

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

DATE: May 14, 2014

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a request by the County's Real Property Services Division to determine if County acquisition of a 160-acre parcel, APN 089-140-040, adjacent to Pescadero Creek Park, currently owned by the Peninsula Open Space Trust, for use as park, recreational, nature preserve, and open space, conforms to the County General Plan.

County File Number: PLN 2014-00146 (Butano East)

PROPOSAL

A request by the County's Real Property Services Division to determine if County acquisition of a 160-acre parcel, APN 089-140-040, directly south of Pescadero Creek Park and approximately 6 miles from Pescadero Creek Road, currently owned by the Peninsula Open Space Trust (POST), for use as park, recreational, nature preserve, and open space, conforms to the County General Plan.

RECOMMENDATION

That the Planning Commission find that the County acquisition of parcel 089-140-040, directly south of Pescadero Creek Park, for use as park, recreational, nature preserve, and open space, conforms to the County General Plan.

SUMMARY

The San Mateo County Board of Supervisors has approved an agreement for the County to acquire, from the San Mateo County Office of Education, 174 acres known collectively as the "Loma Mar property," (parcels 084-101-010, 084-110-020, 084-102-010, 084-102-020, 084-102-030, and 084-102-040) for use as park and recreational space. The Peninsula Open Space Trust (POST) has committed to provide the purchase funding for that property, at a cost of approximately \$4 million, in support of POST's Heart of the Redwoods Campaign, as a critical area of redwood forest preservation. As part of this funding agreement, the County has also committed to acquire from POST, at a cost not to exceed \$25,000.00, parcel 089-140-040 (known as "Butano East"), which the County has committed to maintain in its natural state for use

as park, open, and recreational space. The acquisition of the Loma Mar property has already been determined by the Planning Commission to be in conformity with the General Plan. Only the remaining Butano East property is being analyzed for conformity with the General Plan at this time.

The County intends to add the acquired parcel to its park system for natural resource, low intensity recreation, park, and open space uses. The property is adjacent to the existing Pescadero Creek Park, and crossed by a portion of the Butano Ridge Loop Trail, and is currently used for some passive park and recreational uses. The County intends to preserve and continue these uses, and maintain the property in its current state.

The subject property is primarily heavily forested land, including redwood and other tree cover. The property contains vegetative and wildlife resources, and provides potential habitat for various flora and fauna native to rural areas.

The acquisition of the property by the County, with the intent to use the property as park space, open space, recreational space, and ecological preservation areas, is consistent with: the Vegetative, Water, Fish and Wildlife Resources Policies of the General Plan, which require the County to minimize adverse impacts on such resources, prioritize managed use and protection of such resources, and to protect these resources; the Soil Resources and Visual Quality Policies, which require the County to minimize soil erosion, grading, and land clearing; and the Park and Recreation Resource Policies, which encourage provision of passive park and recreation space in rural areas in order to protect and preserve environmentally sensitive open space, and to design sites that accommodate recreation that minimizes adverse impacts on natural environments. The proposed acquisition is consistent with the County's General Plan.

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PROPOSAL

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RECOMMENDATION

That the Planning Commission find that the County acquisition of parcel 089-140-040, directly south of Pescadero Creek Park, for use as park, recreational, nature preserve, and open space, conforms to the County General Plan.

BACKGROUND

Report Prepared By: William Gibson

Applicant: San Mateo County Real Property Services Division

Owner: Peninsula Open Space Trust

Location: The unincorporated South Skyline area, adjacent to and directly south of Pescadero Creek Park

APN: 089-140-040

Size: 160 acres

Existing Zoning: TPZ (Timberland Preserve Zone)

General Plan Designation: Timber Production

Sphere-of-Influence: N/A

Existing Land Use: Primarily unimproved open space with some passive park and low intensity recreation use.

Water Supply: None

Sewage Disposal: None.

