

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

**DATE:** March 25, 2020

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** EXECUTIVE SUMMARY: Consideration of a request by the Midpeninsula Regional Open Space District (MROSD) to determine if acquisition of the 540-acre Gordon Ridge Property in the unincorporated County adjacent to the Tunitas Creek Open Space Preserve conforms to the County General Plan.

County File Number: PLN 2020-00062

**PROPOSAL**

Consideration of a request by the Midpeninsula Regional Open Space District, pursuant to Government Code Section 65402, that the County determine whether the proposed acquisition of the Gordon Ridge Property (APNs 081-040-010, 081-022-010 and 081-022-020) totaling 540 acres, for the purpose of expanding the Tunitas Creek Open Space Preserve conforms to the County General Plan.

**RECOMMENDATION**

That the Planning Commission find that the proposed acquisition by the MROSD of the Gordon Ridge Property (APNs 081-040-010, 081-022-010 and 081-022-020) for the purpose of expanding the Tunitas Creek Open Space Preserve conforms to the County General Plan.

**SUMMARY**

The MROSD proposes to acquire the subject parcels for incorporation into the Tunitas Creek Open Space Preserve. The Toto Ranch area of the MROSD's Tunitas Creek Open Space Preserve is located immediately to the north of the subject property. When purchased, a subsequent planning process will analyze opportunities for natural resource management and compatible public trail uses. The planning process will explore how the property will be managed for open space, habitat preservation, conservation grazing, agriculture, watershed protection, and low intensity recreation (trails). Any specific developments proposed on the property would require appropriate permits and would be reviewed by the County at the time of project submittal.

Per California Government Code Section 65402, prior to acquisition of property, MROSD must request an analysis of the proposed acquisition's conformity with the County General Plan.

The proposed acquisition potentially implicates the following categories of General Plan policies:

- Vegetative, Water, Fish and Wildlife Resources Policies
- Soil Resources Policies
- Visual Quality Policies
- Park and Recreation Resource Policies
- Rural Land Use Policies

The proposed acquisition does not conflict with any of the relevant General Plan policies. MROSD has not proposed any specific developments on the subject property, or any changes to the conditions or uses of the properties at this time. Any future improvements or changes to use would be subject to review by the County at the time of application. The anticipated uses (open space, habitat preservation, conservation grazing, agriculture, watershed protection, and trails) are generally compatible with the relevant General Plan policies.

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**RECOMMENDATION**

That the Planning Commission find that the proposed acquisition by the MROSD of the Gordon Ridge Property (APNs 081-040-010, 081-022-010 and 081-022-020) for the purpose of expanding the Tunitas Creek Open Space Preserve conforms to the County General Plan.

**BACKGROUND**

Report Prepared By: Katherine Faulkner, Planner III, 650/363-1882

Applicant: Midpeninsula Regional Open Space District (MROSD)

Owners: Peninsula Open Space Trust

Location: Unincorporated San Mateo County, San Gregorio

APN(s): 081-040-010, 081-022-010 and 081-022-020

Size: 540 acres

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

General Plan Designation: Agriculture

Existing Land Use: Rural residential, cattle grazing, farming and private open space.

Flood Zone: A (Special Flood Hazard Area) and X (Area of Minimal Flooding)

Environmental Evaluation: A determination that the proposed acquisition of property conforms to the County General Plan is exempt from environmental review under the “common sense exemption” that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment (CEQA Guidelines Section 15061(b)(3)). Any future action on the subject property would be subject to applicable CEQA requirements.

Setting: The property is located near the intersection of La Honda Road (Highway 84) and Stage Road in San Gregorio. The property consists of rolling hills and valleys that slope upward to a maximum height of 760 feet near the northern property boundary. The property includes California annual grasslands, coastal scrub, stream-side riparian vegetation, tilled fields, one large stand of eucalyptus trees and a community of Arroyo Willow. The property provides habitat for a number of larger animal species and a wide variety of small mammals, birds, and other species. APN 081-040-010 is a 535.47-acre parcel that is improved with a single-family residence, barn, sheds, cattle grazing infrastructure, and is currently leased to a coastal grazing tenant. APN 081-022-010 is a 3.87-acre parcel that is unimproved except for approximately 0.7-acre which is licensed to the adjacent farm operation for their growing operations. APN 081-022-020 is a 1-acre parcel that is unimproved.

