

MINUTE ITEM

16. PROPOSED ANNEXATION OF TIDE AND SUBMERGED LANDS IN THE PACIFIC OCEAN BY THE CITY OF HALF MOON BAY, SAN MATEO COUNTY - W.O. 2400.31, GEO.-SAN MATEO CO.

In presenting Calendar Item 6 attached, the Executive Officer reported that the protest included in the staff recommendation had been made on behalf of the San Mateo County Harbor District, a political subdivision of the State, to afford that District an opportunity to present to the Commission information on problems which it claimed it would have if the annexation were completed. However, no one was present from the District, although it had been notified in advance of the meeting. Also, a Mr. Whiting had called the Los Angeles Office of the Commission on April 11 and indicated that he might appear, but was not present. Therefore, the Executive Officer asked that the staff recommendation be modified to eliminate the protest.

UPON MOTION DULY MADE, SECONDED, AND CARRIED UNANIMOUSLY, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO NOTIFY THE CITY COUNCIL OF THE CITY OF HALF MOON BAY THAT, PURSUANT TO THE PROVISIONS OF SECTION 35313.1 OF THE GOVERNMENT CODE, THE STATE LANDS COMMISSION HAS DETERMINED THE PRESENT VALUE OF THE STATE-OWNED TIDE AND SUBMERGED LANDS PROPOSED TO BE ANNEXED UNDER RESOLUTION NO. 4-61 TO BE \$3,321,000. THE STAFF IS TO NOTIFY THE CITY COUNCIL OF THE CITY OF HALF MOON BAY THAT THE STATE LANDS COMMISSION DID NOT AUTHORIZE THE STAFF TO REQUEST THE PROTEST TO THE ANNEXATION TO CONTINUE IN EFFECT.

Attachment  
Calendar Item 6 (2 pages)

CALENDAR ITEM

6.

PROPOSED ANNEXATION OF TIDE AND SUBMERGED LANDS IN THE PACIFIC OCEAN BY THE CITY OF HALF MOON BAY, SAN MATEO COUNTY - W.O. 2400.31.

On February 23, 1961, the State Lands Division was informed that the City of Half Moon Bay proposes to extend its corporate limits by annexation of territory contiguous to the existing city limits. City Council Resolution No. 4-61, adopted on February 2, 1961, fixed March 15, 1961, as the date of the protest hearing on the proposed "Torres" annexation, and directed the City Clerk to request the State Lands Commission to fix the value of the State-owned tide and submerged lands.

The City of Half Moon Bay has an estimated 3,000 to 4,000 population, residing in an area of about 4.5 square miles within the present city limits; the city is located on the shore of the Pacific Ocean, in San Mateo County, 15 miles west of Redwood City and 30 miles south of San Francisco.

Under the proposed "Torres" annexation, the dry-land area of the city would be nearly doubled, and the city limits would be extended into the ocean three miles. 16,605 acres of State-owned tide and submerged lands would be included. The shore, for the most part, is lined with a narrow, sandy beach in front of unoccupied, undeveloped palisades, varying in height from 15 feet to 60 or 70 feet. Public access to the beaches is provided via a State beach and a County beach. The unprotected uplands suffer from erosion during severe storms.

In addition to the 16,605 acres of tide and submerged lands under the jurisdiction of the Commission, the "Torres" annexation would also include 1,235 acres of tide and submerged lands granted to the San Mateo County Harbor District by Chapter 68, Statutes of 1960. This grant was completed when the approved grant survey maps were recorded, as authorized by the Commission at its meeting on March 7, 1961.

On February 27, 1961, the San Mateo County Harbor District Board of Commissioners requested the State Lands Commission to protest the "Torres" annexation. The grounds for the District protest are as follows:

1. Section 6075 of the Harbors and Navigation Code provides that facilities of a district may not be operated or controlled within the limits of an incorporated area without the consent of the city in which the facilities are located. The present City Council may grant consent, but in the absence of a franchise this is not binding on future councils.
2. The District has made commitments to the U. S. Government and various federal agencies. There are questions as to the effect of annexation on these commitments. (The U. S. Government is in process of completing a \$5,000,000 breakwater)
3. Tax funds have been received from the County for construction of a county harbor facility. There might be a cessation of county tax funds should the facility become a part of the City of Half Moon Bay.

CALENDAR ITEM 6. (CONTD.)

4. Inclusion of the Harbor District Grant area would automatically subject the pending privately financed improvements and moored boats to city taxes, in addition to the present county taxes. It is believed that the additional tax burden would have an adverse effect upon the development and utilization of the harbor facility.

An additional request that the Commission protest the annexation was received from an attorney representing some of the upland property owners who feel that the city should not be expanded.

On March 2, 1961, the City Council of Half Moon Bay was requested to continue its March 15th hearing until after April 12 to provide time for the Commission to meet and to fix the value of the State lands, as well as to consider any base for a protest. The City's reply of March 9 was that the March 15 hearing would be continued as requested, with respect to the value determination, but that no protest to the annexation would be accepted after March 15, as it was felt that a continuance for receiving protests would invalidate the annexation proceedings. On March 14, a protest was interposed on behalf of the Commission, conditioned upon the right of the Commission to confirm whether or not to protest the annexation.

Staff appraisal of the 16,605 acres of State-owned tide and submerged lands in the "Torres" annexation has established an average value of \$200 per acre, for a total value of only \$3,321,000, due to the exposed and undeveloped location.

It appears that the inclusion of the offshore State lands in the limits of the City of Half Moon Bay would contribute little, if any, to the orderly growth and development of the city and to the offshore lands proposed to be annexed. It is possible that, unless the Commission allows the existing conditional protest to remain in effect, the protest by the San Mateo County Harbor District could be overcome, and control and administration of the lands granted to the District by the Legislature could be seriously jeopardized.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO NOTIFY THE CITY COUNCIL OF THE CITY OF HALF MOON BAY THAT:

1. PURSUANT TO THE PROVISIONS OF SECTION 35313.1 OF THE GOVERNMENT CODE, THE STATE LANDS COMMISSION HAS DETERMINED THE PRESENT VALUE OF THE STATE-OWNED TIDE AND SUBMERGED LANDS PROPOSED TO BE ANNEXED UNDER RESOLUTION NO. 4-61 TO BE \$3,321,000.
2. THE COMMISSION HAS FOUND THAT THE PROPOSED ANNEXATION OF THE STATE LANDS MAY NOT BE IN THE BEST INTEREST OF THE STATE AND THE PREVIOUSLY INTERPOSED PROTEST TO ANNEXATION IS TO REMAIN IN FULL FORCE AND EFFECT.