order to screen the development from public view. Removal of any tree with a diameter equal to or greater than 12 inches as measured 4.5 feet above the ground shall require a separate tree removal permit.

*Compliance with Condition? Yes.*

*Recommend to Retain Condition? Yes.*

4. Minor Modifications

Since the school's initial use permit approval, a few minor modifications were proposed, and found to qualify as "minor modifications" per the school's use permit approval. Therefore, the Community Development Director incorporated the following changes:

- a. *Landscaping:* The shrubbery at the front entry "Oleander" (which is toxic to children if ingested) was substituted with "Photinia fraseri" (a flowering shrub).
- b. *On-Site Lighting:* Lighting for directional, safety and security purposes are allowed but must consist of down-facing lighting. The lighting on the entrance pedestal signs (mounted at 6 feet) are of low wattage and directed downward. Tree-mounted lighting was approved (to illuminate the otherwise unlit parking area around it), since its glare is directed downward and will not pose any adverse impacts as seen from off the property.
- c. *Off-Site Directional Signage:* Signs in opposite directions to alert drivers of the school entrance were approved. Further, the applicant was required to obtain the necessary approvals and encroachment permit from the Department of Public Works.

5. Required Use Permit Finding

Section 6315 of the San Mateo County Zoning Regulations, Resource Management District Regulations (*Permitted Uses*), stipulates that schools may be allowed upon issuance of a use permit. The required finding is as follows:

- a. *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.*

Staff has reviewed the file and finds no violations, comments or correspondence to the contrary. Further, the school provides a needed educational opportunity in the field of science.

Staff has determined that the project meets with the intent of the Resource Management District Regulations and use permit requirements because the facility has maintained the scenic value of the surrounding rural land, and the applicant has met all the previous conditions regarding traffic flow, and hours of operation.

**B. ENVIRONMENTAL REVIEW**

The project is categorically exempt pursuant to Section 15301, Class 1 of the California Environmental Quality Act related to the continued operation of existing facilities.

**C. REVIEWING AGENCIES**

<b>REVIEWING AGENCY</b>	<b>RECOMMENDATION</b>	<b>CONDITIONS</b>
Building Inspection Section	Approval	None
Public Works Department	Approval	None
California Department of Forestry	Approval	None
Environmental Health Division	Approval	None
Highlands Community Association	No comment received	

**ATTACHMENTS**

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Site Plan of Facility
- D. Floor Plan of Classroom Space

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2002-00650      Hearing Date: October 20, 2016

Prepared By: Tiare Peña      For Adoption By: Zoning Hearing Officer

**RECOMMENDED FINDINGS**

Regarding the Environmental Review, Find:

1. That the project is categorically exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act related to the continued operation of existing facilities.

Regarding the Use Permit, Find:

2. 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 because the facility has met all previous conditions of approval regarding traffic flow and hours of operation. Further, staff has reviewed the file and found no comments or correspondence to the contrary, and the school provides a needed educational opportunity in the field of science.

**RECOMMENDED CONDITIONS OF APPROVAL**

Current Planning Section

1. The term of this use permit shall be for seven (7) years, valid through October 20, 2023. An administrative review shall be conducted on the third anniversary from the date of this approval to ensure compliance with these conditions of approval. The applicant shall apply for an administrative review by October 20, 2020. The applicant shall apply for a use permit renewal six (6) months prior to expiration (May 20, 2020) or discontinue operations by October 20, 2023.
2. 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.

3. The hours of student operation shall be limited to 7:30 a.m. through 6:00 p.m., Monday through Friday. Twenty-four school functions per year (approximately two per month) are permitted Monday through Friday from 7:00 p.m. through 9:30 p.m. or Saturday noon through 4:00 p.m. or Sunday 4:00 through 7:00 p.m. Any proposed changes to this schedule, including the incidence or length of outdoor recess periods shall be reviewed and approved by the Community Development Director prior to being enacted.
4. Students shall be prohibited from using the upper 50 feet of the parcel along the eastern boundary of the site, for recreational purposes or during recess periods. This area may be used under supervision for the conducting of science or art classes.
5. The school will continue to provide a van shuttle service for the students from the train station in order to reduce the number of daily vehicular trips generated by the use.
6. The existing trees, particularly in the front half of the parcel shall be retained in order to screen the development from public view. Removal of any tree with a diameter equal to or greater than 12 inches as measured 4.5 feet above the ground shall require a separate tree removal permit

