

**CALIFORNIA COASTAL COMMISSION**

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September 20, 2016

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Redwood City, CA 94063-1665

RE: Pescadero Fire Station - Proposed Re-location (Paul Cole, Coastside Fire Protection District)

Dear Ms. Ross:

Thank you for arranging the meeting between Commission and County staff on August 30, 2016 to discuss Coastside Fire Protection's proposed re-location of the Pescadero Fire Station. This letter serves to provide you with preliminary comments on the following three potential re-location sites: 1) Pescadero High School parcel located at 350 Butano-Cutoff; 2) the County Corporation Yard parcel located at 1000 Pescadero Creek Road; and 3) the existing facility's parcel location at 1200 Pescadero Creek Road adjacent to Butano Creek. San Mateo County's Local Coastal Program (LCP) Implementation Plan (IP) Section 6500(b) allows for the issuance of a use permit for the location of, among other things, public service uses or public buildings in any district when found necessary for public health, safety, convenience, or welfare. However, Section 6500(f) requires approved uses to be consistent with all the policies and standards of the LCP. Please see the discussion below for our initial review of the three proposed options, identified issues of concern, and our recommended options for permit processing.

**Pescadero High School (APN 087-053-010)**

The Pescadero High School parcel, located at 350 Butano-Cutoff, is 28.61 acres zoned as Resource Management/Coastal Development (RM-CZ/CD); therefore, development must adhere to applicable zoning regulations contained in Chapters 36 (RM-CZ District) and 20B (CD District) of the LCP. The CD District is an overlay district and if the policies, requirements, or standards of the LCP as applied to the proposed project conflict with the underlying district, the requirements of the LCP shall take precedence, per LCP Section 6328.13.

*Agriculture*

The proposed project site, an approximately 75,500 square-foot area, includes developed and undeveloped land. Respectively, the site contains an existing paved parking lot on 35,500 square-feet of converted agricultural land and 40,000 square-feet (~0.99 acre) of prime agricultural land which is not being actively farmed. LCP Section 6905 provides that fire stations are an allowed use in the RM-CZ District subject to a use permit. The proposed project

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site contains prime agricultural land, as defined by LCP Policy 5.1, and has been designated as Agriculture on the LCP Land Use Plan Map pursuant to the requirements of LCP Policy 5.2. LCP Policy 1.8 allows new development in rural areas only if it is demonstrated that it will not: (1) have significant adverse impacts, either cumulatively or individually, on coastal resources and (2) diminish the ability to keep all prime agricultural land and other land suitable for agriculture in agricultural production.

LCP Policy 5.5 lists permitted and conditionally-permitted uses allowed on prime agricultural land designated as Agriculture. The proposed fire station is not a listed permitted use on prime agricultural land, and would result in the conversion of ~0.99 acre of prime agricultural soil to a non-agricultural use inconsistent with LCP Policy 5.5. As stated above, in the CD district, when the requirements or standards of the LCP as applied to the proposed project conflict with the underlying district, the requirements of the LCP shall take precedence. Therefore, we recommend that the County consider revising the proposed project to remove the portion proposed to be developed on undeveloped prime agricultural land designated as Agriculture on the LCP Land Use Plan Map.

We recognize that LCP Policy 5.2 requires designation of any parcel with prime agricultural lands as Agriculture with the exception of rural service centers. LCP Policy 1.10 defines rural service centers as small rural communities having a combination of land uses that provide services to rural areas. The community of Pescadero, under LCP Policy 1.11, is designated a rural service center and pursuant to LCP Policy 1.13, only land uses designated on the LCP Land Use Plan Map at densities specified in Tables 1.2 and 1.3 are permitted. If the County is unable to relocate the proposed project outside of prime agricultural lands and finds that this is the only feasible site for the fire station within the community of Pescadero, the County should consider pursuing a project-driven LCP amendment to change the land use designation on the portion of the site planned for new development from Agriculture to Institutional so that the proposed use would not conflict with the agricultural protection policies of the certified LCP. This would be consistent with the exception outlined in LCP Policy 5.2 for rural service centers and the adjacent land use designation of the high school on the same property. If the County decides to pursue this route, we recommend recordation of an agricultural easement over the remaining prime agricultural land designated as Agriculture on the parcel to ensure it remains available for agricultural production consistent with LCP Policy 1.8.

