

## 4 OPEN SPACE AND CONSERVATION ELEMENT

*The purpose of the Open Space and Conservation Element is to ensure the comprehensive and long-range preservation and management of open space land in and around Hillsborough. The Open Space and Conservation Element seeks to maintain the low density, residential character of the community and its high quality of life by preserving open space lands, protecting natural habitats for endangered and threatened species and providing recreational opportunities for Town residents.*

To avoid repetition, this element combines two State-mandated elements, the Open Space Element and the Conservation Element. The State-mandated Open Space Element is concerned with the management of open space resources, including cultural resources. Open space is defined as any parcel or area of public or private land or water that is essentially unimproved and undeveloped. State law identifies several types of open space, including: open space that preserves natural and cultural resources, manages production of resources, provides outdoor recreation and protects public health and safety.

The State-mandated Conservation Element is concerned with the protection of natural resources, including plants and animal wildlife, water bodies and watersheds, forests, soils, minerals and energy conservation. Since many of these natural resources are associated with open space lands, Hillsborough combines these two elements into one.

The Element is divided into two sections:

- ◆ **Background Information.** Provides information on the existing conditions of recreational, open space and cultural resources.
- ◆ **Goals, Policies and Actions.** Provides policy guidance for protecting and preserving important recreational, open space and cultural resources.

*A. Background Information*

**1. Public Parkland**

The Town of Hillsborough has a limited amount of public parkland, consisting of two parks and a water conservation garden. Figure LU-1 in the Land Use Element depicts the location of the Town's public parkland. Vista Park, a 1.5-acre neighborhood park located off of Vista Road, between Chiltern and Culebra Roads, is the largest and oldest of the two. Improvements to Vista Park have been initiated by the Hillsborough Beautification Foundation, and include rehabilitation of the facility to address issues such as poor drainage and old equipment, as well as rehabilitation of the basketball court and soccer field. The Hillsborough Beautification Foundation completed Crossroads Park, a quarter-acre pocket park located at the corner of Hayne and Black Mountain Roads on a former water tank site.

The Town also built the Hillsborough Water Conservation Park in 1989 at the Town Hall to demonstrate water conservation techniques for the benefit of homeowners in Hillsborough and surrounding communities. Native, low-water use and drought tolerant plants create an attractive garden utilizing mulch and an automatic drip irrigation system. It is open for the public's enjoyment to illustrate what can be created in this area of California, where the need for long-range water conservation is critical. The park was funded by grants from the State of California and contributions from private citizens and local garden clubs.

The Hillsborough City School District and Town have created a Joint Powers Agreement to form the Hillsborough Recreation Department. By creating a Recreation Department, the School District is able to charge for the use of its facilities after normal school hours, thereby off-setting the additional maintenance costs related to heavier use of the fields. As well as providing playing fields, a gym and tennis courts to youth sports programs and interested adults, the Recreation Department also offers children alternative after-school activities.

Besides the school facilities used for sports and after school programs, the Town has approximately two acres of developed public parkland, which translates into about 0.2 acres of parkland per 1,000 residents. This amount of parkland is lower than is typically recommended for communities; however, many homes are situated on large lots and contain private recreational facilities such as yards, tennis courts and pools. The Burlingame Country Club also provides an additional private recreational opportunity for its members. In addition, Town residents have access to the many nearby County recreational facilities including the extensive County open space areas that surround the Crystal Springs Reservoirs, to the west of I-280, and the recreational facilities along the San Francisco Bay, including Coyote Point County Recreation Area.