Flood Zone: Zone C, area of minimal flooding, FEMA Community Panel 0603110425B

Environmental Evaluation: A request for General Plan Conformity analysis is not a project under the California Environmental Quality Act (CEQA), and is not subject to environmental evaluation. The acquisition of the property is also exempt under Section 15316, Transfer of Ownership of Land in Order to Create Parks. Any future development proposed on the property would need to address relevant CEQA requirements.

Setting: The property is undeveloped, hilly, heavily forested land.

DISCUSSION

A. KEY ISSUES

1. Basis for Acquisition

The San Mateo County Board of Supervisors has approved an agreement for the County to acquire, from the San Mateo County Office of Education, 174 acres known collectively as the "Loma Mar property," (parcels 084-101-010, 084-110-020, 084-102-010, 084-102-020, 084-102-030, and 084-102-040) for use as park and recreational space. The Peninsula Open Space Trust has committed to provide the purchase funding for that property, at a cost of approximately \$4 million, in support of POST's Heart of the Redwoods Campaign, as a critical area of redwood forest preservation. As part of this funding agreement, the County has also committed to acquire from POST, at a cost not to exceed \$25,000.00, parcel 089-140-040 (known as "Butano East"), which the County has committed to maintain in its natural state for use as park, open, and recreational space. The acquisition of the Loma Mar property has already been determined by the Planning Commission to be in conformity with the General Plan. Only the remaining

Butano East property is being analyzed for conformity with the General Plan at this time.

2. Reason for General Plan Conformity Determination

Per California Government Code Section 65402, prior to any acquisition of property for public purpose, the County must request a determination of the acquisition's consistency with the adopted General Plan.

3. Conformance with San Mateo County General Plan

The proposed acquisition potentially involves the following General Plan Policies, which are addressed herein.

a. Vegetative, Water, Fish and Wildlife Resources Policies

- (1) Policy 1.22.a of the County General Plan requires that the County regulate land uses and development activities to prevent, and if infeasible mitigate to the extent possible, significant adverse impacts on vegetative, water, fish and wildlife resources.
- (2) Policy 1.22.b places a priority on the managed use and protection of vegetative, water, fish and wildlife resources in rural areas of the County.
- (3) Policy 1.23 requires the County to regulate the location, density and design of development to minimize significant adverse impacts and encourage enhancement of vegetative, water, fish and wildlife resources.
- (4) Policy 1.24 requires that the County ensure that development will (1) minimize the removal of vegetative resources; and/or (2) protect vegetation which enhances microclimate, stabilizes slopes or reduces surface water runoff, erosion or sedimentation; and/or (3) protect historic and scenic trees.

Discussion: The subject property is hilly, heavily forested land, with a mix of redwood and other tree cover. The property contains vegetative and wildlife resources, and provide potential habitat for various flora and fauna native to rural areas.

The County has not proposed any developments on the property proposed for acquisition, or any changes to the conditions or uses of the property at this time. The proposal is limited to acquisition of the property, and any subsequent changes in use would be determined

through a planning process, consistent with applicable County regulations. The acquisition in itself does not conflict with the General Plan's vegetative, water, fish and wildlife resources. In addition, the County has indicated its intent to maintain this property in its undeveloped state, for open space, recreational, natural resource preservation, and other low intensity uses. Such future uses are also unlikely to conflict with these General Plan Policies.

b. Soil Resources and Visual Quality Policies

- (1) Policy 2.17 calls for the County to regulate development to minimize soil erosion and sedimentation.
- (2) Policy 2.23 calls for the County to regulate excavation, grading, filling and land clearing activities to protect against accelerated soil erosion and sedimentation.
- (3) Policy 4.25.a calls for minimizing grading or earth-moving operations.
- (4) Policy 4.25.b requires blending graded areas with adjacent landforms through the use of contour grading rather than harsh cutting or terracing of the site.