Further, LCP Policy 5.22 requires, in part, that before any conversion of prime agricultural land occurs, adequate and sufficient water supplies for non-agricultural development must be demonstrated, and water for agricultural production and sensitive habitat protection in the watershed shall not be diminished. Water supplies in the vicinity of the proposed high school site include the existing Pescadero High School well and the Bianchi Flower, Inc. water supply located to the south of the parcel. Land to the west and south of the site are in active agricultural production. Any land use change proposed for the portion of the parcel designated as Agriculture through a project-driven LCP amendment would need to demonstrate the availability of adequate water supply for the proposed fire station that would not diminish water available for adjacent agricultural production and sensitive habitat protection.

### *Scenic Resources*

The proposed 8,100-square-foot, two-story structure, parking, and septic system would be located within a County Scenic Corridor. The criteria of LCP Section 6913.1 (for Scenic Corridors and other Primary Scenic Resources Areas as defined or designated in the Open Space and Conservation Element of the San Mateo County General Plan) shall be applied to the new fire station development proposal. LCP Section 6913.1 specifically requires that public views within and from Scenic Corridors be protected and enhanced, and development not be allowed to significantly obscure, detract from, or negatively affect the quality of these views. LCP Visual Resources Policy 8.5 requires development be located on a portion of a parcel where it is least visible from state and county scenic roads, least likely to have an impact on views from public viewpoints like coastal roads and beaches, consistent with all other LCP requirements, and best preserves the visual and open space qualities of the parcel overall. As proposed, the project would be somewhat clustered with the existing high school buildings; however, the County should ensure the fire station design is visually compatible with the surrounding development and scenic landscape, and includes mitigation measures for potential visual impacts, such as landscape screening.

### *Sensitive Habitats*

The LCP provides for the protection of sensitive habitat. LCP Policy 7.1 defines sensitive habitat as any area in which plant or animal life or their habitats are either rare or especially valuable and any area that contains or supports rare and endangered species (as defined by the California Department of Fish and Wildlife), including wetlands and riparian corridors. There is wetland habitat adjacent to Cloverdale Road and the Pescadero Creek/riparian corridor is located easterly of the existing high school. LCP Policy 7.3 prohibits any land use or development that would result in a significant, adverse impact on sensitive habitat areas. Policy 7.3 also requires that development in areas adjacent to sensitive habitat shall be sited and designed to prevent impacts that could significantly degrade the sensitive habitat. The proposed project must be compatible with maintenance of the biologic productivity of the identified surrounding sensitive resource/habitat, as required by Policy 7.3. The potential impacts of the proposed fire station on sensitive habitats must be fully evaluated; and the project must be designed consistent with LCP sensitive habitat policies 7.1, 7.3, and 7.4. The site should be surveyed by a qualified biologist to identify the extent of sensitive habitats and species occurring on and adjacent to the project site and recommend mitigation measures or construction best management practices to ensure consistency with LCP sensitive habitat policies.

### *Jurisdiction/Permit Processing*

The Pescadero High School parcel is within the County's geographic permit jurisdiction and could be authorized by a County-issued CDP appealable to the Commission, pursuant to Coastal Act Section 30603, as the proposed project meets the definition of a Major Public Works project as described in CCR Title 14, Section 13012. An amendment to change the portion of the development site designated as Agriculture to Institutional would need to be certified by the Coastal Commission.

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### **Corporation Yard (APN 086-122-020)**

The Corporation Yard parcel, located at 1000 Pescadero Creek Road, is 24.33 acres zoned as Planned Agricultural District/Coastal Development (PAD/CD); therefore, development must adhere to applicable regulations contained in Chapters 21A (PAD District) and 20B (CD) of the LCP. The proposed new fire station at the Corporation Yard site qualifies as a permitted use on lands suitable for agriculture and other lands subject to the issuance of a Planned Agricultural Development (PAD) permit, as specified in LCP Section 6353. The issuance of a PAD permit for a project at this location must be in accordance with the substantive criteria in LCP Section 6355. These include requirements for clustering; conformity with the Development Review Criteria contained in Chapter 20A.2; and demonstration of an adequate water supply that would not diminish water available for adjacent agricultural production and sensitive habitat protection.

