

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

**DATE:** February 8, 2017

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** Consideration of a request by the County's Real Property Services Division to determine if County acquisition of seven parcels, APNs 005-260-370, 005-260-180, 090-090-250, 005-260-380, 005-270-100, 090-100-250 and 005-260-360, in the vicinity of San Bruno Mountain State Park, for addition to the existing San Bruno Mountain Habitat Conservation Plan (HCP) area, for restoration and conservation in perpetuity, conforms to the County General Plan.

County File Number: PLN 2017-00021

**PROPOSAL**

Consideration of a request by the County's Real Property Services Division to determine if County acquisition of parcels 005-260-370, 005-260-180, 090-090-250, 005-260-380, 005-270-100, 090-100-250 and 005-260-360, for addition to the existing San Bruno Mountain Habitat Conservation Plan (HCP) area, for restoration and conservation in perpetuity, conforms to the County General Plan.

**RECOMMENDATION**

1. That the Planning Commission find that the proposed acquisition by the County of parcels 005-260-370, 005-260-180, 090-090-250, 005-260-380, 005-270-100, 090-100-250 and 005-260-360, for inclusion in the San Bruno Mountain Habitat Conservation Area, for restoration and conservation in perpetuity, 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.

**BACKGROUND**

Report Prepared By: William Gibson, Project Planner

Applicant: San Mateo County Real Property Services Division

Owner: Foremost-McKesson Inc.

Location: San Bruno Mountain State Park area, unincorporated San Mateo County, Brisbane, and Daly City

APNs: 005-260-370, 005-260-180, 090-090-250, 005-260-380, 005-270-100, 090-100-250, and 005-260-360

Size: 51.5 acres in total

Existing Zoning: 005-260-370, 005-260-180: City of Brisbane, O-S (Open Space); 090-090-250, 005-260-380, 005-270-100, 090-100-250: San Mateo County, M-2 (Industrial); 005-260-360: Daly City, N/A

General Plan Designation: 005-260,370, 005-260-180: City of Brisbane, OS (Open Space); 090-090-250, 005-260-380, 005-270-100, 090-100-250: San Mateo County, Open Space; 005-260-360: Daly City, OSP (Open Space Preservation)

Sphere-of-Influence: N/A

Existing Land Use: Open space

Water Supply: The properties have no current water supply.

Sewage Disposal: None of the parcels have sewage facilities.

Flood Zone: Zone X

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 purchase of property is also categorically exempt under CEQA Guidelines 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 primarily hilly land with a mix of native and non-native scrub, grassland, and other vegetative cover

## **DISCUSSION**

### **A. KEY ISSUES**

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

The parcels in question, known collectively as the “McKesson Properties,” were committed for dedication to the County, for inclusion in the San Bruno Mountain Habitat Conservation Plan (HCP) area, as part of the conditions of approval for development of a nearby industrial park. In addition to the

subject properties, the developers of the industrial park also agreed to provide funding for habitat restoration and HCP implementation on the subject properties.

The San Mateo County Parks Department administers the Habitat Conservation Plan. Information on the HCP can be found here: <http://parks.smcgov.org/san-bruno-mountain-habitat-conservation-plan>.

The intent of the HCP is summarized as follows:

*“The purpose of the San Bruno Mountain Habitat Conservation Plan is to provide guidance for developing scientifically sound management and monitoring plans for the conservation of: a) the habitat of the mission blue, callippe silverspot, San Bruno elfin and bay checkerspot butterflies, and b) the overall native ecosystem of San Bruno Mountain in perpetuity. [The] Habitat Conservation Plan is an implementation plan for the management and monitoring activities authorized in the HCP and is based on lessons learned from habitat management activities conducted over the past 33 years. These efforts have protected the core habitat areas (comprising approximately 1,290 acres) of the mission blue, callippe silverspot, and San Bruno elfin butterfly populations--the three known listed butterflies that occur on the mountain--from being overtaken by weed infestations and scrub encroachment.”*

The undeveloped parcels planned for acquisition by the Parks Department would be included in the area covered by the HCP, and intended for habitat restoration and conservation activities.

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 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 1.22.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 1.23 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.
- (4) 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.

Discussion: The subject properties are mainly grass- and scrub-covered open space areas, adjacent to the San Bruno Mountain State Park, and characterized by similar vegetation.

The County has not proposed any development on the properties proposed for acquisition, or any changes to the conditions or uses of the properties at this time. The proposal is limited to acquisition of the property, and subsequent changes in use, if any, would be determined through a planning process, consistent with applicable County regulations. However, the intent of the acquisition is to add the parcels to the adjacent San Bruno Mountain Habitat Conservation area, with the aim of restoring them to and preserving them in their natural state in perpetuity. The acquisition in itself does not conflict with the General Plan's vegetative, water, fish and wildlife resources. In addition, the County's intent to maintain these areas as open space is also consistent with the underlying General Plan Land Use designation of Open Space on the properties in County jurisdiction, and with the policies of the General Plan.

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. No grading or soil disturbance is proposed currently, and proposed future development or disturbance would be subject to the County Grading Ordinance, which incorporates measures to minimize soil erosion and sedimentation. In addition, the terms of the HCP preclude these parcels from development, beyond any activities required for restoration and preservation.

c. Park and Recreation Resource Policies

While the subject properties are intended for acquisition by the County Parks Department, there are no current plans for park provision on these sites, beyond addition of the properties to the HCP area, and the terms and goals of the HCP preclude many active park uses. However, the acquisition potentially involves the following 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.

