

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

**DATE:** December 17, 2020

**TO:** Zoning Hearing Officer

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Coastal Development Permit and Use Permit, pursuant to Section 6328.4 and 6267, respectively, of the San Mateo County Zoning Regulations, to allow temporary seasonal staging of commercial crab and salmon fishing gear in parking lot C2 at Pillar Point Harbor located at 1 Johnson Pier in the unincorporated Princeton area of San Mateo County. The project is appealable to the California Coastal Commission.

County File Number: PLN 2020-00168 (San Mateo County Harbor District)

**PROPOSAL**

The applicant is seeking a Coastal Development Permit and Use Permit to allow temporary seasonal staging of commercial crab fishing gear and trailers with fishing nets; salmon fishing nets on trailers that are typically associated with transient fishing vessels; and temporary storage of recovered crab fishing gear, located in parking lot C2, which includes a total of 63 parking spaces, of Pillar Point Harbor in Princeton. Aside from temporary chain link fencing installed to secure recovered gear until it is either claimed by its owner or sold or salvaged, no structural development is proposed. Crab fishing gear staging is associated to permanent or transient vessels berthed at Pillar Point Harbor. Typically, the crab season runs from November to June. Salmon fishing nets and trailer staging varies from year to year in terms of timeframe, duration, and quantity depending on the quality of the season. In some years, Pillar Point Harbor experiences high activity and other years no activity. Typically, salmon season runs from May to November. Additionally, the Half Moon Bay Lost Fishing Gear Recovery Program recovers crab gear from the ocean water around Half Moon Bay beginning in late May until late October.

**RECOMMENDATION**

That the Zoning Hearing Officer approve the Coastal Development Permit and Use Permit, County File Number PLN 2020-00168, by making the required findings and adopting the conditions of approval included in Attachment A.

## **BACKGROUND**

Report Prepared By: Lawrence Truong, Project Planner; [lktruong@smcgov.org](mailto:lktruong@smcgov.org)

Applicant: Bradley Damitz, District Consultant for San Mateo County Harbor District

Owner: San Mateo County Harbor District

Location: 1 Johnson Pier, Half Moon Bay

APN: 047-083-060

Size: 11.9 acres

Existing Zoning: CCR/DR/CD (Coastside Commercial Recreation/Design Review/Coastal Development)

General Plan/Local Coastal Program Designation: Coastside Commercial Recreation, Public Recreation

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Parking lot

Water Supply: Coastside County Water District

Sewage Disposal: Granada Community Services District

Flood Zone: Zone X (Area of Minimal Flood Hazard); Community Panel Number 06081C0138F, effective date August 2, 2017.

Environmental Evaluation: Categorically exempt from the California Environmental Quality Act (CEQA) Guidelines, pursuant to Section 15301, Class 1, for operation of existing public or private facilities involving negligible or no expansion of existing or former use.

Setting: The subject parcel is approximately 11.9 acres in size and is located off Pillar Point Harbor Boulevard. The site is currently a paved parking lot backed by an approximate 18-foot high earthen berm leading to the shoulder of Cabrillo Highway/Highway 1. The proposed staging area would be located in Lot C2, which includes 63 parking spaces. The staging area is approximately 0.75 acres of parking area. The property is within the Cabrillo Highway/Highway 1 County Scenic Corridor and is visible along Cabrillo Highway/Highway 1. The surrounding area consists of additional parking lots associated with Pillar Point Harbor, including parking lot C1 to the adjacent north with 143 parking spaces and parking lot C3 to the adjacent south with 71

parking spaces, both consisting of boat trailer parking and standard vehicle public parking.

Background: Historically, the San Mateo County Harbor District has allowed temporary seasonal staging of crab fishing gear and occasional storage of salmon fishing nets and trailers associated with transient fishing vessels in parking lot C2, and Recreational Vehicle (RV) stays in Lot C1. The crab gear staging and temporary net/trailer storage have been occurring for at least 25-30 years in parking lot C2 at Pillar Point Harbor to support the needs of the harbor's working commercial fishing fleet. Additionally, for the past five years the District has allowed the Half Moon Bay Lost Fishing Gear Recovery Program to occupy several parking spaces in Lot C2 for temporary storage of recovered gear.

In December 2019, the County issued the San Mateo County Harbor District a Notice of Violation for operation of the RV park and miscellaneous storage yard in parking lot C1 and C2. The district subsequently ceased operation of the RV park in lot C1, returning it back to short-term parking, and are seeking the subject permits to continue crab gear and other seasonal storage use supportive of the commercial fishing community in parking lot C2.