LCP Section 6350 provides that the purpose of the PAD is to preserve and foster existing and potential agricultural operations in San Mateo County in order to keep the maximum amount of agricultural lands in agricultural production and to minimize conflicts between non-agricultural and agricultural activities/development. LCP 6364 requires that an Agricultural Land Management Plan (ALMP) be prepared for properties over 20 acres. The Corporation Yard parcel is located within a rural area abutted by agricultural parcels on the west. The proposed fire station must be evaluated for its potential to affect the agricultural viability of these parcels. The proposed project would largely be constructed on existing developed land utilized as a County Corporation Yard, and would be clustered on a portion of the existing developed area closest to the roadway. The proposed public parking spaces and public entry/exit are proposed on an undeveloped area to the immediate north of the existing Corporation Yard development. This element of the project may be located on both Class II (Good) (as shown on the Natural Resources Conservation Service Soil Map for San Mateo County) and Class IV (Poor) soils. The portion of the parcel proposed for development of the septic system (to the south), and the portion of the parcel proposed for development of the drainage structure and one staff parking space (both to the west) meet the definition of "other lands" as provided in LCP Section 6351. Other lands are lands within the PAD which do not meet the definition of prime agricultural land or lands suitable for agriculture. The siting for the proposed station here would leave a greater amount of the parcel undeveloped, particularly the portion containing Class II Prime Soil. The proposed project would result in the conversion of "other lands." This conversion would need to be consistent with criteria 1 through 5 of LCP Section 6355F; including requirements that the productivity of any adjacent agricultural lands is not diminished and that public service and facility expansions and permitted uses do not impair agricultural viability.

#### *Scenic Resources*

The LCP visual resource criteria and policies and recommended site design and mitigation measures for visual impacts discussed above for the Pescadero High School site are applicable to the scenic resources at the Corporation Yard site as well.

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#### *Sensitive Habitats*

Wetland habitat, based upon the aerial/site plan, occurs immediately adjacent to the site on the west and on the south side of the emergency vehicle entry. It doesn't appear that the proposed project would result in direct impacts to wetland habitat as the proposed structure is sited within the existing footprint of already developed area of the parcel. The proposed project must be consistent with the policies, as mentioned above, for the protection of sensitive habitats including those specific for development adjacent to wetlands. The proposed septic field would be placed on open, undeveloped land located on the southern portion of the parcel; and the septic tank would be placed in an undeveloped area to the east of the proposed helipad. The site should be surveyed by a qualified biologist to identify the extent of sensitive habitats and species occurring on and adjacent to the development area and recommend adequate buffers, mitigation measures, and construction best management practices to ensure consistency with LCP sensitive habitat policies.

#### *Tsunami Hazards*

LCP Policy 9.3 requires that LCP Section 6326.2 be applied to development located in a Tsunami Hazard Inundation Area. LCP Section 6326.2 prohibits publicly-owned buildings intended for human occupancy within a Tsunami Inundation Hazard Area. It appears, based upon the aerial/proposed site plan, that the 3,000-square-foot septic field, helipad, septic tank, and four of the twelve staff parking spaces would be sited within this tsunami hazard portion of the parcel. However, the fire station building (including the employee living quarters) element of the project would be sited approximately 100 feet outside of the Tsunami Inundation Hazard Area. The siting of the human occupied component of the project away from the hazard area at this site would be consistent with the LCP.

#### *Density*

The project would need to be evaluated for its conformity with the standards in Sections 6359 (Minimum Yards) and 6361 (Impervious Surface Area) for non-agricultural development in the PAD. Section 6356 requires that expanded or additional, non-agricultural uses shall only be permitted on a parcel when there are enough density credits available to that parcel to meet the density credit requirements for existing uses, and any expanded or additional uses. LCP Policy 1.8 also requires density credits for non-agricultural uses in rural areas, as defined and designated by policies 1.6 and 1.7. The development, however, must meet all other applicable policies of the LCP.

#### *Jurisdiction/Permit Processing*

The Corporation Yard parcel is bisected by the Coastal Commission's retained permit jurisdiction and appeal jurisdiction boundaries. Specifically, the proposed new fire station building, public and staff parking spaces, septic tank, and helipad are sited entirely within the County's permit jurisdiction and appealable to the Commission. The septic field is proposed on area within the Coastal Commission's retained jurisdiction. The new fire station at the Corporation Yard site could be authorized by a CDP issued by the Coastal Commission and a CDP issued by the County for specific elements of the proposed project within the respective jurisdictions. Should the County issue a CDP for the portion of the project within its permit

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jurisdiction, such action would be appealable to the Commission, pursuant to Coastal Act Section 30603, as the proposed re-location meets the definition of a Major Public Works project as described in CCR Title 14, Section 13012. Alternatively, a consolidated CDP approval process with Chapter 3 policies of the Coastal Act as the standard of review and the LCP as guidance could be undertaken to authorize the proposed project at this location through only one permit hearing process.

