



Midpeninsula Regional  
Open Space District

## LEGISLATIVE, FUNDING, AND PUBLIC AFFAIRS COMMITTEE

R-23-97  
August 29, 2023

### AGENDA ITEM 2

#### AGENDA ITEM

Draft Updates to Board Policy 5.02 – Good Neighbor Policy

#### GENERAL MANAGER'S RECOMMENDATION

Review and provide input on the proposed updates to Board Policy 5.02 – Good Neighbor Policy, which would then be presented to neighbors and stakeholders for their feedback prior to forwarding the feedback and any resulting final refined language to the full Board of Directors for their consideration.

#### SUMMARY

The Midpeninsula Regional Open Space District (District) is committed to building and maintaining good relationships with all of its neighbors. The Board of Directors' Policy 5.02 – Good Neighbor Policy – was first established in 1988 to provide guidelines and principles for ensuring good relationships between the District and its neighbors. For the purposes of this policy, neighbors are defined residents and property owners located adjacent or close to a District preserve who may be affected by maintenance or visitor activities on the preserves. The Good Neighbor Policy was last revised in 2013. After experiencing pandemic disruptions and addressing other communications priorities, the District is now working on a new update to the Good Neighbor Policy, which began in March 2023 with an initial review of the policy update implementation plan by the Legislative, Funding and Public Affairs Committee (LFPAC). Since April 2023, staff has been compiling internal feedback on the existing Good Neighbor Policy and has drafted proposed updates for LFPAC review. Upon approval of the draft policy language, staff will begin the public outreach process for neighbor and stakeholder input. This input will guide any final revisions, both of which would then be forwarded to the full Board for their consideration.

#### DISCUSSION

Originally enacted in 1988, the Good Neighbor Policy demonstrates the District's commitment to building and maintaining good relationships with all of its neighbors. The policy defines neighbors as residents and property owners located adjacent or close to a District preserve who may be affected by maintenance or visitor activities on the preserves. With Local Agency Formation Commission (LAFCo) approval of the District's Coastside Protection Program in 2004, the District's boundary expanded to include coastal San Mateo County from the southern boundary of the city of Pacifica to the Santa Cruz County line. A specific condition of the LAFCo-approved Service Plan required the District to amend its Good Neighbor Policy to include the key Service Plan policies, guidelines and implementation actions that relate to the

protection of privacy on adjoining private lands and public involvement in policy development and the use and management decision-making process. The 2013 version of the Good Neighbor policy consists of 13 policy provisions that meet these requirements, thus satisfying the LAFCo condition.

The District is now proceeding with a new review and update of the Good Neighbor Policy. This process began in March 2023 with a Legislative, Funding and Public Affairs Committee (LFPAC) review and concurrence of the proposed implementation plan. Subsequent to LFPAC's review, the policy was sent to 26 staff members from Planning, Natural Resources, Visitors Services, Land and Facilities, Real Property, Public Affairs and Administrative Services departments to review the policy language for gaps and inconsistencies with current practice, as well as emerging issues, including:

- Diversity/Equity/Inclusion goals
- Public outreach gaps
- Post-COVID adjustments, such as hybrid and remote meetings
- Legal considerations
- Integration with other District policies

The draft policy language presented as part of this report represents a modest update versus a complete reinvention of the existing Good Neighbor Policy, focusing on District commitments to building and supporting good relationships with its neighbors while balancing its objectives and following other relevant policy guidelines, including the Basic Policy.

### **Proposed Policy Updates**

The proposed policy updates (Attachment 1) include the following:

- Removal of Policy Provision 9
  - Policy Provision 9 addresses public involvement in the development of a District Basic Policy for the Coastside, which is currently being conducted by the General Manager's Office in a separate review process. As this provision is already being carried out, it is no longer necessary to identify it as an action item in the Good Neighbor Policy.
- New District staff liaison under Policy Provision 10
- Updates to public meeting and outreach methods under Policy Provisions 4, 5, 6, 11, 12, 13 and Section 3
- Adjustment to the frequency in reviewing/updating the Good Neighbor Policy from annually to at least once every two years under Policy Provision 12
- Minor edits to wording, including integration of more inclusive and expansive language
- Text formatting are also included in this update.

Text boxes have been added to Attachment 1 to explain the proposed substantive changes to the policy language. These text boxes are meant to be temporary and would be removed in the final Board-adopted copy.

