

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

DATE: February 26, 2025

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of a request by the Midpeninsula Regional Open Space District (MROSD), pursuant to Government Code Section 65402, that the County report upon whether its proposed purchase of 62.68 +/- acres of property (APN 066-430-100 and 066-430-110) conforms to the County General Plan.

County File Number: PLN2025-00004 (Midpeninsula Regional Open Space District)

PROPOSAL

Consideration of a request by the MROSD, pursuant to Government Code Section 65402, that the County report upon whether its proposed purchase of 62.68 +/- acres of property (APN 066-430-100 and 066-430-110) conforms to the County General Plan.

RECOMMENDATION

That the Planning Commission find and report that MROSD's proposed purchase of 62.68 +/- acres of property (APN 066-430-100 and 066-430-110) conforms to the County General Plan.

BACKGROUND

Report Prepared By: Katie Faulkner, Planner III

Applicant: Midpeninsula Regional Open Space District

Owner: Alves Susan V Tr et al & Alves Clara K Tr Est of

Public Notification: Ten (10) day advanced notification for the hearing was mailed to property owners within 300 feet of the project parcel and a notice for the hearing was posted in the San Mateo County Times for general public circulation.

Location: The property is located near the City of Half Moon Bay along Miramontes Point Road in the unincorporated area of the County of San Mateo (County).

APN(s): 066-430-100 and 066-430-110

Size: Approximately 62.68 acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Categorical Exclusion-Midcoast AG: Agriculture

Existing Land Use: Private Open Space

Fire Hazard Severity Zone: Very High

Environmental Evaluation: A report that the potential 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 discretionary approval of projects which have the potential for causing a significant effect on the environment (CEQA Guidelines Section 15061(b)(3)). This conformity report has no potential to change the physical environment. Any future action on the subject properties would be subject to applicable CEQA requirements.

Setting: The parcels are located along Miramontes Point Road, across the street from the Moonridge neighborhood. The parcels are mostly rolling hills vegetated with coastal grassland and brush. Previous use of the properties is private open space.

DISCUSSION

A. KEY ISSUES

1. Project Description

MROSD intends to purchase 62.68 +/- acres of property located on Miramontes Point Road located near the City of Half Moon Bay in the unincorporated area of the County of San Mateo (County). The subject property currently consists of two parcels (APNs 066-430-100 and 066-430-110). The General Plan designation for the subject property is Agriculture. The property is located entirely within the MROSD's boundary. The previous use of the property is private open space.

The MROSD's Miramontes Ridge Open Space Preserve is located to the north of the properties. When purchased, these properties will expand the MROSD's preserve and will be managed for open space, habitat preservation, and watershed protection.

The subject property is located within the Coastal Zone, within a County Scenic Corridor, and on the rural side of the County's urban-rural boundary. The subject property is not located within an area of special biological significance and is not prime agricultural land. The major General Plan policies, including those contained in the Local Coastal Program (LCP), related to this acquisition include vegetative, water, fish and wildlife resources, visual quality, park and recreation resources, general land use, rural land use, natural hazard, and agriculture component policies.

Per California Government Code Section 65402, prior to acquisition of property, MROSD must submit a request for a report on the proposed acquisition's conformity with the County's General Plan. Any specific developments, future improvements, or changes, proposed on the property would require permits and would be reviewed by the County at the time of application submittal. Any future applications will be regulated by applicable Zoning Regulations, Subdivision Regulations, tree removal and grading ordinances, and the Local Coastal Program.

2. General Plan Analysis

The proposed property acquisition potentially implicates the following General Plan policies:

a. Vegetative, Water, Fish and Wildlife Resources Policies

1.1 Conserve, Enhance, Protect, Maintain and Manage Vegetative, Water, Fish and Wildlife Resources

Promote the conservation, enhancement, protection, maintenance and managed use of the County's Vegetative, Water, Fish and Wildlife Resources.

1.50 Support Resource Management Efforts of Other Agencies

Recognize, encourage and cooperate with the efforts of public agencies and private groups which are consistent with the goals, objectives and policies of this chapter.

Discussion: When purchased, these properties will expand the MROSD's preserve and will be managed for open space, habitat preservation, and watershed protection. The proposed purchase conforms to the General Plan Vegetative, Water, Fish and Wildlife Resources Policies. Any future proposed changes or improvements to the property are regulated by applicable Zoning Regulations, Subdivision Regulations, tree removal and grading ordinances, and Local Coastal Program policies.

b. Visual Quality Policies

4.22 Scenic Corridors

Protect and enhance the visual quality of scenic corridors by managing the location and appearance of structural development.