Discussion: The proposed acquisition does not conflict with the General Plan Soil Resources Policies or Visual Quality Policies. The County is not proposing any land disturbance at this time. Any proposed future development would be subject to the County Grading Ordinance, which incorporates measures to minimize soil erosion and sedimentation. In addition, as noted, the County has expressed to maintain the property's largely undeveloped state.

c. Park and Recreation Resource Policies

- (1) Policy 6.10 generally encourages park providers to locate passive park and recreation facilities in rural areas in order to protect and preserve environmentally sensitive open space lands. This policy considers the following activities to be generally compatible with passive park and recreation facilities: camping, hiking, picnicking, horseback riding and nature study.

Discussion: The subject property is in the County's rural zone. The property is crossed by a portion of the Butano Ridge Loop Trail, and the County has expressed intent to join the subject parcel to the existing Pescadero Creek Park, for use primarily as park, low intensity

recreation, open space, and ecological preservation. These uses are entirely consistent with Policy 6.10.

- (2) Policy 6.14 calls for the County to encourage all providers to design sites to accommodate recreation uses that minimize adverse effects on the natural environment and adjoining private ownership.

Discussion: While the County has not formulated any specific development proposals, the general intended uses of the acquired property are entirely consistent with Policy 6.14 of the General Plan.

B. ENVIRONMENTAL REVIEW

A request for General Plan Conformity analysis is not a project under the California Environmental Quality Act (CEQA), and is not subject to environmental evaluation. The purchase of property is also exempt under Section 15316, Transfer of Ownership of Land in Order to Create Parks. Any future development proposed on the property would need to address relevant CEQA requirements.

