

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

DATE: July 13, 2022

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastal Development Permit to install two benches for public use at the Pigeon Point Viewpoint Parking Lot located on agriculturally zoned land between Highway 1 and the ocean, within the Pescadero West area of unincorporated San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2022-00011 (County Parks Department)

PROPOSAL

The San Mateo County Parks Department is seeking a Coastal Development Permit for installation of two wood/metal benches and a rock path for public use at the Pigeon Point Viewpoint Parking Lot. The benches will be installed on the bluff between Highway 1 and the ocean. One bench will be located on a rock pad (12 feet by 23 feet) in close proximity to the existing parking lot (200 feet from the bluff's edge) and includes a rock path (150 feet by 16 feet) that will end 80 feet from the bluff's edge. This path will replace an existing path comprised of old asphalt and waddles. The second bench will be located 33 feet from the bluff's edge and will not require rock pad or pathway improvements. The project includes less than 150 sq. ft. of land clearing.

RECOMMENDATION

That the Planning Commission approve the Coastal Development Permit, County File Number PLN 2022-00011, by making the required findings and adopting the conditions of approval in Attachment A.

SUMMARY

The Pigeon Point Viewpoint Parking Lot is located on a parcel adjacent to the Pigeon Point Light Station State Historic Park and serves the public by allowing public access views of the ocean.

The goals of this project are consistent with Local Coastal Plan policies regarding scenic corridors, agricultural lands, and allowing the public to more readily access public views. Due to the small scope of the project, it is not expected that the project will

impact the ability of the parcel, mostly comprised of prime soils, to be utilized for agriculture now or in the future.

Staff has completed a review of the project and all submitted documents and has determined the project conforms to applicable Local Coastal Program policies as proposed and conditioned. A California Environmental Quality Act exemption under Section 15303 (e), Class 3, for the new construction of small accessory structures, was prepared by the County Parks Department, representing the County as lead agency.

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

DATE: July 13, 2022

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of a Coastal Development Permit, pursuant to Section 6328.4 of the County Zoning Regulations, to install two benches for public use at the Pigeon Point Viewpoint Parking Lot located on agriculturally zoned land between Highway 1 and the ocean, within the Pescadero West area of unincorporated San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2022-00011 (County Parks Department)

PROPOSAL

The San Mateo County Parks Department is seeking a Coastal Development Permit for installation of two wood/metal benches and a rock path for public use at the Pigeon Point Viewpoint Parking Lot. The benches will be installed on the bluff between Highway 1 and the ocean. One bench will be located on a rock pad (12 feet by 23 feet) in close proximity to the existing parking lot (200 feet from the bluff's edge) and includes a rock path (150 feet by 16 feet) that will end 80 feet from the bluff's edge. The second bench will be located 33 feet from the bluff's edge and will not require rock pad or pathway improvements. The project includes less than 150 sq. ft. of land clearing.

RECOMMENDATION

That the Planning Commission approve the Coastal Development Permit, County File Number PLN 2022-00011, by making the required findings and adopting the conditions of approval in Attachment A.

BACKGROUND

Report Prepared By: Delaney Selvidge, Project Planner, 650/363-1867

Owner/Applicant: County of San Mateo

Public Notification: Ten (10) day advanced notification for the hearing was mailed to property owners within 300 feet of the project parcel and a notice for the hearing posted

in newspapers (i.e., San Mateo Times and Half Moon Bay Review) of general public circulation.

Location: The project is located on a parcel between Highway 1 and the ocean, east of Pigeon Point Lighthouse, and within the Pescadero West area of unincorporated San Mateo County. The benches will be located in an area known as the Pigeon Point Viewpoint Parking Lot.

APN(s): 086-300-140

Size: 14.79 acres

Existing Zoning: PAD/CD (Planned Agricultural District/Coastal Development)

General Plan Designation: Recreation, Public Recreation

Local Coastal Program Designation: Agriculture

Sphere-of-Influence: None

Williamson Act: Not under contract

Existing Land Use: County Parks Pigeon Point Viewpoint Parking Lot (public recreation).

Flood Zone: Bench 1 - Flood Zone X, Area of Minimal Flood Hazard, Bench 2 - Flood Zone VE, High-Risk Coastal Communities; Community Panel 06081C0442F, effective August 2, 2017.