## **DISCUSSION**

### **A. KEY ISSUES**

#### **1. Project Description**

The MROSD proposes to acquire the subject parcels for incorporation into the Tunitas Creek Open Space Preserve. The Toto Ranch area of the MROSD’s Tunitas Creek Open Space Preserve is located immediately to the north of the subject property. When purchased, the MROSD intends to manage the property for open space, habitat preservation, conservation grazing, agriculture, watershed protection, and low intensity recreation (trails). A subsequent planning process will analyze opportunities for natural resource management and compatible public trail uses. Any specific development proposed on the property would require appropriate permits and would be reviewed by the County at the time of project submittal.

Per California Government Code Section 65402, prior to acquisition of property, MROSD must request a report on the proposed acquisition's conformity with the County General Plan.

2. Analysis

The proposed acquisition potentially implicates the following General Plan policies:

a. Vegetative, Water, Fish and Wildlife Resources Policies

- (1) Policy 1.23.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 1.23.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 1.24 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 1.25 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 contains various vegetative, water, fish and wildlife resources. These resources include a community of Arroyo Willow, stream-side riparian vegetation, a portion of San Gregorio Creek and habitat for fauna, including coho salmon, steelhead trout, mountain lions, coyotes, bobcats, deer, and a variety of other species.

The MROSD has not proposed any specific development on the subject property, 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 and creation of a comprehensive use and management plan or master plan, consistent with MROSD's Coastside Protection Program Service

Plan (“Service Plan”), in consultation with appropriate agencies, including the County.

The proposed acquisition itself conforms to the General Plan Vegetative, Water, Fish and Wildlife Resources Policies, because MROSD’s mission and the requirements of its Service Plan and use and management planning process include the long-term protection of natural resources on properties acquired by MROSD. In addition, any proposed future changes or improvements to the property would be regulated by the County tree removal and grading ordinances and the applicable Zoning Regulations. The County will have the authority to review any specific development plans for the property at the time of application. In particular, any intended recreational use of the property would require Planned Agricultural District (PAD) and Coastal Development Permits (CDP), which would be subject to review and approval by the relevant decision-making bodies.

b. Soil Resources 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.

Discussion: The proposed acquisition does not conflict with the General Plan Soil Resources Policies. Any proposed future development would be subject to the County Grading Ordinance, which incorporates measures to minimize soil erosion and sedimentation, and subject to the guidelines and policies of MROSD’s Service Plan, which requires MROSD to adopt measures that minimize and mitigate any erosion-creating activities. The County would have the opportunity to review any proposed development at the time of application. Such review would include protection of agricultural soils, and any improvements proposed to make the properties suitable for recreational use. As noted, MROSD’s Service Plan also includes measures to ensure minimization of any impact due to increased intensity of uses on properties acquired by MROSD, and intended recreational use would also require approval of relevant CDP and PAD Permits.

c. Visual Quality Policies

- (1) Policy 4.22 calls for the County to protect the visual quality of scenic corridors by managing the location and appearance of structural development.
- (2) Policy 4.26.a calls for minimizing grading or earth-moving operations.
- (3) Policy 4.26.b requires blending graded areas with adjacent landforms through the use of contour grading rather than harsh cutting or terracing of the site.
- (4) Policy 4.27.c discourages the alteration of streams and other natural drainage systems that would affect their appearance, reduce underground water recharge, or cause drainage, erosion or flooding problems.

Discussion: The proposed acquisition, in itself, does not impact the visual quality of the property, and conforms to the General Plan Visual Quality Policies. Any future improvements, if proposed, would be subject to review by the County at time of application and would be regulated through the cited policies and Section 6325.1 of the Zoning Regulations, "*Primary Scenic Resources Areas Criteria.*"

d. 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: MROSD anticipates that the subject property will be managed for open space, habitat preservation, conservation grazing, agriculture, watershed protection, and low intensity recreation (trails). These anticipated uses are generally compatible with passive park and recreation facilities. A subsequent planning process will analyze opportunities for compatible public trail use. This acquisition and any potential future recreational uses resulting from the acquisition would be located entirely in the rural area, and limited to the types of compatible uses identified by Policy 6.10.