Based on the Town's goal of providing an additional three acres of parkland for every new 1,000 residents, there will be a need for approximately 1.44 acres of additional parkland to meet future demand. With the high cost of land, there may be limited opportunities for additional parkland within Hillsborough, so future parks may be smaller and consist of five acre or less neighborhood parks, such as Vista Park, and less than one acre pocket parks, such as Crossroads Park. The following provides a description of neighborhood and pocket parks:

- ◆ **Neighborhood Park.** These parks provide a wide range of recreational facilities, such as playing fields, playgrounds and picnic areas, as well as opportunities for more relaxed recreation, such as grassy areas and walking trails. Due to the variety of recreational opportunities, neighborhood parks generally attract people from outside the immediate vicinity of the facility and are used by the community as a whole.
- ◆ **Pocket Park.** Generally located on smaller in-fill sites, these parks usually offer limited recreational opportunities, such as a small playground or a landscaped area with a park bench. Since these parks do not offer the same range of recreational opportunities as neighborhood parks, they primarily attract and serve local residents from the immediate neighborhood.

One potential opportunity for additional parkland would be the reuse of Town property in the event that there is no other use for the property, or it is not sold to generate revenue for the Town. Another potential opportunity for additional parkland will occur in the event that any remaining large parcels are subdivided. As discussed in the Land Use Element, parcels proposed for subdivision into five or more lots will be required to prepare a detailed conceptual plan, which includes among other requirements, an evaluation of the potential for inclusion of open space and parkland opportunities. A needs assessment should be completed prior to designing parks to ensure that the community's specific needs for various recreational features are met in new and rehabilitated recreational facilities.

## 2. Natural Space Resources

Hillsborough has been fortunate to have preserved almost 250 acres of open space within the Town. The majority of this land is located in the Skyfarm Subdivision area in the northwestern portion of Hillsborough, with three other large open space areas located near Southdown Court, Crystal Springs Road and in the Tobin Clark area. Figure LU-1 in the Land Use Element depicts the location of the Town's natural open space areas. In addition, there is another large area of open space adjacent to the Town, on the western side of I-280 that adds continuum to the low density character of the community.

Interest has been expressed in the possibility of granting public access to some of the currently restricted open space areas. If pursued, issues needing to be addressed include: appropriate uses; how additional uses would affect existing reversion constraints<sup>1</sup> on the property; and safety and liability concerns. The Town has already started working with the Hillsborough Beautification Foundation and the owners of the reversion rights for Crocker Lake to explore ways to provide limited public access to the area for recreational uses

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<sup>1</sup> Some of the Town's open space was donated with the condition that it be preserved as open space. If the Town does not maintain the properties per the original agreement the property would revert in ownership to the persons holding the reversion rights.

that allow people to enjoy the natural beauty of the area, such as walking and picnicking.

### **3. Private Recreation**

Two private facilities, the Burlingame Country Club and the Hillsborough Racquet Club, offer recreational opportunities for their members. The Burlingame Country Club, with approximately 110 acres, also adds to the character of the community by preserving large areas in a more open setting.

### **4. Biological Resources**

The California Department of Fish and Game maintains the California Natural Diversity Database (CNDDB), which tracks the location and condition of California's rare animals, plants and natural habitats. A search of the database was completed for Hillsborough and a one-mile radius around the Town to identify rare and sensitive species and habitats with the potential to occur within Hillsborough. Table OSC-1 lists the rare and sensitive species and communities that may occur within the Town. The Town monitors new development to ensure that it does not negatively impact sensitive species, especially those listed in the table.

While deer are not considered a sensitive species, they are common in Hillsborough and warrant mention since they pose a threat to safety, as they cross streets in front of moving vehicles, and damage personal property, such as gardens. Unfortunately, the Town has limited options to control the deer population. According to the California Department of Fish and Game, removal of the existing deer would simply result in the immigration of replacement deer. As a result, individual property owners are responsible for protecting their own property from deer damage, in part by reducing potential food sources and taking extra care when driving through Hillsborough.

