

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

**DATE:** April 8, 2015

**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 21.27-acre parcel (APN 047-300-120) at Pillar Point Bluff, currently owned by the Peninsula Open Space Trust, for use as natural resource protection, open space and parkland conforms to the County General Plan.

County File Number: PLN 2015-00096

**PROPOSAL**

The County's Real Property Services Division seeks a determination of whether acquisition by the County of a 21.27-acre parcel (APN 047-300-120) along Pillar Point Bluff at Fitzgerald Marine Reserve, adjacent to Pillar Ridge Mobile Home Park, conforms to the General Plan. The parcel is currently owned by the Peninsula Open Space Trust (POST), and will be added to adjacent properties already owned by the County for use as natural resource protection, open space and parkland.

**RECOMMENDATION**

That the Planning Commission find that County acquisition of APN 047-300-120, at Pillar Point Bluff, for use as park, recreational, nature preserve, and open space land, conforms to the County General Plan.

**SUMMARY**

The subject parcel is located off California Highway 1 just north of Pillar Point. Pillar Point Bluff is comprised of raised coastal terrace, wetland areas, and coastal estuaries that drain into the James V. Fitzgerald Marine Reserve and the Pacific Ocean. County Parks has already acquired three adjacent Pillar Point Bluff properties totaling 139.544 acres (Pillar Point Bluff, Gunn, and Pillar Point Bluff South) from Peninsula Open Space Trust (POST). These properties are managed for their natural landscapes, habitats for the protection of threatened and endangered species, and for compatible public uses that are consistent with wildlife habitat preservation.

The subject parcel, known as the Thompson Property, is the last private property on Pillar Point Bluff. The property is surrounded by the privately-owned Pillar Ridge Manufactured Home Community to the east, James V. Fitzgerald Marine Reserve to the north and south and approximately 1,200 feet of Pacific Ocean shoreline to the west. The property is undeveloped, and consists of open space land with coastal scrub and bluff vegetation, with some wooded and wetland areas and hiking trails. The bluff top area provides access to scenic resources and protection of important habitats, including wetlands for such federally listed species as the California red-legged frog.

The property is now owned by the Peninsula Open Space Trust (POST), which acquired it from private owners and has offered to dedicate it as permanent open space, in conjunction with the County's purchase. Should the County acquire the property, POST has secured funding that will also allow it to jointly manage the property with the County Parks Department, with the intent of maintaining it as an area of habitat preservation, open space protection, and low-intensity public recreational uses. Upon purchase, County Parks intends to add the subject property to the existing, adjacent County-owned properties, forming a continuous area of resource protection and open space.

The acquisition of the properties by the County, with the intent to use the properties for habitat and natural resource preservation, open space, and low-intensity recreation, 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, to 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 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 therefore consistent with the County's General Plan.

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**RECOMMENDATION**

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**BACKGROUND**

Report Prepared By: William Gibson

Applicant: San Mateo County Real Property Services Division

Owner: Peninsula Open Space Trust

Location: Moss Beach

APN: 047-300-120

Size: 21.27 Acres

Existing Zoning: PAD

General Plan Designation: Agriculture

Sphere-of-Influence: N/A

Existing Land Use: Unimproved Open Space, Low-Intensity Recreational Space

Water Supply: None

Sewage Disposal: None

Flood Zone: Zone X, 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 properties are undeveloped and characterized by coastal scrub and bluff vegetation, with moderate tree cover and some wetland areas.

## **DISCUSSION**

### **A. KEY ISSUES**

#### **1. Basis for Acquisition**

The subject parcel is located off California Highway 1 just north of Pillar Point, on Pillar Point Bluff. Pillar Point Bluff is comprised of raised coastal terrace, wetland areas, and coastal estuaries that drain into the James V. Fitzgerald Marine Reserve and the Pacific Ocean. County Parks has already acquired three adjacent Pillar Point Bluff properties totaling 139.544 acres (Pillar Point Bluff, Gunn, and Pillar Point Bluff South) from Peninsula Open Space Trust (POST). These properties are managed for their natural landscapes, habitats for the protection of threatened and endangered species, and for compatible public uses that are consistent with wildlife habitat preservation.

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vegetation, with some wooded and wetland areas and hiking trails. The bluff top area provides access to scenic resources and protection of important habitats, including wetlands for such federally listed species as the California red-legged frog.

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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. An inability to make a finding that the acquisition is consistent with the General Plan will not jeopardize the acquisition, but might signal a need to revisit the General Plan designation for the property.

3. Conformance with the 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 1.23 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.
- (3) 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.

- (4) Policy 1.27 requires that the County regulate land uses and development activities within and adjacent to sensitive habitats, and permit only land uses and development activities that are consistent with protection of sensitive habitats, including such uses as fish and wildlife management, trails and scenic overlook, and minimally necessary public service and private infrastructure.

Discussion: The subject property is characterized by coastal scrub, tree cover, wetland areas, and other typical coastal open space. The property contains vegetative and wildlife resources, and provides habitat for various flora and fauna native to rural areas. The property contains habitat for sensitive species, and is directly adjacent to the protected Fitzgerald Marine Reserve.

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, natural resource preservation, and other low-intensity uses. Such future uses are consistent 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 the intent to maintain the property's largely undeveloped state, and the property has already been offered for dedication as permanent open space.

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 not in the County's formally designated rural zone, but is rural in nature. The property is crossed by existing trails, and used by hikers and cyclists. The County has expressed intent to join the subject parcel to the existing County-owned Pillar Bluff parcels, for use primarily as natural resource protection, low-intensity recreation, open space, and ecological preservation. These uses are entirely consistent with Policy 6.10.

- (2) Policy 6.12 calls for the minimization of conflict between agricultural and park uses, and the preservation of the best agricultural land for agricultural uses. While the subject property is designated and zoned for agriculture, it is not in agricultural use, and is bracketed by residential properties to the south and properties designated as permanent open space to the north. County acquisition does not preclude future use for agriculture on portions of the property that are feasible for such uses, so long as agricultural operations are designed consistent with Policy 6.12, which requires clearly designated buffer strips between adjacent park land and agricultural land, to protect both uses.

Local Coastal Program (LCP) Policy 5.5 also establishes public recreation and coastal access trails as permitted uses of agricultural lands, with a use permit. Acquisition of the parcel does not conflict with either the General Plan or the LCP's policies regarding agricultural uses.

However, because the subject property is directly on the coast and atop the Fitzgerald Marine Reserve, agricultural or grazing activities of any intensity might be environmentally counterproductive, and future re-designation of the property (as well as adjacent County-owned properties) as open space might be advisable. However, since this analysis only examines the conformity of the County's acquisition of the property with the General Plan, rather than the conformity of future disposition and use of the property, such conclusions are premature. Future uses of the property would be subject to additional analysis when they are proposed.

- (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: While the County has not formulated any specific development proposals, the general intended uses of the acquired property, including continuation of the existing low-intensity hiking and bicycling trails, are entirely consistent with Policy 6.14 of the General Plan.

B. ALTERNATIVES

The alternative to the project is for the County to forego purchase of the property.

C. 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.

D. REVIEWING AGENCIES

County Real Property Services Division  
County Parks  
County Counsel

**ATTACHMENTS**

- A. Recommended Findings
- B. Vicinity Map

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDING**

Permit or Project File Number: PLN 2015-00096

Hearing Date: April 8, 2015

Prepared By: William Gibson  
Project Planner

For Adoption By: Planning Commission

**RECOMMENDED FINDING**

1. Find and report that the proposed acquisition by the County of APN 047-300-120 for use as natural resource and habitat protection, open space, and low-intensity recreation 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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