### **Existing Fire Station (APN 086-160-050)**

The existing Fire Station site, located at 1200 Pescadero Creek Road, is 1.28 acres zoned as PAD/CD; therefore development must adhere to applicable regulations contained in Chapters 21A (PAD District) and 20B (CD) of the LCP.

#### *Flood Hazards*

LCP Policy 9.9 requires that development located within flood hazard areas shall employ the standards, limitations and controls contained in LCP Chapter 35.5 (Flood Hazard Areas). The proposed project must also be in conformity with LCP floodplain development standards as the parcel is partially located within a designated Flood Zone AE on the Flood Insurance Rate Maps (FIRM). LCP Section 6823 provides methods for the reduction of losses due to floods. These provisions include, requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction and promoting land uses and densities that minimize the exposure of significant numbers of people and the number of structures located in flood hazard areas, consistent with the County General Plan. LCP Section 6824.3 requires that no development shall be undertaken on any land subject to the provisions for Flood Hazards including no structure or improvement shall be constructed, affixed, located, extended, enlarged, converted, or altered without full compliance with the Flood Hazard provisions. The new fire station and associated development at this location must therefore be in conformity with these provisions.

The parcel is located westerly of Butano Creek adjacent to County Quarry Road. Butano Creek overtops its banks and floods Pescadero Creek Road including portions of the current site during storm events in the wet season. The County is undertaking measures to reduce flooding from Butano Creek and received approval to implement the *Sediment Removal from Butano Creek at Pescadero Creek Road project*. This project would be conducted over a four-year period. We suggest that the County evaluate the future flood potential of the existing fire station site and the need to re-locate the fire station site considering the near-term and long-term plans for flood control in the area.

#### *Agriculture*

The majority of the parcel has mapped Class III Prime Soil which has already been converted to a non-agricultural use. The proposed new septic tank, septic field, and some of the public parking, would be constructed on small, undeveloped areas identified as prime soil. The proposed location for the 2,916-square-foot helipad, some of the staff parking, and the fuel tank, are also proposed within undeveloped areas that meet the definition of other lands. Fire stations

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are a permitted use on lands suitable for agriculture and other lands subject to the issuance of a PAD permit, as specified in IP Section 6353(B). The parcel is designated on the LCP Land Use Plan Map as Institutional, thus, there is a question as to whether or not LCP policies which specifically apply to prime agricultural lands designated as Agriculture and land suitable for agriculture designated as Agriculture apply to the proposed development. However, all development on prime agricultural soils, prime agricultural lands or other land suitable for agriculture as defined by the LCP is still subject to LCP agriculture policies that apply generally to such lands regardless of the designation, such as LCP Policies 1.3 and 5.22.

*Sensitive Habitats*

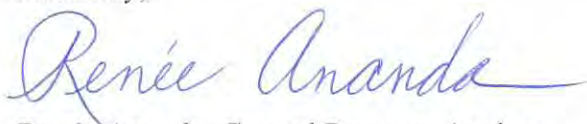
Wetlands are identified northwest and southwest of the site. Butano Creek is located easterly of Country Quarry Road; and Pescadero Marsh is located to the north of Pescadero Creek Road. We also note that the parcel is in proximity to Butano Creek which has special status species associated with its riparian corridor and adjacent areas. Special status species that could occur in the area include California red-legged frog, San Francisco garter snake, western pond turtle, San Francisco dusky-footed woodrat, and nesting white-tailed kite. The LCP provides for the protection of sensitive habitats, as discussed above. Impacts to sensitive habitats and species will need to be identified and appropriately mitigated including with appropriate buffers and construction best management practices consistent with LCP sensitive habitat requirements.

*Jurisdiction/Permit Processing*

The proposed project is a permitted use at this location, subject to a use permit. The new fire station at the Current Fire Station site could be authorized by a County-issued CDP appealable to the Commission, pursuant to Coastal Act Section 30603, as the proposed re-location meets the definition of a Major Public Works project as described in CCR Title 14, Section 13012.

Please feel free to contact me via e-mail at [rananda@coastal.ca.gov](mailto:rananda@coastal.ca.gov) or call me at 415-904-5292 if you have questions regarding our comments.

Sincerely,



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North Central Coast District

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