Discussion: The subject property is located within a County Scenic Corridor. MROSD currently plans to manage the subject properties for open space, habitat preservation, and watershed protection, which conforms to the General Plan Visual Quality Policies. Any specific developments, future improvements, or changes, proposed on the subject property would require permits and would be reviewed by the County at the time of application submittal.

c. Park and Recreation Resources Policies

6.3 Build Upon Existing System

- (1) Design all park and recreation systems on the strengths and potentials of existing facilities and develop programs for meeting current and future needs.
- (2) Consider the feasibility of redesigning and/or expanding existing park and recreation facilities to meet future needs while developing new acquisition and development programs.

6.10 Locate Suitable Park and Recreation Facilities in Rural Areas

Generally, encourage all providers to locate passive park and recreation facilities in rural areas in order to protect and preserve environmentally sensitive and open space lands. Consider the following activities to be generally compatible with passive park and recreation facilities such as camping, hiking, picnicking, horseback riding, and nature study.

6.48 Role of the Midpeninsula Regional Open Space District

Encourage the Midpeninsula Regional Open Space District 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: The MROSD's Miramontes Ridge Open Space Preserve is located to the north of the subject properties. When purchased, these properties will expand the MROSD's preserve and will be managed for open space, habitat preservation, and watershed protection. The proposed property acquisition furthers and does not conflict with the General Plan Park and Recreation Resources Policies. Any future proposed changes or improvements to the property are regulated by applicable Zoning Regulations, Subdivision Regulations, tree removal and grading ordinances, and the Local Coastal Program.

d. General Land Use Policies

TABLE 7.1P GENERAL PLAN LAND USE DESIGNATIONS

Land Use Designation	Description of Primary Feasible Uses Associated with Land Use Designations
Agriculture	Resource management and production uses including but not limited to agriculture and uses considered accessory and ancillary to agriculture.

Discussion: When purchased, the subject properties will be managed for open space, habitat preservation, and watershed protection, consistent with the resource management primary feasible use for the Agriculture Land Use Designation described in Table 7.1P.

e. Rural Land Use Policies

9.4 Land Use Objectives for the Rural Lands

Protect and enhance the resources of the Rural Lands in order to: (1) protect and conserve vegetation, water, fish and wildlife resources, productive soil resources for agriculture and forestry, and other resources vital to the sustenance of the local economy; ... (5) protect the public health and safety by minimizing the location of new development in potentially hazardous areas and directing infrastructure improvements to areas that will benefit the greatest number of rural residents and visitors;

Discussion: The proposed purchase is consistent with the General Plan Rural Land Use Policies. The current use of the property is private open space, and when purchased, these properties will be managed for open space, habitat preservation, and watershed protection, consistent with the land use objectives for rural lands listed above.

f. Natural Hazards Policies

15.27 Appropriate Land Uses and Densities in Fire Hazard Areas

- (1) In rural areas, consider lower density land uses that minimize the exposure of significant numbers of people to fire hazards.

Discussion: The proposed property purchase is in a Very High Fire Hazard Severity Zone. When purchased, these properties will be managed for open space, habitat preservation, and watershed protection, which would be a lower density land uses that would minimize the exposure of significant numbers of people to the Very High Fire Hazard Severity Zone.

g. Local Coastal Program Agriculture Component

5.6 Permitted Uses on Lands Suitable for Agriculture Designated as Agriculture

- (1) Permit agricultural and agriculturally related development on land suitable for agriculture. Specifically, allow only the following uses: (1) agriculture including, but not limited to, the cultivation of food, fiber or flowers, and the grazing, growing, or pasturing of livestock; (2) non-residential development customarily considered accessory to agricultural uses including barns, storage/equipment sheds, fences, water wells, well covers, pump houses, water storage tanks, water impoundments, water pollution control facilities for agricultural purpose, and temporary roadstands for seasonal sale of produce grown in San Mateo County; (3) dairies; (4) greenhouses and nurseries; and (5) repairs, alterations, and additions to existing singlefamily residences.
- (2) Conditionally permit the following uses: (1) single-family residences, (2) farm labor housing, (3) multi-family residences if affordable housing, (4) public recreation and shoreline access trails, (5) schools, (6) fire stations, (7) commercial recreation including country inns, stables, riding academies, campgrounds, rod and gun clubs, and private beaches, (8) aquacultural activities, (9) wineries, (10) timber harvesting, commercial wood lots, and storage of logs, (11) onshore oil and gas exploration, production, and storage, (12) facilities for the processing, storing packaging and shipping of agricultural products, (13) uses ancillary to agriculture, (14) dog kennels and breeding facilities, (15) limited, low intensity scientific/technical research and test facilities, and (16) permanent roadstands for the sale of produce.