Environmental Evaluation: The County, through the Parks Department, determined at the time it decided to proceed with the project that the project is categorically exempt from California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303(e) (Class 3) for the new construction of small accessory structures. The County filed a Notice of Exemption with the County Clerk on February 4, 2022.

Setting: The subject parcel is just east of and directly adjacent to Pigeon Point Light Station State Historic Park. The parcel is located between Highway 1 and the ocean, within the Pescadero West area of San Mateo County. The benches will be located in close proximity to an existing gravel viewpoint/parking lot, 200 feet and 33 feet from the bluff edge, respectively. While the parcel has been farmed in the past and is almost entirely prime soils, it is not currently being farmed.

Chronology:

<u>Date</u>	<u>Action</u>
September 7, 2021	- Coastal Development Permit (CDP) application (Case No. PLN 2021-00346); project split into two cases on January 18, 2022.
February 4, 2022	- Deemed complete.
July 13, 2022	- Planning Commission hearing.

DISCUSSION

A. KEY ISSUES

1. Conformance with General Plan

The County's Local Coastal Program (LCP) is a subset of the County's General Plan, and the two documents are internally consistent. The following analysis of the project's consistency with the LCP, which is more specific than the General Plan with regard to issues raised by this project therefore also addresses, by extension, the project's consistency with the County's General Plan.

2. Conformance with the Local Coastal Program (LCP)

a. Locating and Planning New Development

Policy 1.8 (*Land Uses and Development Densities in Rural Areas*). This policy requires that new development is allowed in rural areas only if it does not negatively impact coastal resources or diminish the ability to keep all prime agricultural and other land suitable for agriculture in agricultural production. While the majority of the parcel is categorized as prime soils, with a USDA soil classification of 1, the project only includes minor improvements, and will not decrease the amount of land that would be available for agriculture on the parcel. The benches will be located in close proximity to a developed viewpoint/parking lot and will only require minor improvements and land clearing. Therefore, the benches and path will have minimal, if any, impact on coastal resources or agricultural lands.

b. Agricultural Component

Policy 5.5 (*Permitted Uses on Prime Agricultural Lands Designated as Agriculture*). This policy requires that land with prime soils is utilized for agricultural uses or uses that are compatible with agriculture and identifies those uses permitted with a Conditional Use Permit. The proposed project will have minimal impacts on the parcel, as it includes the installation of two benches and a rocked path that measures 150 feet long by 16 feet wide to view the bluff. These minor improvements will not interfere with the availability of the parcel for agricultural use now or in the future.

c. Sensitive Habitat Component

Policy 7.3 (*Protection of Sensitive Habitats*). This policy prohibits land uses or development that would have significant adverse impact on sensitive habitat areas and requires development adjacent to sensitive habitats be sited and designed to prevent negative impacts. The project location is known to be in proximity to sensitive habitat and species, however, this area was recently mapped for sensitive habitats and the subject of a restoration plan implemented in approximately 2014. Based upon this mapping, there is no sensitive habitat or species located in the immediate area where the benches or path will be installed. Therefore, the development is in compliance with the County's sensitive habitat policies.

d. Visual Resources Component

Policy 8.5 (*Location of Development*) requires that development be located on a portion of the parcel where it is least visible from State or County Scenic Roads, is least likely to significantly impact views from public viewpoints, and best preserves the visual and open space qualities of the parcel overall. The parcel is located within the Cabrillo Highway State Scenic corridor and is in close proximity to the Pigeon Point viewpoint parking lot which is maintained by the County. The project is intended to improve the experience of those wishing to access coastal resources by providing a place to sit in proximity to the viewpoint parking lot. The proposed benches are 35 inches tall and constructed of wood and metal. It is not expected that the benches will have a significant impact on views from public viewpoints.

e. Hazards Component

Policy 9.8 (*Regulation of Development on Coastal Bluff Tops*). This policy details measures to evaluate the stability of bluff tops and ensure designs are appropriate to the setting. The parcel is not

mapped as land susceptible to fault zones, landslides or liquefaction, and is not mapped as in a tsunami or seiche inundation area. The proposed project is minor in scope (benches and a path), it is not expected that this will impact the stability of the bluff top.

