

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

DATE: September 8, 2021

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a request by the Midpeninsula Regional Open Space District (MROSD) to determine if the acquisition of seven parcels totaling 868 acres adjacent to the Johnston Ranch in the unincorporated County conforms to the County General Plan.

County File Number: PLN 2021-00256 (Johnston Ranch)

PROPOSAL

Consideration of a request by the MROSD, pursuant to Government Code Section 65402, that the County determine whether the proposed purchase of an undivided 59 percent interest in the Johnston Ranch Property (APNs 064-370-200, 064-370-070, 064-370-110, 064-370-120, 065-210-090, 065-210-220, and 065-210-240) totaling 868 acres, conforms to the County General Plan.

RECOMMENDATION

That the Planning Commission find that the proposed purchase by the MROSD of the Johnston Ranch Property (APNs 064-370-200, 064-370-070, 064-370-110, 064-370-120, 065-210-090, 065-210-220, and 065-210-240) conforms to the County General Plan.

SUMMARY

The MROSD proposes to purchase an undivided 59 percent interest in the 868-acre Johnston Ranch property and complete a subsequent land division resulting in 644 acres of the Uplands portion of the property to be owned in fee by the District. When the property interest is purchased, the existing land uses will continue, and upland portions of the property will be more actively managed by the District for conservation grazing, open space, habitat preservation, watershed protection, and future low intensity recreation (trails). The intent is to provide permanent protection of the upland areas while allowing public access. Any specific developments, including any land division, proposed on the property would require appropriate permits and will 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
- 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. The Midpeninsula Regional Open Space District has an open permit application (PLN 2018-00200) submitted for the subject property for a lot line adjustment and parcel merger. This application will be subject to a subsequent planning review and processing. 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 public trails) are generally compatible with the relevant General Plan policies.

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BACKGROUND

Report Prepared By: Katherine Faulkner, Planner III, kfaulkner@smcgov.org

Applicant: Midpeninsula Regional Open Space District

Owner: Peninsula Open Space Trust

Location: Unincorporated San Mateo County, Rural Midcoast, in the vicinity of Higgins Canyon Road

APN(s): 064-370-200, 064-370-070, 064-370-110, 064-370-120, 065-210-090, 065-210-220, and 065-210-240

Size: 868 acres

Existing Zoning:

- APNs 064-370-200, 064-370-070, 064-370-110, 065-210-090, 065-210-220, and 065-210-240: Planned Agricultural District/Coastal Development District (PAD/CD)
- APN 064-370-120: Resource Management-Coastal Zone/Coastal Development District (RM-CZ/CD)

General Plan Designation: Agriculture and Open Space

Existing Land Use: Grazing, farming, and open space.

Flood Zone: A (Special Flood Hazard Area), X (0.2 percent Annual Chance Flood Area), and X (Area of Minimal Flooding); FEMA Firm Panel 06081C0260E; effective October 16, 2012.

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 parcels are located along Higgins Canyon Road and Highway 1, east of Highway 1, in the vicinity of the City of Half Moon Bay. The lowland portions consist of irrigated row crops and dry farmed fields. The uplands above the farm fields are vegetated with coastal grassland and brush, and the terrain consists of rolling hills and a steep bluff on the south side of Arroyo Leon. The property rises from an elevation of approximately 100 feet along Arroyo Leon to 400 feet south of Higgins Canyon Road and to 700 feet in the hills north of the road.

Uses of the property includes grazing, farming, and open space. The lowland areas of the property are used for irrigated row crops and dry farmed fields. The upland portions are used for cattle grazing, open space, and irrigation water reservoirs. The property also contains a 3,600 sq. ft. hay storage barn, corrals, and small storage structures.

DISCUSSION

A. KEY ISSUES

1. Project Description

The MROSD proposes to purchase an undivided 59 percent interest in the 868-acre Johnston Ranch property. After the purchase, MROSD plans to complete a land division to create a 644-acre upland portion of the property owned in fee by the District for purposes of public recreation and coastal resources protections. The future proposed land division will also create a 224-acre farm parcel to be owned by Peninsula Open Space Trust (POST) for future sale to a farmer, subject to a conservation easement. The Midpeninsula Regional Open Space District has an open permit application (PLN 2018-00200) submitted for the subject property for a lot line adjustment and parcel merger. This application will be subject to a subsequent planning review and processing.

When the property interest is purchased, the existing land uses will continue, and upland portions of the property will be more actively managed by the District for conservation grazing, open space, habitat preservation, watershed protection, and future low intensity public recreation (trails). The intent is to provide permanent protection of the upland areas while allowing public access. This will also create opportunities to provide compatible local and regional trail use in collaboration with the City of Half Moon Bay and California State Parks. Subsequent planning for any future public access (trails) will include consultation with private property owners on Higgins Canyon Road, City of Half Moon Bay, and appropriate agencies and organizations.