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TABLE OSC-1 **BIOLOGICAL RESOURCES WITH THE POTENTIAL TO OCCUR  
 IN HILLSBOROUGH**

Common Name	Type	Status
Bay Checkered Butterfly	Invertebrate	Federal – Threatened
Bent-Flowered Fiddleneck	Plant	Federal – Species of Concern
California Clapper Rail	Bird	State/Federal - Endangered
California Red-Legged Frog	Amphibian	State – Species of Special Concern Federal - Threatened
Crystal Springs Lessignia	Plant	Federal – Species of Concern
Edgewood Blind Harvestman	Invertebrate	Federal – Species of Concern
Fountain Thistle	Plant	State/Federal - Endangered
Fragrant Fritillary	Plant	Federal – Species of Concern
Franciscan Onion	Plant	Federal – Species of Concern
Hillsborough Chocolate Lilly	Plant	Federal – Species of Concern
Marin Western Flax	Plant	State/Federal - Threatened
Mission Blue Butterfly	Invertebrate	Federal - Endangered
Myrtle’s Silverspot Butterfly	Invertebrate	Federal - Endangered
San Francisco Bay Spineflower	Plant	Federal – Species of Concern
San Francisco Owl’s Clover	Plant	Federal – Species of Concern
San Mateo Thorn-mint	Plant	State/Federal - Endangered
San Mateo Woolly Sunflower	Plant	State/Federal - Endangered
Serpentine Bunchgrass	Terrestrial Community	
Western Leatherwood	Plant	

Source: California Department of Fish and Game, *California Natural Diversity Database*, May 2004.

The creeks in Hillsborough provide important riparian habitat. In addition to providing natural habitat for plant and animal species, well established vegetation along these waterways plays an important role in controlling erosion. The Town's approach to watershed protection is described in detail later in this Element.

Another important habitat type in Hillsborough is oak woodland, which is found along drainage areas and in undeveloped areas of the community. The new Stonebridge subdivision is an example of the Town's attempts to preserve existing oak woodland habitat, while allowing for new development.

While they may not qualify as protected species under State or federal law, established trees are important features of Hillsborough's existing character and are enjoyed by the public as a whole, not just property owners with larger trees. As a result, the Town has adopted a Tree Removal Ordinance to protect and regulate tree removal throughout the community, even on private property, and address the community's desire to maintain its forested character. The Ordinance is generally limited to larger, established trees, although trees on vacant lots where no development is proposed are given more protection. Since they present a fire hazard and are not a native species, the Town encourages removal of Blue Gum Eucalyptus and Baileyanna Acacia. Hillsborough will be updating the Tree Removal Ordinance to ensure that it allows for the continued health of the community's tree resources and maintains the community's character.

While trees contribute to the visual appearance of the community, they occasionally block individual views from neighboring properties if not properly maintained. This can create disagreements between neighbors, especially when there were existing views at the time of purchase of a home which later become obscured by neighboring trees. The Town encourages neighbors to work out their differences and find a way to allow for the co-existence of larger trees as well as views through the Voluntary Resolution of Disputes Regarding Trees and Views Ordinance.

## 5. Water Quality

The Town of Hillsborough purchases its water from the San Francisco Public Utilities Commission (SFPUC). According to the SFPUC's 2003 Water Quality Report, approximately 76 percent of the SFPUC's water supply comes from the Hetch-Hetchy Reservoir, located in Yosemite National Park. Because the Hetch-Hetchy water supply meets all federal and State criteria for watershed protection, disinfection treatment, bacteriological quality and operation standards, the Hetch-Hetchy water source has been granted a filtration exemption so that the water does not require additional filtration in Hillsborough to ensure its safety.

The remaining 24 percent of the SFPUC water supply is collected in the Alameda and Peninsula watersheds. Rainfall and runoff water is collected in reservoirs and limited groundwater is pumped from the Sunol Filter Galleries near the Town of Sunol. Both surface and groundwater sources are treated and filtered by the SFPUC before delivery.

Beginning in February 2004, the SFPUC implemented a system-wide change to use chloramine as the residual disinfectant to meet current and future water quality regulations. Chloramine, a combination of chlorine and ammonia, is a more stable, longer-lasting disinfectant that produces lower levels of harmful disinfection byproducts such as trihalomethane, a possible carcinogen.