- (2) Policy 6.12 calls for the County to preserve the best agricultural land for agricultural uses. On other lands capable of supporting agriculture, the policy calls for permitting the location of park and recreation facilities when efforts are made to lease land not needed for recreational purposes to farm operations.

Discussion: Two of the current uses of the subject properties include cattle grazing and farming, and MROSD anticipates that the subject property will be managed for conservation grazing and agriculture. Any changes to the use of the property would be analyzed by a subsequent planning process. Any intended recreational use of the property would require PAD and CDP, which would be subject to review and approval by the relevant decision-making bodies.

- (3) 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: MROSD is not proposing any specific recreational improvements of the property at this time. Future recreational development on the property will require conformance with the development review criteria of Chapter 20.A.2 of the Zoning Regulations and issuance of Coastal Development and Planned Agricultural District permits approved by the relevant decision-making bodies. Any required permits will address impacts to the natural environment, agriculture and adjoining properties, as will MROSD's policies and management planning, in accordance with MROSD's Service Plan.

- (4) Policy 6.48 encourages the MROSD to acquire, protect, and make available for public use open space lands in rural areas and open space of regional significance in urban areas in cooperation with San Mateo County.

Discussion: MROSD's planning process for the subject properties will include assessment of opportunities to make additional open space lands available for public use, while balancing public access with agriculture and resource protection.

e. Rural Land Use Policies

- (1) Policy 9.35(a) encourages the continuation and expansion of existing public recreation land uses on non-agricultural lands,



including but not limited to public beaches, parks, recreation areas, wild areas and trails.

Discussion: MROSD's acquisition of the subject property would expand MROSD's existing Tunitas Creek Open Space Preserve. A subsequent planning process will analyze the expansion of public recreation land uses to the subject property.

- (2) Policy 9.42.b calls for locating development in areas of parcels that cause the least disturbance to scenic resources and best retain the open space character of the parcel.

Discussion: The proposal is limited to acquisition of the property, and does not conflict with Policy 9.42.b. Any future improvements would be subject to review by the County at time of application and would be regulated through Section 6325.1 of the Zoning Regulations, "*Primary Scenic Resources Areas Criteria.*"

- (3) Policy 9.42.c calls for locating development in areas free from hazardous conditions, including but not limited to steep slopes, unstable soils, and areas of special flood hazard.

Discussion: Future development of the property must conform to the development review criteria of Chapter 20.A.2 of the Zoning Regulations, which include restrictions intended to prevent hazards to the public. MROSD's use and management plans for the property will also address potential hazards. Trails and other public facilities will be restricted to non-hazardous areas, consistent with the guidelines and policies of MROSD's Service Plan. In addition, appropriate conditions, consistent with Policy 9.42.c, would be included in any CDP and PAD permits required to allow any recreational use of the subject properties.

## B. ALTERNATIVES

The alternative to a finding of conformity with the General Plan is for the Planning Commission to find that the proposed acquisition does not conform to the policies of the County General Plan.

## C. ENVIRONMENTAL REVIEW

A determination that the proposed acquisition of property conforms to the County General Plan is exempt from environmental review under the "common sense exemption" that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the

environment (CEQA Guidelines Section 15061(b)(3)). Any future action on the subject property would be subject to applicable CEQA requirements.