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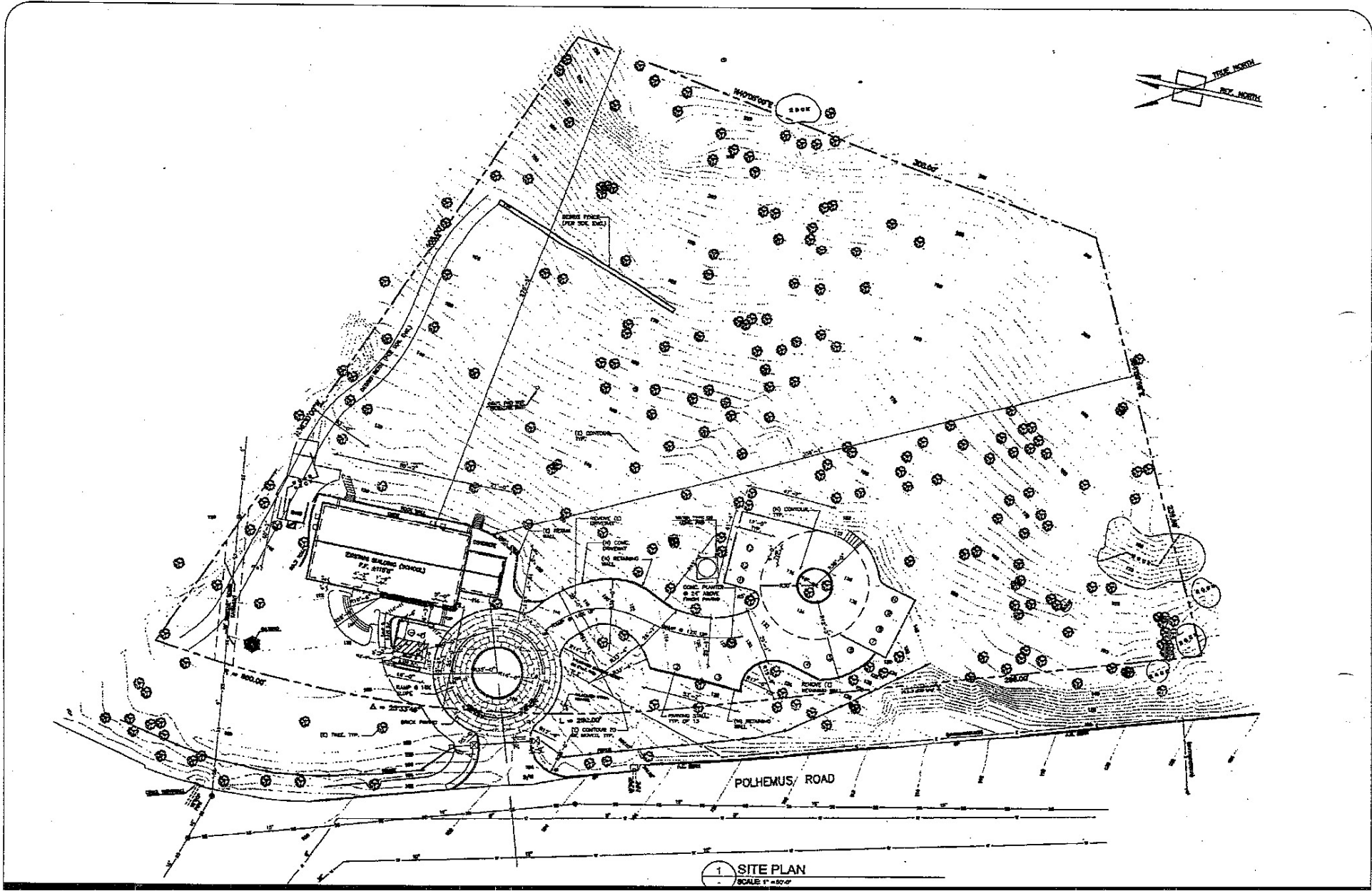