Chronology:

| <u>Date</u>        | <u>Action</u>  |
|--------------------|--|
| June 9, 2020       | - Received application for Coastal Development Permit. |
| September 10, 2020 | - Project deemed complete.                             |
| December 17, 2020  | - Zoning Hearing Officer hearing.                      |

## **DISCUSSION**

### A. KEY ISSUES

#### 1. Conformance with the General Plan

The project conforms with the following applicable General Plan Policies:

##### Visual Quality

Policy 4.22 (*Scenic Corridors*) seeks to protect and enhance the visual quality of scenic corridors by managing the location and appearance of structural development.

The project involves the temporary seasonal staging of commercial crab fishing gear and trailers with fishing nets; salmon fishing nets on trailers that are typically associated with transient fishing vessels; and use of parking spaces for temporary storage of recovered crab fishing gear. The project does not involve any proposed structural development. The operation would be located in parking lot C2 of Pillar Point Harbor in Princeton, approximately 100 feet to the south of Cabrillo Highway/Highway 1, with several mature trees partially screening the project parcel from viewpoints along Cabrillo Highway/Highway 1. Additionally, the parking lot sits approximately 18 feet lower in elevation than the highway which helps to minimize views of the staged fishing gear from the highway. The gear staging is considered to be customary to what is expected to be observed in association with an active commercial fishing harbor area such as Pillar Point Harbor. Thus, the operation would not impact the visual quality of scenic corridors.

2. Conformance with the Local Coastal Program

The project conforms with the following applicable Local Coastal Program (LCP) Policies:

Locating and Planning New Development

Policy 1.1 (*Coastal Development Permit*) requires a Coastal Development Permit for all development in the Coastal Zone, which includes the placement of any solid material on land and changes in the intensity of use of land.

A Coastal Development Permit (CDP) is being sought under the subject application to allow an existing parking lot to be used for seasonal staging of fishing gear in association with commercial fishing activities at Pillar Point Harbor.

Visual Resources

Policy 8.12(b) (*General Regulations*) seeks to ensure development does not block ocean views from public viewing points such as public roads and publicly-owned lands.

As mentioned previously, the parking lot project area sits approximately 18 feet lower in elevation than Cabrillo Highway; therefore, the temporarily stored fishing gear will not block views from Cabrillo Highway/Highway 1.

## Shoreline Access

Policy 10.1 (*Permit Conditions for Shoreline Access*) and Policy 10.13 (*Commercial and Industrial Areas*) require some shoreline access provision as a condition of granting development permits for any public or private development between the sea and the nearest road, including for commercial and industrial development.

The project proposes to utilize an existing paved parking lot for temporary seasonal commercial fishing gear staging at Pillar Point Harbor. Numerous existing walkways and trails throughout the harbor provide access to the shoreline. The project does not impede or obstruct existing lateral or vertical shoreline access or existing trails throughout the harbor facilities.

Policy 10.22.c.(1) and 10.22.d (*Parking*) seeks to base the amount of parking on the level of public use appropriate for a site's size, environmental sensitivity, and amount of land suitable for parking and ensure that 20 percent of total spaces are available for shoreline access.

According to the applicant, the level of use of the "C" parking lots varies throughout the year, however, the lots are rarely filled to capacity. The historic and proposed continued use of parking lot C2 for seasonal fishing gear staging and temporary gear recovery storage meets a need of the commercial fishing community. Most of the "C" lots are occupied by boat launch ramp users with increased use during the opening of recreation seasons for crab or salmon. The ceased historical RV park operation in adjacent parking lot C1 significantly reestablishes the overall parking capacity for boat trailer parking and public day use parking in the harbor as 33 boat trailer spaces and 110 standard vehicle parking spaces have been reestablished. Additionally, 20 percent of the 550 parking spaces associated with the harbor facility (i.e., 110 parking spaces) shall be available for shoreline access. The two adjacent "C" parking lots (C1 and C3) provide 138 standard parking spaces available for public day use, including shoreline access. Therefore, staff believes the project would not generate a significant parking impact in the area.

## Recreation/Visitor Serving Facilities

Policy 11.7(c) (*Urban Areas*) seeks to permit uses in Coastside Commercial Recreation areas which (1) serve primarily visitors or boating and fishing, (2) contribute to the creation of a coastally related commercial area or would uniquely enhance coastal recreation at that location, and (3) are pedestrian- or boat-oriented.