Discussion: The subject property is designated as Agriculture in the LCP. No change in use is proposed at this time, as the current use is private open space and MROSD plans to continue to manage the property for open space. Any future proposed changes or improvements to the property are regulated by Local Coastal Program policies, including the policy on permitted uses listed above.

B. ALTERNATIVES

The alternative to a report of conformity with the General Plan is for the Planning Commission to report that the proposed acquisition does not conform to the policies of the County General Plan, specifying the part thereof as to which there is a lack of conformity. The Planning Commission could also fail to make a timely report, which would conclusively be deemed a finding that the proposed acquisition is in conformity with the adopted General Plan or part thereof.

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 CEQA applies only to projects which have the potential for causing a significant effect on the environment (CEQA Guidelines Section 15061(b)(3)). This conformity determination and the acquisition itself have no potential to change the physical environment. Any future action on the subject property would be subject to applicable CEQA requirements.

D. REVIEWING AGENCIES

County Attorney’s Office

ATTACHMENTS

- A. Recommended Finding
- B. Location Map
- C. MROSD Letter

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN2025-00004 Hearing Date: February 26, 2025

Prepared By: Planning Staff For Adoption By: Planning Commission

RECOMMENDED FINDINGS

That the Planning Commission find that MROSD proposed purchase of 62.68 +/- acres of property (APN 066-430-100 and 066-430-110) conforms to the County General Plan.




COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT B



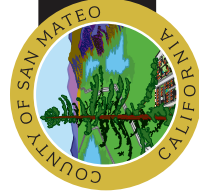
4.56 0 2.28 4.56 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

1: 144,448 

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT C



Midpeninsula Regional Open Space District

December 27, 2024

Mr. Steve Monowitz, Community Development Director
Ms. Angela Chavez, Senior Planner
San Mateo County Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063

RE: **Request for Determination of General Plan Conformity** for Potential Purchase of Unincorporated Lands by the Midpeninsula Regional Open Space District – Alves Properties (Assessor’s Parcel Numbers: 066-430-100 and 066-430-110)

Dear Mr. Monowitz and Ms. Chavez,

The Midpeninsula Regional Open Space District (District) is proposing to purchase 62.68 +/- acres of property located near the City of Half Moon Bay along Miramontes Point Road in the unincorporated area of the County of San Mateo (County). The subject properties currently consists of two legal parcels (APNs: 066-430-100 and 066-430-110). The General Plan designation for the parcels is Agriculture. The properties are located entirely within the District’s boundary (See attached Project Location Map). Previous use of the properties is private open space.

The District’s Miramontes Ridge Open Space Preserve is located to the north of the properties. When purchased, these properties will expand the District’s preserve and will be managed for open space, habitat preservation, and watershed protection.

Pursuant to California Government Code Section 65402(c), the District is submitting the proposed property purchases for the County to review and to confirm their conformity with the County’s General Plan. California Government Code Section 65402 requires the District notify the County of the location, purpose and extent of a proposed land purchase and the planning agency having jurisdiction to report as to conformity with the County’s adopted General Plan.

The District’s Coastside Protection Program Service Plan and Final Environmental Impact Report incorporate policies, guidelines, and mitigations that already apply to this project since it is within our Coastside Protection Area. These measures were incorporated to ensure, among other things, compatibility with the County General Plan and Local Coastal Program. The Service Plan can be found at http://www.openspace.org/plans_projects/cpp.asp.

The San Mateo County Local Agency Formation Commission has previously determined that, overall, the District’s Coastside Protection Program, which includes the purchase of open space

and agricultural land for low intensity recreational and agricultural purposes, is in conformity with the County's General Plan and Local Coastal Program.

A public meeting of the District's Board of Directors will be held on Wednesday, January 22, 2025, at 7 p.m. to review this proposed purchase. Representatives of the County Planning Department are invited to attend and will receive a copy of the agenda. If approved, the District will be contractually obligated to close escrow by March 28, 2025.

This General Plan conformity request relates solely to the proposed purchase of the property interest and maintaining the natural condition. Conformance with zoning requirements is not within the scope of review contemplated by California Government Code 65402(c).

We also request that the County provide District staff an opportunity to review the County staff report prior to release. If you need additional information on this proposed purchase, please contact me at apeth@openspace.org or call (650) 772-3641.

Payment of the application fee for \$1,744.50 for General Plan Determination, as previously agreed upon, will be paid online by District credit card.

