

## **BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

### **AGENDA REPORT**

For meeting of: **March 1, 2016**

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**TO:** Honorable Mayor and City Council

**VIA:** Magda Gonzalez, City Manager

**FROM:** John Doughty, Community Development Director  
Carol Hamilton, Senior Planner

**TITLE:** **APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE A COASTAL DEVELOPMENT PERMIT AND ARCHITECTURAL REVIEW FOR CONSTRUCTION OF A PREFABRICATED FIRE TRAINING TOWER OF APPROXIMATELY 50.5 FEET IN HEIGHT AND 4,497 SQUARE FEET IN FLOOR AREA WITH AN UNENCLOSED PLATFORM OF 550 SQUARE FEET, ON A 86,463 SQUARE-FOOT LOT DEVELOPED WITH AN EXISTING FIRE STATION AND FIRE TRAINING YARD IN THE P-S, PUBLIC SERVICE ZONING DISTRICT**

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#### **RECOMMENDATION:**

Adopt a resolution finding that the City Council has reviewed and considered the Final Initial Study and Mitigated Negative Declaration for the project adopted by the Lead Agency (the Coastside Fire Protection District); deny the appeal; affirm the Planning Commission's decision; and approve PDP-15-046, an application for a Coastal Development Permit and Architectural Review for construction of a prefabricated fire training tower of approximately 50.5 feet in height and 4,497 square feet in floor area with an unenclosed platform of 550 square feet, on a 86,463 square-foot lot developed with an existing fire station and fire training yard in the P-S, Public Service Zoning District, based upon the Findings and Evidence contained in Exhibit A and B of the resolution, and subject to the Conditions of Approval contained in Exhibit C.

#### **FISCAL IMPACT:**

There is no fiscal impact associated with this action.

#### **BACKGROUND:**

##### Appeal Procedure

Per the City of Half Moon Bay Zoning Code, which is the implementation plan for the City's Local Coastal Program (LCP), Planning Commission decisions are appealable to the City Council. This project was considered initially at public hearings before the Planning Commission on December 8, 2015 and then subsequently on January 26, 2016. On December 8, 2015, the Planning Commission received public testimony and continued the item to January 26, 2016 to allow the applicant to provide additional information regarding the visual effect of the project. On January 26, 2016, the Planning Commission again received public comment from 15 individuals. Following public comment and deliberation, the Planning Commission approved the Coastal

Development Permit and Architectural Review on a 3-2 vote (Evans, Roman and Deman, ayes; Hernandez and Conroy, nays).

On February 9, 2016, an appeal was filed by a group of five concerned residents referred to as "Citizens for Preserving Rural Half Moon Bay". To prevail on this appeal, the appellant must demonstrate that the proposed training tower does not conform to the standards set forth in the City's Local Coastal Program (LCP) and its implementation plan, the Zoning Code, or that the project is not consistent with the architectural review findings required in Municipal Code Section 14.37.040. In general, the appeal asserts that the project is not consistent with the visual resource provisions of the Local Coastal Program and the Zoning Code; that it is not consistent with the architectural review findings of Municipal Code Chapter 14.37; that it is not consistent with the gateway provisions of the Downtown Specific Plan; that environmental review should have considered alternative locations for the project; and that segmentation of the project has circumvented the requirement that the CEQA analysis address the whole of the project. As demonstrated in this report, the attached documents, and the Planning Commission approval, staff believes the project is consistent with the City's LCP and Zoning Code and with the Municipal Code's architectural review findings.

#### Project Background

The project includes the construction of a new four-story, 4,497-square-foot prefabricated fire training facility on the almost 2-acre Fire Station 40 site located at 1191 Main Street in the P-S, Public Service Zoning District and the Public Facilities and Institutions General Plan designation. As depicted in the project plans, the training tower is proposed to be located north of Fire Station 40, in the area of the site currently used as a fire training yard. The tower consists of four enclosed, but unconditioned floors, topped by an open training platform with an I-beam frame that extends to a height of 50.5 feet.<sup>1</sup> Materials include metal siding in a clapboard design, as well as metal trim, stairs, balcony rails, doors and windows. The exterior building color approved by the Planning Commission is a slate gray. No exterior lighting is included on the building. Small signs are included on doors and walls for field location purposes.