The project includes allowing temporary seasonal staging of fishing gear that directly supports commercial fishing within Pillar Point Harbor.

### 3. Conformance with Zoning Regulations

The project conforms with the following applicable Zoning Regulations:

#### Permitted Use

The project site is located within the Coastside Commercial Recreation (CCR) Zoning District which prioritizes uses supporting coastside visitors, boat users and coastside recreation, which the proposed seasonal staging activity supports.

#### Development Standards

The CCR zoning development standards for coastal access and protection of coastal resources, Sections 6269.1 and 6269.2, respectively, requires development to comply with the Shoreline Access Component and Sensitive Habitats and Visual Resources Components of the Local Coastal Program.

As discussed in Section A.2 (Visual Resources and Shoreline Access) the project entails temporary seasonal storage of fishing gear within an existing paved parking lot that sits approximately 18 feet below the adjacent Cabrillo Highway/Highway 1 right-of-way and therefore, will not result in any public view impacts to the ocean. Additionally, since the project is confined to limited space within an existing paved parking lot, there will be no impacts to sensitive habitats or public access to or along the shoreline.

#### Parking Standards

According to historical permit records for Pillar Point Harbor (CDP 133-76), a total of 550 parking spaces are approved to support the harbor. The "C" parking lots (C1, C2, and C3) are located on the northeast side of Pillar Point Harbor Boulevard and contain a total of 277 parking spaces, of which 139 are large trailer spaces. The project will temporarily use parking lot C2 which contains 63 parking spaces of which 28 are large trailer parking spaces and 35 are regular parking spaces. Based on current assessment, there are well over the approved number of spaces provided throughout the various parking lots within the harbor facility parcels and therefore, staff believes adequate parking remains throughout the harbor properties to compensate for any temporary loss of parking associated with continued use of lot C2 during crab and salmon seasons.

#### Use Permit Findings

Pursuant to Section 6267 of the CCR zoning standards, a Use Permit is required for alteration of, or change in occupancy or use of, a structure subject to the following findings:

**1. The design and operation of the proposed use will further the purpose of this Chapter as stated in Section 6265.**

The purpose of the CCR District is to establish commercial areas which are primarily oriented toward meeting the service and recreational needs of Coastside visitors, boat users and Coastside residents seeking recreation, and to meet the need for safe and efficient automobile access and parking, among other goals.

The project proposes to support the active commercial fishing harbor by allowing temporary seasonal staging of fishing gear during open seasons for crab and salmon. While seasonal staging will be located in parking lot C2, Pillar Point Harbor maintains numerous parking lots which are sufficient for serving the needs of the harbor. The location of these parking spaces that will be used for seasonal gear staging within parking lot C2 will not obstruct or impact vehicle access or maneuvering to adjacent parking lots.

**2. The design and operation of the proposed use will conform with the development standards stated in Section 6269.**

The project conforms to the applicable development standards in Section 6269 of the CCR Zoning District Regulations as discussed in Section A.3 (Development Standards) above.

**3. The establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

There is no evidence to suggest that, as proposed and conditioned, the continued use of parking lot C2 at Pillar Point Harbor as proposed will have any detrimental effect upon coastal resources or result in adverse impacts to properties or improvements in the area as the project will not obstruct ocean views, will not have any impacts on sensitive habitats, and will not significantly impact the parking supply for the harbor or impede existing public access to or along the shoreline. The purpose and benefit of the project is to meet a need of the commercial fishing community as the project directly supports commercial fishing users at Pillar Point Harbor and is customary to the sort of activity that is expected to occur at an active fishing harbor.

B. Midcoast Community Council

The Midcoast Community Council (MCC) reviewed the subject project and confirmed they have no comments.

C. California Coastal Commission

The California Coastal Commission recommends alternative parking be provided elsewhere to not impact shoreline access parking.

The proposed project continues seasonal use of lot C2 for crab and salmon staging which has been occurring for the past 25-30 years. Lot C2 consists of a total of 63 designated parking spaces, of which 28 are standard vehicle sized spaces. As previously mentioned, 110 parking spaces shall be available for shoreline access within the harbor facility parcels. The two adjacent "C" parking lots provide 138 standard parking spaces available for public day use, including shoreline access, which includes 110 standard parking spaces in lot C1 that became available starting March 1, 2020 from the District Board of Harbor Commissioners' recent vote to cease operation of what has historically been an RV park. That action to cease operation of the RV park in lot C1 also reestablished 33 large boat trailer spaces that had historically not been available. Therefore, staff believes there is sufficient on-site parking available so as to not impact shoreline access parking.