Sincerely,

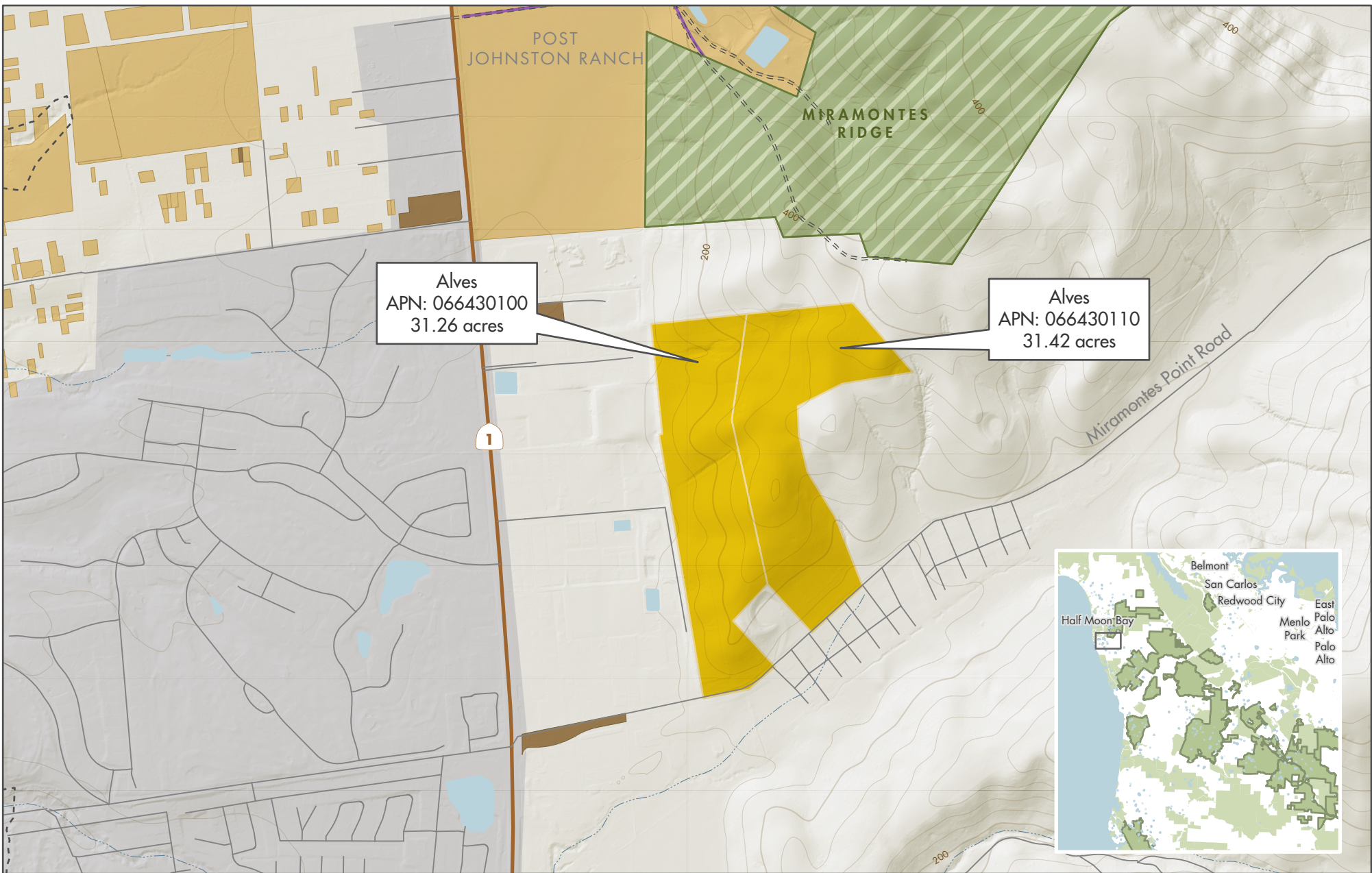
Aaron Peth

Aaron Peth
Real Property Planner





Attachments: Project Location Map

cc: Steve Monowitz, Community Development Director
Ana Ruiz, General Manager
Susanna Chan, Asst. General Manager
Allen Ishibashi, Real Property Manager

Path: G:\Projects\Miramontes Ridge\Alves\WFR_Alves_BoardPacket.aprx
Created By: acostanza



Alves Properties: Uplands

- | | | |
|---|---|--|
|  Midpen preserve |  Watershed land |  Alves properties |
|  Other protected lands |  Land trust | |
|  Private property |  Other public agency | |

Midpeninsula Regional
Open Space District
(Midpen)
11/22/2024



While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.