Policy 9.9 a -b (*Regulation of Development in Floodplains*). This policy details measures to evaluate and appropriately address flood hazards. The subject parcel contains areas mapped by FEMA as zone X (minimal flood hazard) and zone VE (high-risk coastal communities), bench one appears to be in zone X but bench two appears to be in zone VE. However, the bench is located over 30 feet from the bluff edge, is nearly at the base flood elevation, and, as a bench, is not considered a structure. Therefore, the proposed project is not expected to create any flood related hazards to visitors or the community.

f. Shoreline Access Component

Policy 10.1 (*Permit Conditions for Shoreline Access*) requires some provision for shoreline access as a condition of granting development permits for any public or private development permits between the sea and the nearest road. The project area is located west of Cabrillo Highway and is therefore between the sea and the nearest road. However, there is an existing shoreline access point located at Pigeon Point Lighthouse located northwest of the subject parcel that provides staircase access from the bluff to the beach area. The proposed improvements are minor in nature, will be of minimal impact to the area, and are meant to support visitor access and the adjacent public recreation area of Pigeon Point Bluffs. Therefore, the project does not create a need for any additional shoreline access.

g. Recreation/Visitor-Serving Facilities Component

Policy 11.9 (*Oceanfront Land in Urban and Rural Areas*). This policy requires that oceanfront lands will not impair agricultural viability on the parcel and not obstruct views. The proposed benches (35 inches tall) and path will not obstruct views and will be used by the public to enjoy public views. The scope of the project is small and would not be considered conversion of prime soils or impair the agricultural viability of the parcel.

3. Conformance with the PAD Zoning Regulations

The project site is zoned Planned Agricultural District (PAD). The location where the benches and path are proposed is considered prime soil. However, given the small scope of the project, the benches and path will not

negatively impact the ability of the parcel to be used for agriculture now or in the future. If in the future, there is desire to farm this section of the parcel these improvements could be easily removed and result in little to no impact on the quality of the soils available.

B. ENVIRONMENTAL REVIEW

The County, through the Parks Department, determined at the time it decided to proceed with the project that the project is categorically exempt from CEQA under CEQA Guidelines Section 15303(e) (Class 3) for the new construction of small accessory structures. The County filed a Notice of Exemption with the County Clerk on February 4, 2022.

C. REVIEWING AGENCIES

California Coastal Commission
Pescadero Municipal Advisory Commission

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Project Plans
- D. California Environmental Quality Act Exemption

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2022-00011

Hearing Date: July 13, 2022

Prepared By: Delaney Selvidge
Project Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS

For the Environmental Review, Find:

1. That the project is categorically exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303(e) (Class 3) for the construction of new small structures.

For the Coastal Development Permit, Find:

2. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7, and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County General Plan and Local Coastal Program with regard to the Locating and Planning New Development, Agriculture, Sensitive Habitat, Visual Resources, Hazards, Shoreline Access, and Recreation/Visitor-Serving Facilities Components of the Local Coastal Program.
3. That the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). There is an existing shoreline access point located at Pigeon Point Lighthouse located northwest of the subject parcel that provides staircase access from the bluff to the beach area. The proposed improvements are minor in nature, will be of minimal impact to the area, are designed to create better opportunities for the public to enjoy the ocean views from the existing parking lot by providing benches and rocked paths. The project does not warrant any additional shoreline access.
4. That the project conforms to the specific findings required by the policies of the San Mateo County Local Coastal Program as discussed in Section A.2 of the Staff Report dated July 13, 2022. The small scope of the project, and proximity to existing facilities result in a project that will enhance public recreation opportunities while not impacting the agricultural viability of the parcel.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on July 13, 2022. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of, and in substantial conformance with, this approval.
2. The Coastal Development Permit shall be valid for one (1) year from the date of final approval, in which time all work authorized under the permit must be completed. Any extension to this permit shall require submittal of a request for permit extension and payment of any applicable extension fees at least sixty (60) days before the expiration date.
3. The Project shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program “General Construction and Site Supervision Guidelines” including, but not limited to, the following (as applicable):
 - a. Delineation with field markers of clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
 - b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - c. Performing clearing and earth-moving activities only during dry weather.
 - d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30.
 - e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges, to storm drains and watercourses.
 - g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
 - h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.