The Town of Hillsborough does not have much direct control over protecting the quality of its drinking water before it is received from the SFPUC. The Town will continue to support the SFPUC in its efforts to protect the Hetch-Hetchy water source and the Alameda and Peninsula watersheds. The SFPUC conducts detailed monitoring of the Hetch-Hetchy watershed weather conditions, water turbidity levels, microbial contaminants and aqueduct disinfectant levels. As described in its 2003 Water Quality Report, the SFPUC also completed a detailed drinking water source assessment for all SFPUC watersheds in 2000, which showed very low levels of contaminants.

Hillsborough does have direct influence over the maintenance of its water supply infrastructure system, which can affect the quality of water. The Town will continue to monitor the water it distributes to residents in Hillsborough and maintain the distribution system to ensure a high quality supply.

The Town also has influence over the quality of water in the four watersheds within which it is located, which also contain several small creeks and two lakes, Crocker and Spencer. The watersheds, from north to south, include Mills Watershed, Sanchez Watershed, San Mateo Watershed and Pulgas Watershed. Figure OSC-1 depicts the general boundaries of these watersheds.

## **6. Cultural Resources**

Incorporated in 1910, the Town of Hillsborough's long history is exemplified in its existing architecture and historic features. There is also evidence of pre-European activities within the Town limits, and environmental studies have identified prehistoric sites, such as shell middens.

During 1989 and 1990, the Town of Hillsborough was comprehensively surveyed for historic buildings. The goal of the survey was to identify buildings that have historical significance and/or are architecturally unique, versus those buildings that, while old, provide little historical or local significance. As a result of the survey, many historically-important homes were identified, representing various periods of the community's history, including the Early Subdivisions (1885-1915), the Great Estates (1900-1930) and the Later Subdivisions (1916-1940).

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Figure OSC-1: Watersheds

In response to past threats of demolition of important privately-owned historic structures, the Town adopted a Historic Preservation Ordinance that allows it to have some control over the demolition of all or part of identified historic structures. Currently, the structures that are subject to this Ordinance are:

- ◆ The Carolands (565 Remillard Drive)
- ◆ La Dophine (1761 Manor Drive)
- ◆ Skyfarm – The Nueva School (6565 Skyline Boulevard)
- ◆ Uplands II – Crystal Springs Uplands School (400 Uplands Drive)
- ◆ The White House (401 El Cerrito Road)

In addition to the private historic homes within Hillsborough, there are also publicly owned historic structures scattered throughout the community. The most prevalent are the historic gates that remain from the former entrances to now subdivided estates, or in the case of the Carolands Gates at Ralston and Eucalyptus Avenues, gates that were installed at the time of subdivision to limit access to newly subdivided areas. The Town owns the Gate House, also located at the intersection of Ralston and Eucalyptus Avenues, which, according to the historic building survey, is thought to have served as the sales office for the subdivision.

The Town will continue to enforce its adopted Historic Preservation Ordinance, as well as require development proposals subject to environmental review to survey for important historic and prehistoric resources.

## **7. Other Important Resources**

The Town of Hillsborough does not contain any designated important mineral resources that need to be protected per State law. In addition, due to the mainly developed nature of the community, there is no on-going agricultural or lumber production within the Town and the State has not identified any important farmlands within Hillsborough in need of conservation.

*B. Goals, Policies and Actions*

**Goal OSC-1 Continue to identify new opportunities for recreational facilities, and maintain existing facilities.**

Policy OSC-1.1: Evaluate underutilized publicly-owned property for recreational reuse, working with other public agencies and private organizations when necessary.

Policy OSC-1.2: Continue to support local community efforts to expand and improve recreational facilities and identify funding for the on-going maintenance of facilities.

Policy OSC-1.3: Review future subdivision proposals for the opportunity to incorporate new recreational opportunities into the site design and/or require parkland in-lieu fees.

Action OSC-1.1: The Town will continue to cooperate with the Hillsborough City School District through their Joint Powers Agreement to maintain the Hillsborough Recreation Department.

Action OSC-1.2: The Town will adopt an ordinance in compliance with the Quimby Act to require new development to provide land dedication and/or in-lieu fees in the amount equal to three acres of parkland per 1,000 new residents. Due to the limited availability of land within Hillsborough for new parks, future additional parks will mainly consist of neighborhood parks of five acres or less and pocket parks of less than one acre. Larger parks will also be allowed.

