

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

DATE: July 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 two parcels totaling 1.92 acres (APNs 080-071-010 and 080-100-060) from the Los Trancos County Water District conforms to the County General Plan.

County File Number: PLN 2015-00247

PROPOSAL

The County's Real Property Services Division seeks a determination of whether acquisition by the County of two parcels totaling 1.92 acres (APNs 080-071-010 and 080-100-060) from the former Los Trancos County Water District, for the purpose of (1) maintaining 080-071-010 in its undisturbed state in perpetuity, and (2) ultimately selling parcel 080-100-060 to fund the operations of the successor agency to the Los Trancos County Water District, conforms to the General Plan.

RECOMMENDATION

That the Planning Commission find and report that County acquisition of APNs 080-071-010 and 080-100-060 conforms to the General Plan.

SUMMARY

The subject parcels are located in unincorporated Los Trancos Woods, at the southern edge of Portola Valley. The larger of the parcels, 080-071-010, contains a small reservoir that is used by the Los Trancos County Water District, with some residual land surrounding the reservoir, including a small viewing area. The other parcel is a small landlocked, undeveloped property at the edge of Los Trancos Creek.

The properties are currently owned by the Los Trancos County Water District. However, the Los Trancos County Water District is currently in the process of dissolution, and must dispose of its properties. The County is the successor agency to the Water District, and intends to accept the properties from the District at no cost. In order to maintain parcel 080-071-010 in its current undeveloped condition for use as a reservoir, open space, and viewing area in perpetuity, the County has also entered into

an agreement with the Midpeninsula Regional Open Space District whereby the County will offer to the District, and the District will accept, a permanent conservation easement restricting the future use of the property. The second parcel, 080-100-060, will be accepted from the Water District as part of the dissolution of the District, with the ultimate attempt to sell the property and use the funds to support ongoing water service by the County as successor to the Water District.

The acquisition of the properties by the County, with the intent to maintain the reservoir property in perpetuity and dispose of the smaller parcel to fund water service 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 Water Quality Policies, which encourage the County to improve water supply systems and safeguard water supplies and reservoirs. 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 and report that County acquisition of APNs 080-071-010 and 080-100-060 conforms to the General Plan.

BACKGROUND

Report Prepared By: William Gibson, Project Planner, Telephone 650/363-1816

Applicant: San Mateo County Real Property Services Division

Owner: Los Trancos County Water District

Location: Los Trancos Woods

APN: 080-071-010, 080-100-060

Size: 1.91 acres

Existing Zoning: R-1/S-108

General Plan Designation: Low Density Residential

Sphere-of-Influence: Portola Valley

Existing Land Use: Unimproved open space, reservoir

Water Supply: None

Sewage Disposal: None

Flood Zone: Zone X, Area of Minimal Flooding

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. Any future development proposed on the property would need to address relevant CEQA requirements.

Setting: APN 080-071-010 consists largely of a dammed reservoir, with some residual undeveloped land; 080-100-060 is a landlocked parcel at the edge of Los Trancos Creek.

DISCUSSION

A. KEY ISSUES

1. Basis for Acquisition

The subject parcels are located in unincorporated Los Trancos Woods, at the southern edge of Portola Valley. The larger of the parcels, 080-071-010, contains a small reservoir that is used by the Los Trancos County Water District, with some residual land surrounding the reservoir, including a small viewing area. The other parcel is a small landlocked, undeveloped property at the edge of Los Trancos Creek.

The properties are currently owned by the Los Trancos County Water District. However, the Los Trancos County Water District is currently in the process of dissolution, and must dispose of its properties. The County is the successor agency to the Water District, and intends to accept the properties from the Water District at no cost. In order to maintain parcel 080-071-010 in its current undeveloped condition for use as a reservoir, open space, and viewing area in perpetuity, the County has also entered into an agreement with the Midpeninsula Regional Open Space District (MROSD) whereby the County will offer to MROSD, and MROSD will accept, a permanent

conservation easement restricting the future use of the property. The second parcel, 080-100-060, will be accepted from the Water District as part of the dissolution of the Water District, with the ultimate attempt to sell the property and use the funds to support ongoing water service by the County as successor to the Water District.

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 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: Parcel 080-071-010 contains a reservoir, residual open space, and a viewing area. There may be some minimal

habitat in the open space areas not covered by the reservoir. The reservoir provides a flyover resting place for waterfowl. Parcel 080-100-060 contains undeveloped open space.

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, by dedicating a conservation easement to MROSD, to maintain parcel 080-071-010 in its undeveloped state, for open space and natural resource preservation. The County has not proposed any future use of parcel 080-100-060, except for eventual sale of the property, which does not involve General Plan Policies. The County's intent for these parcels is 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 County has indicated its intent to permanently restrict parcel 080-071-010's use to its current state, while ultimately disposing of parcel 080-100-060. The proposed acquisition does not conflict with the General Plan Soil Resources Policies or Visual Quality Policies.

c. Water Supply Policies

- (1) Policy 10.2 encourages the County to safeguard the productive capacity of groundwater aquifers and storage reservoirs.

- (2) Policy 10.13 encourages the County to improve water distribution and storage systems in unincorporated neighborhoods and communities.

Discussion: By acquiring the properties of the former Los Trancos County Water District, dedicating 080-071-101 to its current use in perpetuity, and ultimately disposing of 080-100-060 to fund water provision, the County will safeguard the reservoir and prevent its degradation. The acquisition is consistent with the General Plan's Water Supply Policies.

B. ALTERNATIVES

The alternative to a finding of conformity would be to find and report that the acquisition does not conform to the County's General Plan.

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. Any future development proposed on the property would need to address relevant CEQA requirements.

D. REVIEWING AGENCIES

County Real Property Services Division
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 2015-00247

Hearing Date: July 8, 2015

Prepared By: William Gibson
Project Planner

For Adoption By: Planning Commission

RECOMMENDED FINDING

Find and report that the proposed acquisition of APNs 080-071-010 and 080-100-060) from the former Los Trancos County Water District is consistent with the General Plan's, Vegetative, Water, Fish and Wildlife Resources Policies, Soil Resources and Visual Quality Policies, and Water Supply Policies, and conforms to the County General Plan.

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San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____