The building is configured to provide a variety of training opportunities for firefighters under realistic and emergent circumstances. It includes doors, windows, stairwells, balconies, roof areas, and interior spaces that simulate building conditions fire fighters encounter in actual emergency situations. In addition, the facility provides fire hose connections, burn rooms/areas, a theatrical smoke distribution system, rappelling anchors, moveable interior wall partitions, and operable shutters that facilitate a variety of training activities under realistic emergency conditions, and a fan to dissipate smoke from burn rooms.

#### Environmental Determination

On December 2, 2015, the Coastside Fire Protection District, as the lead agency for the project, adopted a Mitigated Negative Declaration which indicates that mitigation has been included in

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<sup>1</sup> The Conditions of Approval for the project, as approved by the Planning Commission, require the height to be reduced to 50 feet.

the project to reduce all potentially significant environmental impacts of the project to a less-than-significant level.

#### Record of the Planning Commission Hearing

On December 8, 2015, the Planning Commission held a public hearing on the subject Coastal Development Permit (CDP) and Architectural Review. The minutes of the hearing are included as Attachment 3. Four members of the public provided oral testimony on the project. The Planning Commission discussed the project at length and voted to continue the item to January 26, 2016 to allow the applicant to install story poles, provide different color choices for the building, and prepare digital image renderings of the training facility and the adjacent theater and fire station buildings.

On January 26, 2016, the Planning Commission reopened the public hearing, received additional public testimony regarding the project, and considered additional information submitted by the applicant. The minutes of the hearing are included in Attachment 4. Fifteen members of the public spoke in support of, or in opposition to the project. Testimony focused on compatibility of the proposed training tower with the surrounding area and the importance of the fire training tower to the public safety mission of the Fire District. Staff responded to questions from the Planning Commission regarding visual resource standards applicable to the project. The applicant responded to questions from the Planning Commission regarding operational aspects of the project. After a motion to deny the CDP failed, the Planning Commission approved the CDP on a 3-2 vote with direction to staff to change the specified color of the proposed facility to "slate gray" (see Condition D.8). Staff incorporated the revised condition into the Final Planning Commission Resolution (see Attachment 9).

#### **DISCUSSION:**

##### Appellant's Contentions and Requests

1. The appellant asserts that the project is not compatible with existing development in the surrounding area and would visually degrade the City's southern gateway based on lack of conformance with the following:
  - a) Visual resource policies and standards of Zoning Code Chapter 18.37;
  - b) Design review criteria and architectural review findings of Municipal Code Chapter 14.37;
  - c) Gateway policies of the Downtown Specific Plan; and
  - d) Local Coastal Act provisions and City of Half Moon Bay Local Coastal Program policy regarding protection of scenic and visual qualities of coastal areas.
2. The appellant also asserts that the project, as a major public works project, is appealable to the Coastal Commission, and that the project was segmented, and thereby circumvented the requirement that the CEQA analysis address the whole of the project.

Staff has addressed each of appellant's concerns in the Response to Appeal, which is included as Exhibit A to the Resolution (see Attachment 1). In general, staff believes that the project is consistent with the Zoning Code, all applicable policies and development standards of the Local Coastal Program (LCP), and the architectural review findings of the Municipal Code; and that the Final Negative Declaration adequately addresses the project's potential environmental impacts and identifies feasible mitigation to reduce those impacts to a less-than-significant level.

The Planning Commission found that, as conditioned and mitigated, the application for a CDP and Architectural Review is consistent with the Zoning Code, the LCP, and the architectural review findings of the Municipal Code. Staff recommends that the City Council deny the appeal, uphold the Planning Commission decision, and approve File No. PDP-15-046.

**ATTACHMENTS:**

1. Resolution of Approval with Findings (Exhibits A and B) and Conditions (Exhibit C)
2. Appeal
3. Minutes of the December 8, 2015 Planning Commission Meeting
4. January 26, 2016 Planning Commission Meeting
5. Planning Commission Staff Report for December 8, 2015, without attachments
6. Staff Memo for January 26, 2016 Planning Commission, with attachments
7. Supplemental Staff Memo for January 26, 2016, without attachments.
8. Public Correspondence
9. Planning Commission Resolution
10. Project Plans