**Goal OSC-2 Preserve open space for existing and future residents.**

Policy OSC-2.1: Continue to maintain Town-owned open space in a manner that balances the need to protect natural habitat with controlling vegetation to reduce fuel loads, arrangements and potential wildfire hazards.

Policy OSC-2.2: Consider the limited public use of Town-owned public open space, where appropriate, in a manner that considers mitigation of impacts on adjacent neighbors and natural resources and does not conflict with existing reversion restrictions or increase the risk of fire hazards.

**Goal OSC-3 Ensure the continued preservation, protection and restoration of the natural features and resources of the Town that are essential to maintaining the quality of life for residents and wildlife, including creek corridors, trees, slopes and woodlands, while minimizing potential conflicts, such as deer overpopulation.**

Policy OSC-3.1: Continue to encourage the preservation of drainage watercourses and riparian habitat in a natural state by not allowing the culverting of existing creeks and requiring appropriate set backs and buffers from creekbeds.

Policy OSC-3.2: Preserve and enhance valued riparian habitat and other important areas that provide important water quality benefits, such as watersheds.

Policy OSC-3.3: Continue to preserve and protect valuable native tree life, such as redwoods, oaks and bays, while recognizing the need to allow for the gradual replacement of trees to provide for on-going natural renewal.

- Policy OSC-3.4: Enforce the Tree Removal Ordinance and require development proposals to provide adequate information to all Town staff to assess the project's impact on tree removal.
- Policy OSC-3.5: Require property owners to replace removed native trees in a manner that maintains the visual character of the property and takes neighboring properties into consideration. The replacement trees may be located on other parts of the lot, as approved by the Town.
- Policy OSC-3.6: Continue to encourage property owners to find amicable solutions that address the need to balance the preservation of trees and private views.
- Policy OSC-3.7: Encourage the removal of non-native tree species, such as eucalyptus and acacia trees, that increase hazards for the community. Removed non-native trees should be replaced with native trees.
- Policy OSC-3.8: Continue to preserve the quality of trees in open space areas and in public landscaped areas.
- Policy OSC-3.9: Preserve dedicated open space areas and evaluate recreational potential of open space.
- Policy OSC-3.10: Continue to maintain fire trails in open space areas for public safety.
- Policy OSC-3.11: Preserve and protect rare and endangered species, and their habitats.
- Policy OSC-3.12: When appropriate, require proponents of projects to complete biological surveys necessary to ensure compliance

with all local, regional, State and federal regulations in regards to biological resources. When negative impacts to biological resources are unavoidable, mitigation measures, such as conservation easements, will be required to reduce them.

Policy OSC-3.13: Provide information to citizens about the management of deer populations within the Town of Hillsborough. The Town will encourage citizens not to feed deer and thereby alter the natural carrying capacity of the land for deer.

Action OSC-3.1: The Town will update the Tree Removal Ordinance to recognize the need to allow for a system of gradual replacement of important trees as they age to ensure that there is a mixture of healthy trees in the community and that there is not a period during which all of the trees die of old age at the same time. The Ordinance will also be updated to ensure that replacement of trees permitted for removal occurs in a manner that maintains the existing character, such as requiring either large-sized replacement trees or a greater number of smaller-sized trees. The location of replacement trees will also be considered as part of the Ordinance update to ensure that as the trees grow, their impact on existing private views is minimized. The Ordinance update will include language that addresses potential damage associated with changes in drainage patterns or impacts on root system of existing trees to remain on site resulting from new development. Finally, consideration to the need to balance the protection of trees with the need to manage vegetated areas in a manner that reduces the risk of fire to structures will be given during the Ordinance update.

Action OSC-3.2: The Public Works Department will be responsible for maintaining the health of trees on public property as necessary. When necessary, the Department will employ the services of a registered forester or arborist. Trees on private properties should be maintained by property owners so that the long-term health and welfare of all the trees in the Town can be assured.