### **Public Outreach Phase**

Upon review and feedback of the proposed policy updates by LFPAC, staff would begin outreach efforts to solicit feedback from the public, neighbors and other key stakeholders. Outreach is expected to last through fall 2023 and will be comprised of multiple public input opportunities, including:

- Project website with draft policy and public comment form

- One virtual community meeting
- Available hard copies and public comments cards at the Administrative Office front desk and Field Office front desks
- Postcard mailing to District preserve neighbors
- Outreach to District tenants via email and phone contacts
- Presentations to interested local homeowner associations (South Skyline Association, King's Mountain Association, Cuesta-La Honda Guild, The Sequoias retirement community and others)

## **FISCAL IMPACT**

None

## **PRIOR BOARD AND COMMITTEE REVIEW**

- March 28, 2023: LFPAC reviewed and expressed concurrence on the implementation plan to update the Good Neighbor Policy, which includes considerations for internal and external stakeholder review and public input.
  - [LFPAC report](#)
  - [Meeting minutes](#)

## **PUBLIC NOTICE**

Public notice was provided as required by the Brown Act. Broader and deeper outreach will be conducted once the draft language is reviewed by LFPAC and staff begin to conduct the public outreach phase described at the bottom of page 2.

## **CEQA COMPLIANCE**

No compliance is required as this action is not a project under the California Environmental Quality Act (CEQA).

## **NEXT STEPS**

Pending LFPAC review and feedback of the draft policy language, the General Manager will direct staff to proceed with the public outreach phase of the update implementation plan to the Good Neighbor Policy.

Attachment(s)

1. Board Policy 5.02 - Good Neighbor Policy – Redline Draft
2. Board Policy 5.02 - Good Neighbor Policy – Clean Version Draft

Responsible Department Head:  
Korrine Skinner, Public Affairs

Prepared by:  
Natalie Jolly, Public Affairs Specialist II

Contact person:  
Natalie Jolly, Public Affairs Specialist II

Midpeninsula Regional Open Space District

Board Policy Manual

<b>Good Neighbor Policy</b>	<b>Policy 5.02 Chapter 5 – Historical/Cultural</b>
Effective Date: 10/26/88	Revised Date:
Prior Versions: 10/26/88, 8/14/96, 9/26/07, 11/13/13	

**Introduction**

The Midpeninsula Regional Open Space District (District) is committed to building and maintaining good relationships with all its *neighbors*<sup>1</sup>. To demonstrate this commitment, the District’s Board of Directors adopted a Good Neighbor Policy in 1988.

~~Since the last revision to the District’s Good Neighbor Policy in 1996, the Local Agency Formation Commission (LAFCo) approved the District’s Coastside Protection Program, in 2004, and expanded~~ In 2004, the Local Agency Formation Commission (LAFCo) approved the District’s Coastside Protection Program, expanding the District’s boundary to include coastal San Mateo County from the southern boundary of the city of Pacifica to the Santa Cruz County line. This geographic area is called the *Coastside Protection Area*<sup>2</sup>. In conjunction with LAFCo’s approval, the Board of Directors adopted a *Service Plan*<sup>3</sup> for the Coastside Protection Program, which outlines the preservation and management services that will be provided by the District in the Coastside Protection Area. A specific condition of the LAFCo-approved Service Plan required the District to amend its Good Neighbor Policy to include the key Service Plan policies, guidelines and implementation actions which relate to the enjoyment of privacy on adjoining private lands and public involvement in policy development, as well as in the use and management decision-making process. This policy consists of ~~13~~ 12 policy provisions, which also meet the requirements of the Service Plan for the Coastside Protection Program and implement the specific LAFCo condition which the District’s Board adopted by Resolution No. 04-12 on May 26, 2004.

Minor edits to wording for accuracy, since the most recent revision to the policy (these latest revisions) no longer coincides with LAFCO approval of the Coastside Protection Program.

One provision has been removed since it no longer applies.

In Section 1 on the following pages ~~each of the 13 Service Plan and LAFCo provisions,~~

<sup>1</sup> Neighbor – Residents and property owners located adjacent or close to a District preserve who may be affected by maintenance or visitor activities on the preserves.

<sup>2</sup> Coastside Protection Area – Please see a map on the last page. The area extends from the southern border of the City of Pacifica southerly to the San Mateo/Santa Cruz County line and westerly from the existing District preserves along Hwy 35 (Skyline Blvd.).