- i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilization of designated access points.
 - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
 - m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving the site shall be clear and running slowly at all times.
 - n. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
4. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 5:00 p.m., Saturdays. Said activities are prohibited on Sundays, Thanksgiving, and Christmas (San Mateo County Ordinance Code Section 4.88.360).
5. The site and structures shall meet all requirements for accessibility and Americans with Disabilities Act (ADA) compliance, as applicable.

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COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT B



WGS_1984_Web_Mercator_Auxiliary_Sphere
 © Latitude Geographics Group Ltd.

1: 18,056 

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT C

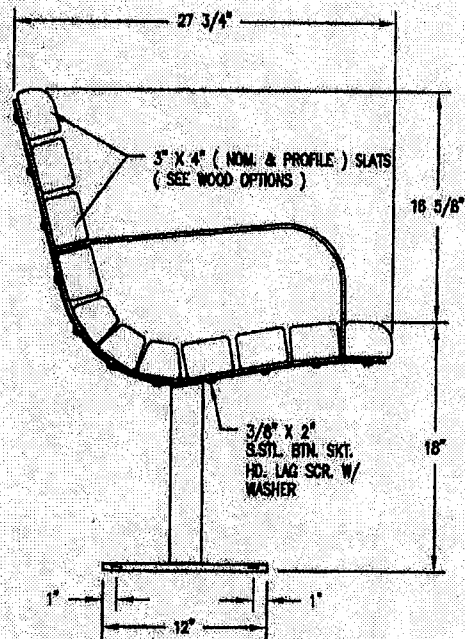
Two Benches & a Rock Path @ Pigeon Point Viewpoint Parking Lot





San Mateo County Parks: Parcel APNs at Pigeon Point County Park





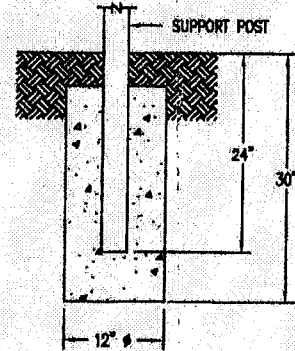
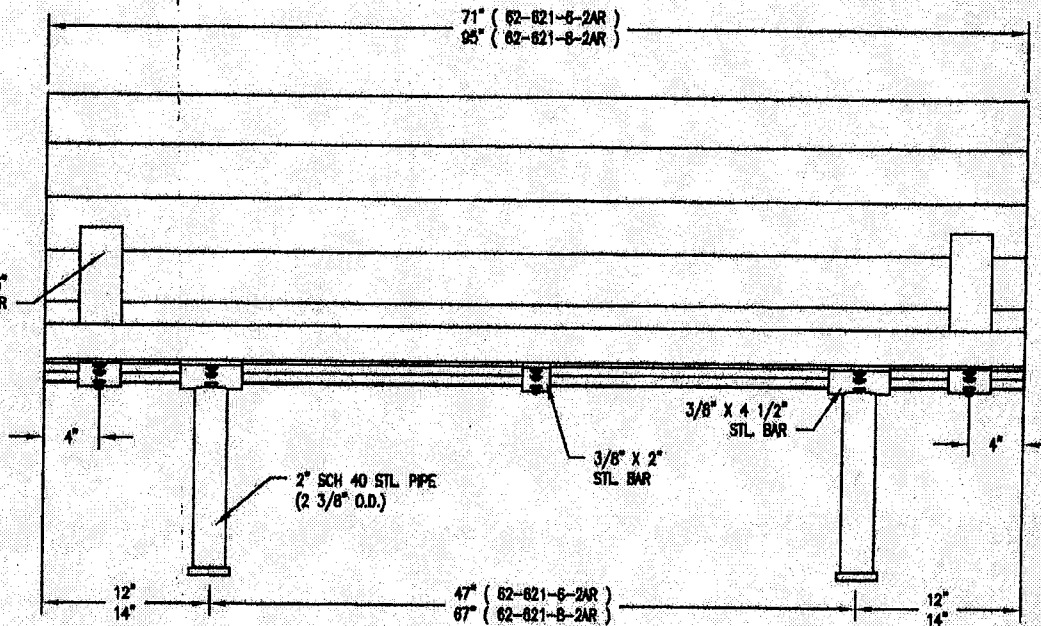
S-2 SURFACE MOUNT