Discussion: The subject properties are not in the County's rural zone, but can be classified as environmentally sensitive open space lands. The County's intent to add these parcels to the HCP area, for restoration and preservation, is entirely consistent with Policy 6.10.

- (2) 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: One specific purpose of the HCP is to preclude urban development of the sensitive sites within the HCP area, retaining them in an undeveloped state. This purpose has no potential to adversely impact either the natural environment, or adjacent private ownership. The general intended uses of the acquired property 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 properties.

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 categorically exempt under CEQA Guidelines 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

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**

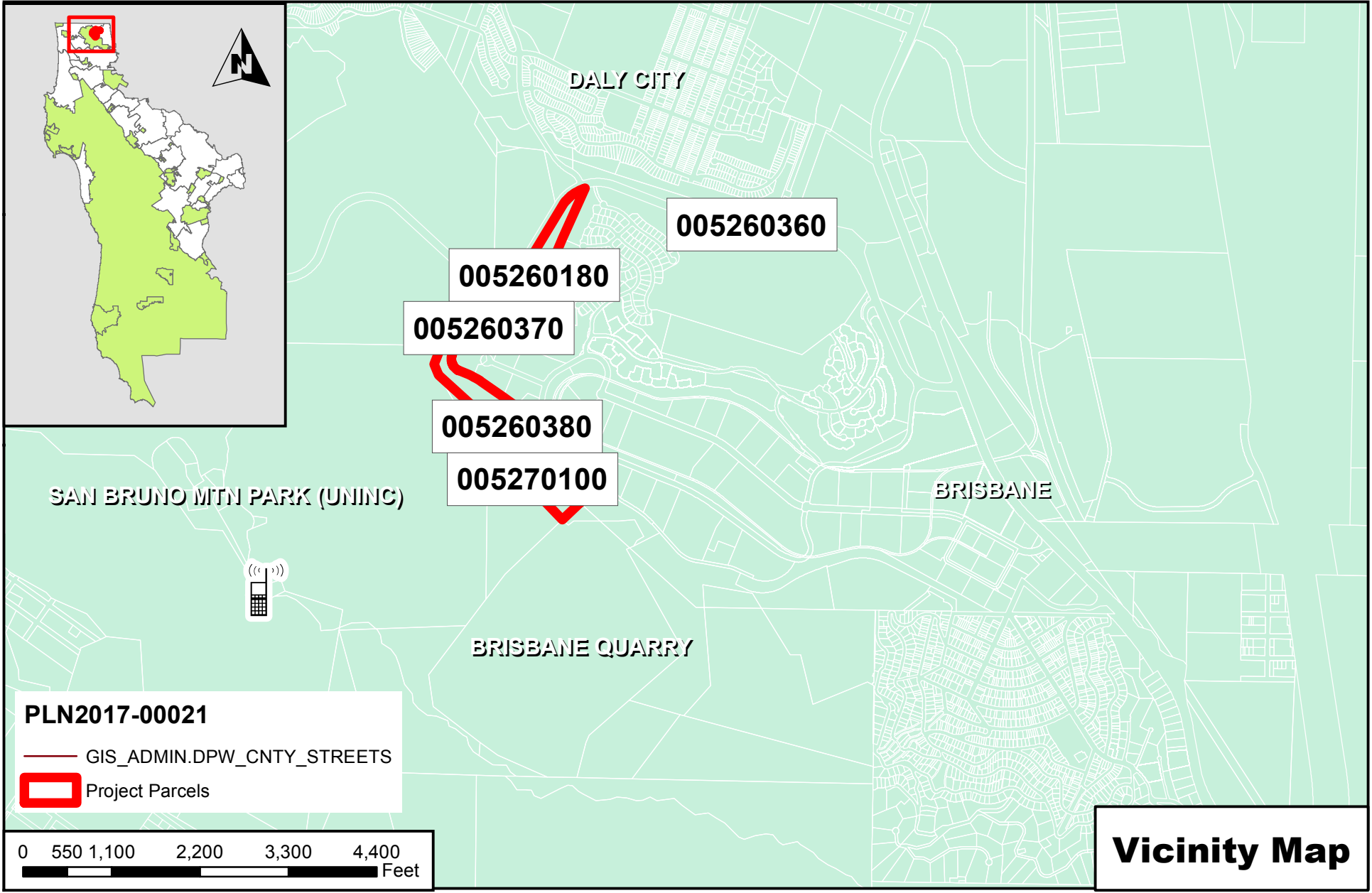
Permit or Project File Number: PLN 2017-00021      Hearing Date: February 8, 2017

Prepared By:      William Gibson      For Adoption By: Planning Commission  
                         Project Planner

**RECOMMENDED FINDING**

1. Find that the proposed acquisition by the County of parcels 005-260-370, 005-260-180, 090-090-250, 005-260-380, 005-270-100, 090-100-250, and 005-260-360, for inclusion in the San Bruno Mountain Habitat Conservation Area, for restoration and conservation in perpetuity, 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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**Vicinity Map**