D. ENVIRONMENTAL REVIEW

The project is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines, pursuant to Section 15301, Class 1, for operation of existing public or private facilities involving negligible or no expansion of existing or former use.

E. REVIEWING AGENCIES

Coastside Fire Protection District  
Midcoast Community Council  
California Coastal Commission

**ATTACHMENTS**

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Operational Statements, dated March 6, 2020

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2020-00168      Hearing Date: December 17, 2020

Prepared By: Lawrence Truong  
Project Planner

For Adoption By: Zoning Hearing Officer

**RECOMMENDED FINDINGS**

Regarding the Environmental Review, Find:

1. That the project is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines, pursuant to Section 15301, Class 1, for operation of existing public or private facilities involving negligible or no expansion of existing or former use.

Regarding the Coastal Development Permit, Find:

2. That the project, as described in the application and accompanying materials required by Section 6328.7 of the Zoning Regulations and as conditioned in accordance with Section 6328.14, conforms to the plans, policies, requirements, and standards of the San Mateo County Local Coastal Program (LCP), specifically in regard to Locating and Planning New Development, Visual Resources, Shoreline Access, and Recreation/Visitor Serving Facilities Components of the LCP. Staff has determined that the project is located in an urban area designated Coastside Commercial Recreation (CCR), serves to support the commercial fishing community, will not block ocean views from public viewpoints due to the area's topography, and will not significantly impact the harbor district's parking supply, including public parking for shoreline access, or existing access to or along the shoreline.
3. That the project is located between the nearest public road (Cabrillo Highway) and the sea; thus, is subject 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). The project complies with public access and recreation requirements as it will not obstruct or impede existing shoreline access within the harbor and directly supports commercial fishing at Pillar Point Harbor.

4. That the project conforms to the specific findings required by the policies of the San Mateo County LCP with regard to Locating and Planning New Development, Visual Resources, Shoreline Access, and Recreation/Visitor Serving Facilities as discussed in the staff report dated December 17, 2020 and summarized in Finding No. 2 above.

Regarding the Use Permit, Find:

5. That the design and operation of the proposed use will further the purpose of the CCR Zoning District as stated in Section 6265, as the project serves a need of the commercial fishing community at Pillar Point Harbor while continuing to provide safe, accessible and adequate parking throughout the harbor.
6. That the design and operation of the proposed use will conform with the development standards stated in Section 6269 (CCR Zoning District) since the project conforms to the standards for coastal access and protection of coastal resources based on the project's compliance with the relevant Shoreline Access Component and Visual Resources Component of the LCP, as referenced in Finding No. 2 above.
7. That the establishment, maintenance, and/or conducting of the use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in said neighborhood since there is no evidence to suggest that the proposed project, as conditioned and approved, will have any detrimental effect upon coastal resources or result in adverse impacts to properties or improvements in the area as the project will not obstruct ocean views, impact sensitive habitat, significantly impact parking supply for the harbor or impede existing public access. Furthermore, the project meets a need of the commercial fishing community.

**RECOMMENDED CONDITIONS OF APPROVAL**

Current Planning Section

1. This approval applies only to the proposal, documents, and plans described in this report and materials approved by the Zoning Hearing Officer on December 17, 2020. The Community Development Director may approve minor revisions or modifications to the project if they are consistent with the intent of and in substantial conformance with this approval.
2. The Coastal Development Permit and Use Permit approval shall be for the proposed project only. Any change in use or intensity of use shall require an amendment to the applicable Coastal Development Permit and Use Permit. Amendments shall require an application for amendment, payment of applicable fees, and consideration at a public hearing.

3. All adjacent on-site parking lots and maneuvering areas shall be kept free and clear of debris and obstructions that would hinder their accessibility and function.
4. The approved activity shall maintain compliance with the noise, odor, lighting and vibration standards of the Coastside Commercial Recreation District.
5. Unless being used for seasonal gear staging as authorized under the subject approval, parking lot C2 shall remain open and available for day use and/or trailer parking similar to the adjacent parking lots C1 and C2.
6. The temporary installation of chain link fencing in association with the lost fishing gear recovery program shall be immediately removed at the end of each program season.

Coastside Fire Protection District

7. Existing fire access shall be maintained in conformance with Coastside Fire Protection District standards.

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