D. REVIEWING AGENCIES

County Counsel

ATTACHMENTS

- A. Recommended Finding
- B. Location and Site Maps

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

# **ATTACHMENT A**

County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDING**

Permit or Project File Number: PLN 2020-00062

Hearing Date: March 25, 2020

Prepared By: Katherine Faulkner  
Project Planner

For Adoption By: Planning Commission

**RECOMMENDED FINDING**

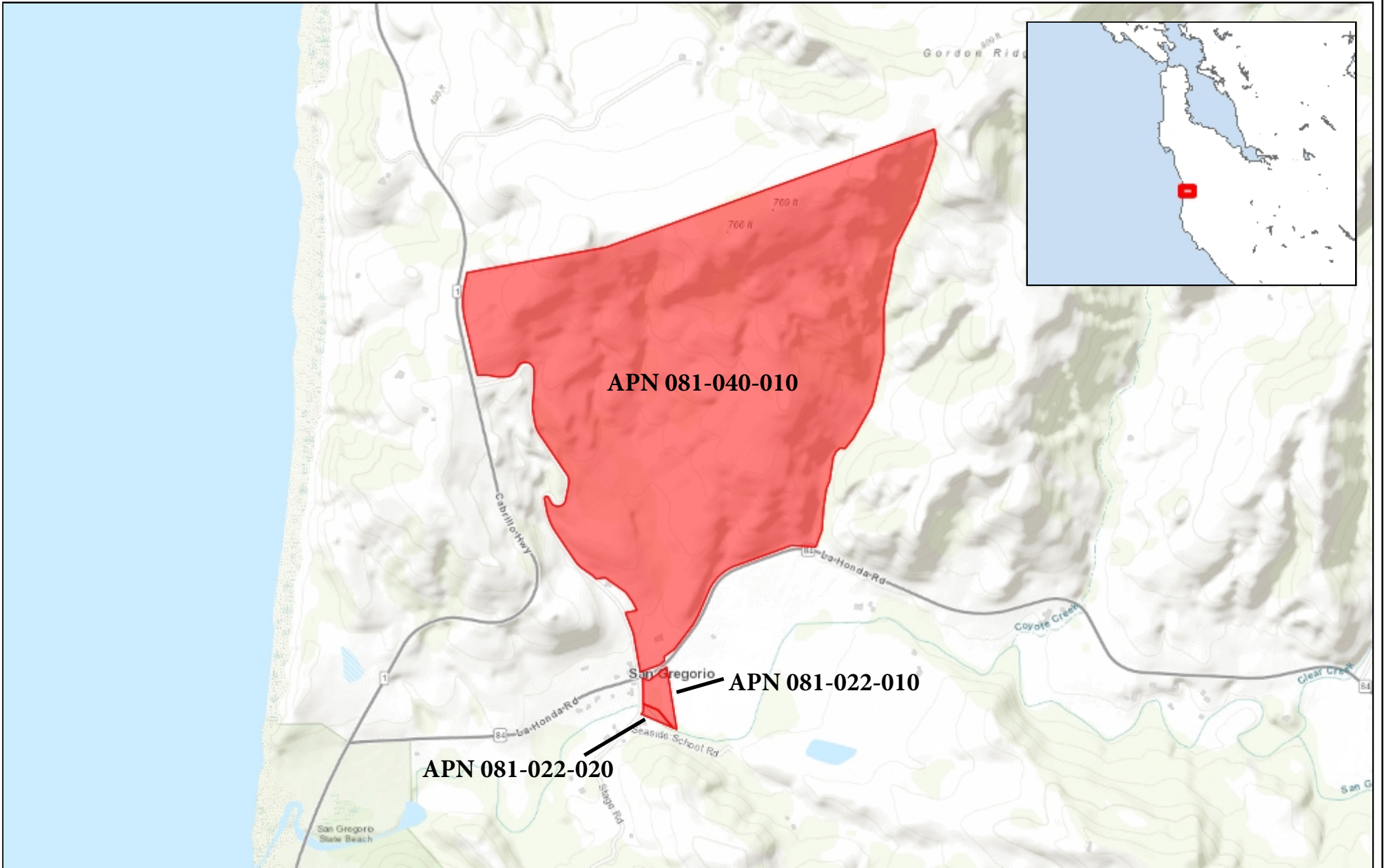
That the Planning Commission find that the proposed acquisition by the Midpeninsula Regional Open Space District of three parcels (APNs 081-040-010, 081-022-010 and 081-022-020) for the purpose expanding the Tunitas Creek Open Space Preserve conforms to the County General Plan.

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

# **ATTACHMENT B**



0.85 0 0.42 0.85 Miles

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1: 26,857



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