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 purchase 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 1.24 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.
- (3) Policy 1.30 requires that in sensitive habitats, the County permit only those land uses and development activities that are compatible with the protection of sensitive habitats, such as nature education and research, trails and scenic overlooks, and necessary public service and private infrastructure.
- (4) Policy 1.42 requires the County to encourage public agencies and private groups to acquire significant sensitive habitats.

Discussion: The subject property contains various vegetative, water, fish and wildlife resources. Vegetative resources include coastal chaparral and grasslands, wooded drainages and stream-side riparian vegetation. Wildlife on the property including deer, mountain lions, coyotes, bobcats and a wide variety of smaller mammals, reptiles, amphibians, and a wide variety of birds. Water resources include approximately 1.2 miles of Arroyo Leon (a perennial stream and tributary to Pilarcitos Creek), numerous wooded drainages, two ponds on the uplands area used for livestock watering, and three reservoirs serving the farm area. The Arroyo Leon is a perennial stream and tributary to Pilarcitos Creek that provides potential spawning and rearing habitat for steelhead trout. Sensitive habitat on the property includes riparian corridor and potential habitat for California red-legged frog, Western pond turtle and steelhead trout.

The proposed transaction will preserve coastal open space, protect grazing and agricultural lands, protect the Arroyo Leon Creek watershed, improve future public access to surrounding District lands, and create the opportunity for future public access to the subject property. The purchase of the property complies with and furthers the mission of MROSD's Service Plan, which is "To acquire and preserve in perpetuity open space land and agricultural land of regional significance, protect and restore the natural environment, preserve rural character, encourage viable agricultural use of land resources, and provide opportunities for ecologically sensitive public enjoyment and education." When the property interest is purchased, the existing land uses will continue, and upland portions of the property will be more actively managed by the MROSD for conservation grazing, open space, habitat preservation, watershed protection, and future low

intensity public recreation (trails). Any proposed changes or improvements to the property are regulated by applicable Zoning Regulations, Subdivision Regulations, tree removal and grading ordinances.

The proposed purchase itself conforms to the General Plan Vegetative, Water, Fish and Wildlife Resources Policies, because MROSD's mission and the requirements of its Service Plan include the long-term protection of natural resources on properties acquired by Midpeninsula Regional Open Space District.

b. Visual Quality Policies

- (1) Policy 4.15(a) requires the County to regulate development to promote and enhance good design, site relationships and other aesthetic considerations
- (2) Policy 4.15(b) requires the County to regulate land divisions to promote visually attractive development.

Discussion: The proposed purchase does not impact the visual quality of the property and conforms to the General Plan Visual Quality Policies. Any future development is 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.*"

c. Park and Recreation Resource Policies

- (1) Policy 6.3 encourages providers of park and recreation facilities to build upon existing systems, which includes new acquisition and development programs.
- (2) Policy 6.4 encourages providers of park and recreation facilities to (a) protect and enhance the environmental quality of San Mateo County when developing park and recreation facilities, and (b) mitigate, to the extent feasible, the impacts of those recreation uses which may adversely affect the environment and adjoining private ownership.
- (3) 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.

- (4) 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.
- (5) 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 anticipates that after the purchase, the lowland areas will remain in agriculture and the upland portion of the subject property will be more actively managed for conservation grazing, as well as open space, habitat preservation, watershed protection, and future low intensity public recreation. The future low intensity recreation (trails) use is generally compatible with passive park and recreation facilities.

The proposed purchase will create opportunities for local and regional trail connections from downtown Half Moon Bay to the City's Johnston House property and regional connections to the Burleigh H. Murray Ranch State Park and Miramontes Ridge Open Space Preserve.

The Midpeninsula Regional Open Space District has an open permit application (PLN 2018-00200) submitted for the subject property for a lot line adjustment and parcel merger. This application will be subject to a subsequent planning review and processing. Any 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, Resource Management 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.

d. Rural Land Use Policies

- (1) Policy 9.28 encourages the continuance of existing agricultural and agriculturally related activities.
- (2) Policy 9.29 encourages the maintenance and/or creation of appropriately-sized agricultural parcels, and the preparation of a master land division plan.
- (3) Policy 9.30 requires the County to avoid to the greatest extent possible locating non-agricultural activities on soils with agricultural capability or lands in agricultural production. locate non-agricultural activities in areas of agricultural parcels which cause the least disturbance to feasible agricultural activities.
- (4) Policy 9.31 requires the County to apply methods which assist in the retention and expansion of lands with agricultural activities such as enforceable restrictions (e.g., easements).
- (5) 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: The proposed purchase will facilitate the conservation and managed production of natural resources by continuing the agricultural uses on the lowland portion of the property and by more actively managing the upland portions of the property for conservation grazing, open space, habitat preservation, watershed protection, and future low intensity recreation (trails). These uses will also protect the unique scenic quality and pastoral character of the rural lands and provide outdoor recreational opportunities. The vision for the subsequent land division would retain agricultural activities on the lowland areas with a conservation easement.