C. REVIEWING AGENCY

Real Property Services Division

ATTACHMENTS

- A. Recommended Finding
- B. Vicinity Map

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDING

Permit or Project File Number: PLN 2014-00146

Hearing Date: May 14, 2014

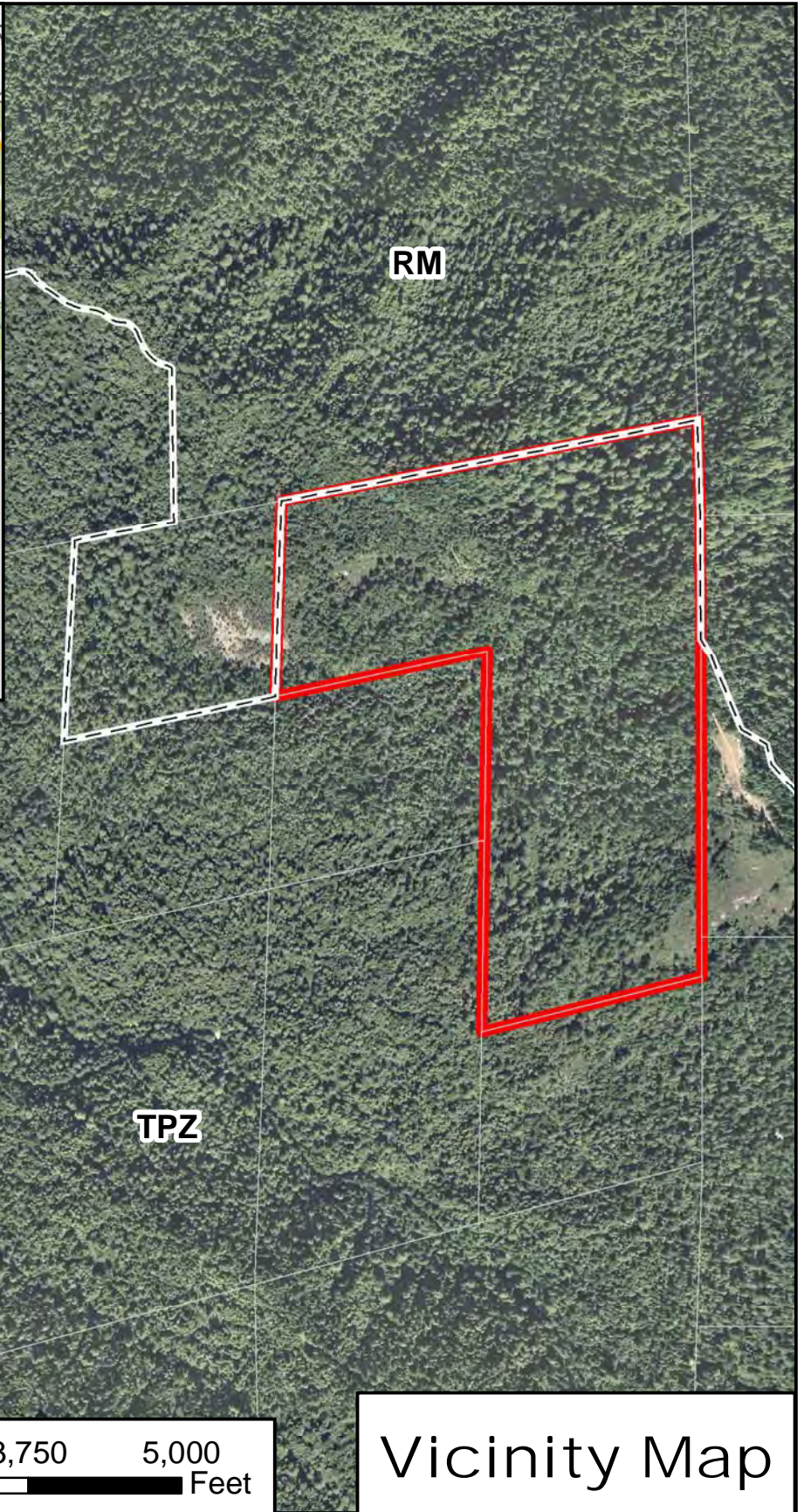
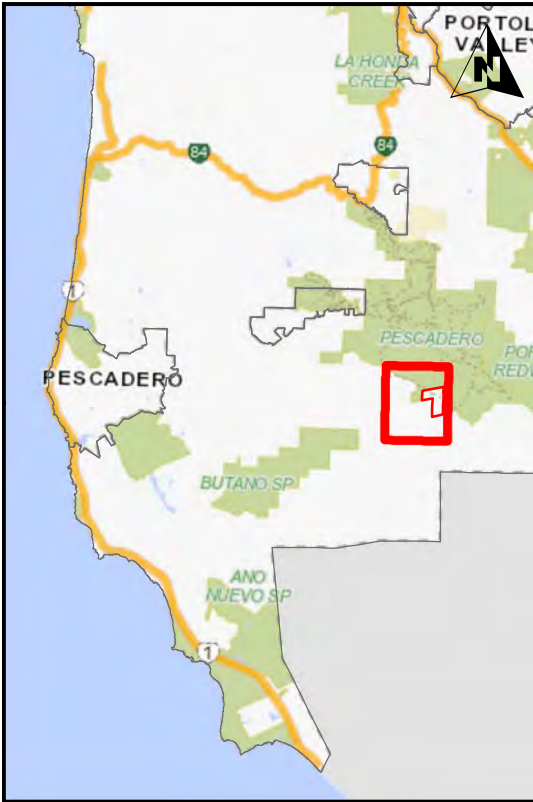
Prepared By: William Gibson


For Adoption By: Planning Commission

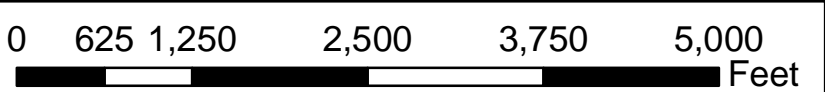
RECOMMENDED FINDING

Find that the proposed acquisition by the County of parcel 089-140-040 for use as park, recreational, nature preserve, and open space use conforms to the General Plan Vegetative, Water, Fish and Wildlife Resources Policies, Soil Resources Policies, Visual Quality Policies, and Park and Recreation Resource Policies, and is consistent with the County's General Plan.

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PLN2014-00146
 Project Parcels



Vicinity Map

San Mateo County Planning Commission Meeting

Owner/Applicant: _____ Attachment: _____

File Numbers: _____