**San Mateo County Zoning Hearing Officer Meeting**

Owner/Applicant: \_\_\_\_\_

Attachment: \_\_\_\_\_

File Numbers: \_\_\_\_\_

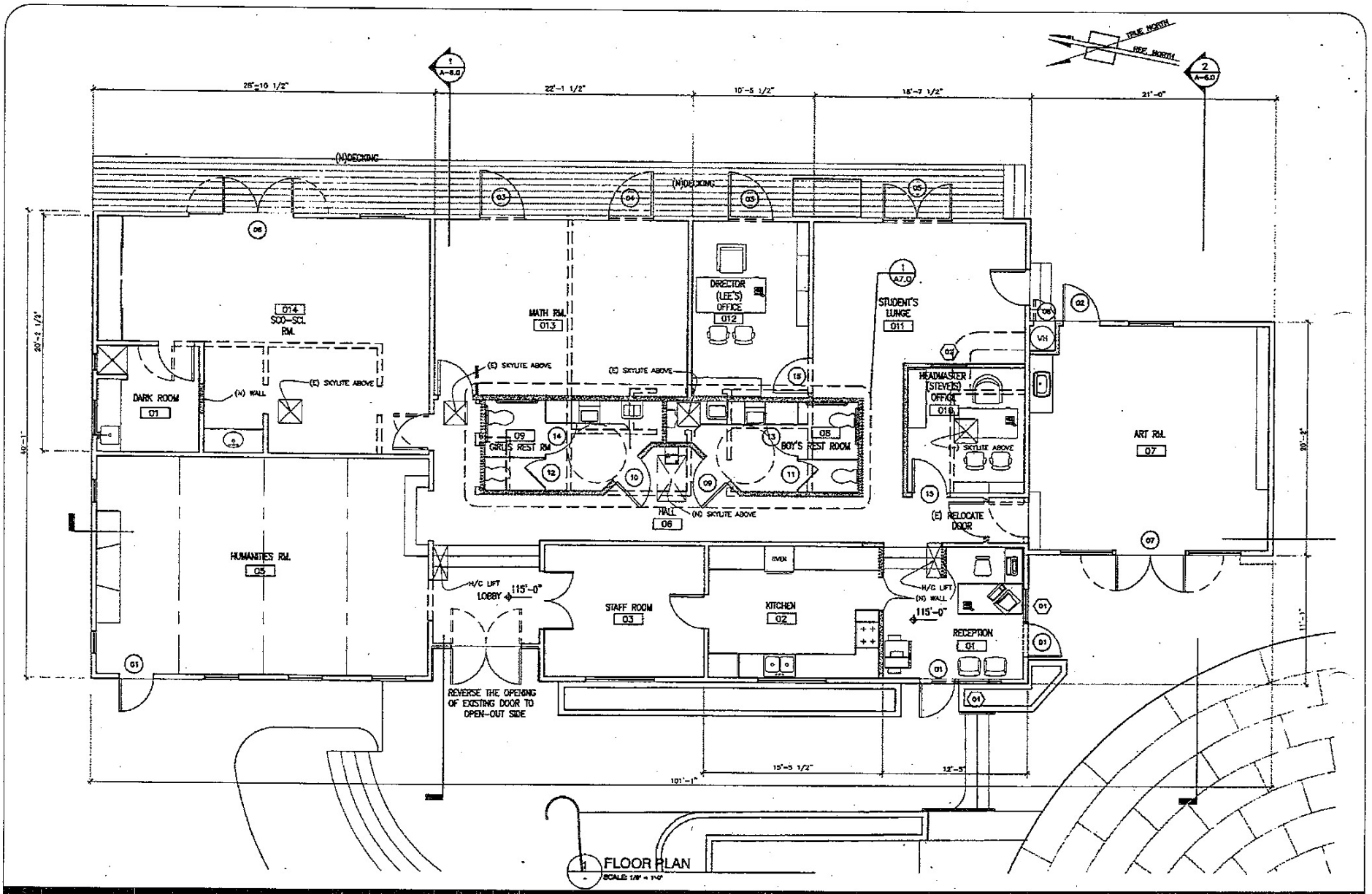


**San Mateo County Zoning Hearing Officer Meeting**

Owner/Applicant: \_\_\_\_\_

Attachment: \_\_\_\_\_

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## San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: \_\_\_\_\_

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