Additionally, the proposed purchase will create opportunities for local and regional trail connections from downtown Half Moon Bay to the City's Johnston House property and regional connections to the Burleigh H. Murray Ranch State Park and Miramontes Ridge Open Space Preserve. The existing grazing and farming uses will also continue on the subject property.

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 2021-00256 Hearing Date: September 8, 2021

Prepared By: Katherine Faulkner
Project Planner

For Adoption By: Planning Commission

RECOMMENDED FINDING

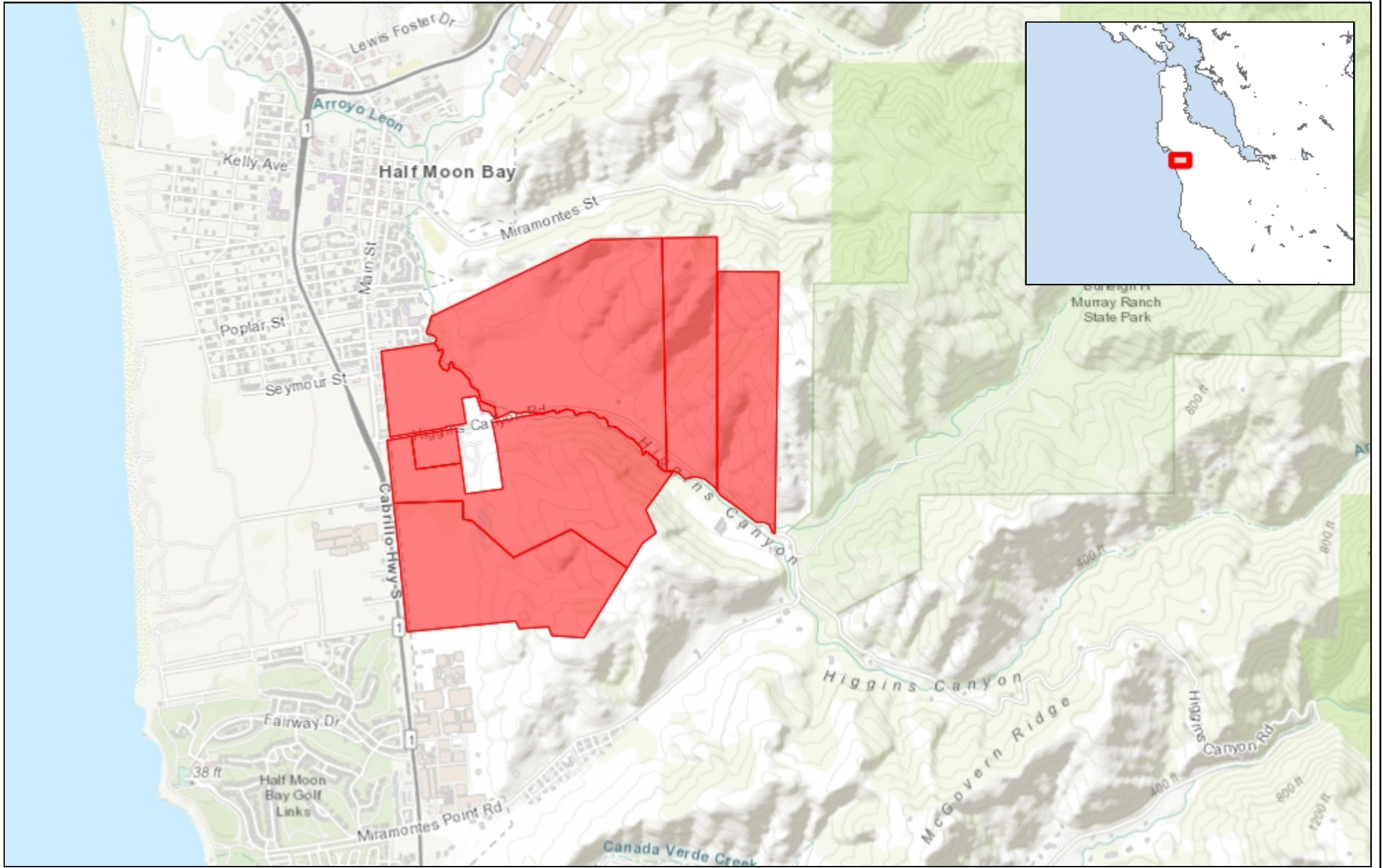
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COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT B



1.14 0 0.57 1.14 Miles

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