WOOD OPTIONS

- 'C' & BTR. DOUGLAS FIR KD S4S EE
- IPE S4S EE
- OTHER

NOTES:

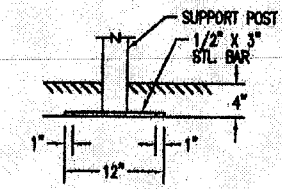
- 1.) ALL STL. MEMBERS COATED W/ ZINC RICH EPOXY THEN FINISHED W/ POLYESTER POWDER COATING.
- 2.) ALL WOOD MEMBERS TREATED W/ CLEAR PRESERVATIVE.
- 3.) 1/2" X 3 3/4" EXPANSION ANCHOR BOLTS PROVIDED FOR OPTIONS S-2 & S-4.



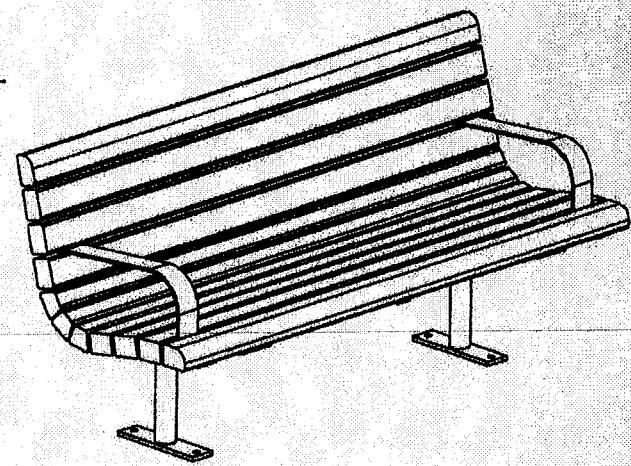
S-1 EMBEDMENT

LENGTH OPTIONS

- 6' BENCH
- 8' BENCH



S-4 SUB FLOOR



BENCH

DATE DRAWN : 07/18/98
 DRAWN BY : HD
 DATE REV. : 01/25/12
 REV. BY : ESS

REV.
D

DRAWING NUMBER

62-621-2AR

SHEET
1 OF 2



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT D

Notice of Exemption

<p>County of San Mateo Parks Department Pony PKR 128 455 County Center, Fourth Floor Redwood City, CA 94063 Planner: <u>Sam Herzberg, AICP</u></p>	<p>For Clerk Use FILED ENDORSED IN THE OFFICE OF THE COUNTY CLERK RECORDER SAN MATEO COUNTY CALIF</p> <p>FEB 04 2022</p> <p>MARK CHURCH, County Clerk By GLENN S. CHANGTIN Deputy Clerk</p>
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Project Title/File Nos. Two memorial park benches, and service road improvements at Pigeon Point Bluff

Project Location – Specific: South of the Pigeon Point Lighthouse, APN: 086-300-140

Project Location – City: Unincorporated San Mateo County. Pescadero is the closest town

Description of Project: One memorial park bench to be installed on a 12' x 23' rocked pad located adjacent to the existing parking area and 200' from the bluff's edge. A path of 16' wide and 150' long will be rocked for service vehicle access from the parking area at Highway 1 to 80' from the bluffs edge. A second bench will be located 33' from the bluffs edge.

Name of Public Agency Approving Project: San Mateo County Parks Department

Name of Person or Agency Carrying Out Project: San Mateo County Parks Department

- Ministerial (Sec. 21080 (b) (1); 15269(a));
- Declared Emergency (Sec. 21080 (b) (3); 15269(a));
- Emergency Project (Sec. 21080 (b) (4); 15269(b) (c));
- Categorical Exemption. State type and section number: 15303 (e)
- Statutory Exemptions. State code number:

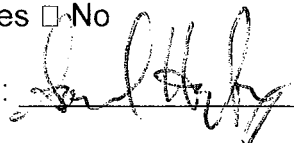
Reasons Why Project is Exempt: New construction of small accessory structures.

Lead Agency: San Mateo County Parks Department

Contact Person: Sam Herzberg, Senior Planner, AICP Telephone: (650)363-1823

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project?
 Yes No

Signature:  Date: 2/4/22 Title: Senior Planner, AICP

- Signed by Lead Agency Date received for filing at OPR: _____
- Signed by Applicant