Action OSC-3.3: The Town will continue to direct residents to the procedures in the Voluntary Resolution of Disputes Regarding Trees and Views Ordinance to allow neighbors to come to agreement on a balance between the desire for larger trees and preservation of views. Where people are unable to communicate with their neighbors, the Ordinance recommends voluntary mediation and arbitration.

Action OSC-3.4: The Town will provide information to residents on how to reduce the impact of deer on private property, such as planting vegetation that deer generally dislike and fencing vegetation that they will eat. Residents will also be reminded that it is illegal to feed deer and that it poses a risk to both humans and deer.

<p><b>Goal OSC-4 Minimize the impact of urban development on creeks and maintain a high level of water quality.</b></p>
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Policy OSC-4.1: Control and monitor development and activities along the creeks to avoid negative impacts from urban uses on water quality and habitat preservation and enhancement, as well as to protect the public health and safety of public and private property.

- Policy OSC-4.2: Encourage development to follow watershed-based planning and zoning by examining proposed development in the context of the entire watershed and subwatershed.
- Policy OSC-4.3: Protect drainage facilities, including ensuring creekbank stability, to avoid negative impacts to downstream hydrology.
- Policy OSC-4.4: Require projects to reduce, to the extent feasible, potential sediment discharge, erosion, run-off flow and volume, and stormwater pollution, both during construction, as well as post-construction. Require projects to incorporate mitigation measures, such as Best Management Practices (BMPs), to address these water quality impacts, especially if proposing construction during the wet season.
- Policy OSC-4.5: Reduce the amount of hazardous wastes entering into the local and regional waterways by:
- ◆ Prohibiting the illicit dumping of wastes into storm drains, creeks and other waterways.
  - ◆ Prohibiting the discharge of pollutants to the maximum extent practicable.
  - ◆ Encouraging the use of naturally pest-resistant landscaping and design features that reduce the need for chemical treatments, and incorporate stormwater detention and retention into their design, when appropriate.
- Policy OSC-4.6: Reduce surface run-off by minimizing impervious surfaces associated with motorized vehicles, as well as requiring projects to include site designs that minimize impervious surfaces and maximize on-site filtration.
- Policy OSC-4.7: Require property owners to work with the natural topography and drainages to the extent feasible when designing development projects to reduce the amount of grading nec-

essary and limit the disturbances to natural water bodies and drainage systems.

Action OSC-4.1: The Town will adopt and implement a Creek Protection Ordinance to ensure that new development does not have a negative impact upon the hydrology and riparian habitat of existing creeks and streams as well as to protect the health of the watersheds, consistent with the goals and policies contained in this Element.

Action OSC-4.2: As co-permittee, the Town will continue to participate in the San Mateo Stormwater Pollution Prevention Program (STOPPP) or equal program. New development and Town activities will be reviewed for compliance with STOPPP as part of project approval. The Town will also monitor construction to ensure compliance with any required mitigation.

Action OSC-4.3: The Town will encourage property owners to incorporate water conservation techniques into their landscaping to reduce water usage.

<b>Goal OSC-5 Support the preservation of important cultural resources found within the community.</b>
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Policy OSC-5.1: Preserve Town-owned historical resources when practical and involve the public in the determination of which resources should be preserved.

Policy OSC-5.2: Support property owners in their efforts to preserve important private historic structures and apply the Town's adopted Residential Design Guidelines when reviewing development proposals for historic personal residences.

Action OSC-5.1: The Town will continue to enforce the Historic Preservation Ordinance.

Action OSC-5.2: The Town will require projects subject to the California Environmental Quality Act to analyze impacts to cultural resources per State law. When necessary, the Town will require the projects to incorporate mitigation measures to reduce adverse impacts to identified cultural resources.

Action OSC-5.3: The Town will require construction projects to stop if archaeological or paleontological resources are uncovered during grading or other on-site excavation activities. Once the resources are assessed for importance, appropriate mitigation compliant with State law will be determined.

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