<sup>3</sup> Service Plan – The District’s plan for the Coastside Protection Program on the San Mateo County coast, which outlines preservation and management services that will be provided by the District.

each of the 12 policy provisions (shown in *italics*) includes an implementation guideline (shown in **bold**), which describes how the District will carry out each provision. ~~and which in some cases supplements the provision. (While the Good Neighbor Policy provisions apply District wide, some provisions were designated by LAFCo to apply to the coastside only. Where this is the case, the term “Coastside Protection Area only” has been added to the relevant implementation guide).~~ Unless specified otherwise, each Good Neighbor Policy provision applies Districtwide; only those that apply to the Coastside Protection Area are noted using the term “Coastside Protection Area only.” ~~In addition,~~ Sections 2 and 3 of this policy ~~have a number of provisions~~ include additional provisions specific to (1) Land Purchase, Planning and Management and (2) Public Information, Education, and Outreach that are based on input given to the District by neighbors during a series of public meetings throughout the District.

Minor edits to wording, including integration of more inclusive and expansive language.

**Purpose**

The purpose of the Good Neighbor Policy is to establish guidelines and principles for ensuring good relationships between the District and its neighbors. In both the day-to-day conduct and in the long-range planning for public open space preserves, the District will make every effort to cooperate with neighbors, to take into account their perspectives, address their concerns, and engage and involve them in the process of making decisions regarding the public preserves.

~~**GOOD NEIGHBOR POLICY**~~

**Section 1: Public Participation and Privacy**

Many of the provisions in this section discuss public participation and notification and explain how the District will provide opportunities for neighbors to participate in decisions which may affect neighboring private lands and how the District will seek to notify them of these opportunities. To the District, being a good neighbor is a public-private partnership.

**Policy Provision 1**

*The District shall institute appropriate forms of representation so that the District planning and decision-making **includes the input of all communities who share similar interests.** ~~R~~elating to the Coastside Protection Area, **this includes the input of Coastside residents.***

Minor edits to wording, including integration of more inclusive and expansive language.

~~**Implementation Guidelines 1**~~

**The District’s Board of Directors voted on November 9, 2004 to approve a final redistricting plan and expand District Wards 6 and 7 to represent about 30,000 constituents in the Coastside Protection Area. In addition, the Board will**

publicly review District Ward boundaries after each official United States census and redistrict as necessary.

**Policy Provision 2**

*The District shall establish advisory committees, task forces or work groups as needed to develop or review specific policies or plans.*

**Implementation Guidelines 2**

When planning for large-scale or complex projects, public input is particularly valuable. Advisory committees, task forces or work groups can help assist the District in developing specific policies or plans. The Board will take the lead in creating these groups and welcomes suggestions by the community on when and how to best form them. Workshops with neighbors and the general public are a good way to discuss items of a controversial nature or significant changes in land-use or planning.

**Policy Provision 3**

(Coastside Protection Area only)

*To ensure that local viewpoints are considered in all significant District planning and decision-making relating to the Coastside Protection Area, the District shall consult with local elected officials, government agencies, and government-sponsored organizations within the Coastside Protection Area including, but not limited to the Midcoast Community Council, Pescadero Municipal Advisory Council, Half Moon Bay City Council and their elected bodies.*

**Implementation Guidelines 3**

The District will establish a database of elected officials, government agencies, and government-sponsored organizations it will consult with on all significant planning and decision-making. Such consultations may occur through **public notifications of meetings and workshops**, written questionnaires or requests for comments.

Minor edits to more fully reflect current practice.

**Policy Provision 4**

*To further ensure recommendations representing local involvement are considered in District planning and decision-making ~~relating to the Coastside Protection Area~~, the District shall directly notify community-interest groups, ~~nonprofit~~ land trusts, elected officials, and other interested organizations about District Board meetings or other public meetings that involve subjects ~~relating to the District's activities within the Coastside Protection Area~~ of interest. This includes notification to ~~Coastside interest groups relating to the District's activities within the Coastside Protection Area~~.*

Minor edits to wording, including integration of more inclusive and expansive language.

**Implementation Guidelines 4**

Participation by local citizens is of critical importance to the District. Therefore, the District will encourage citizen involvement by notifying neighboring property owners, neighborhood organizations and interested individuals of upcoming Board meetings, special meetings, or workshops as established in the District’s Public Notification Policy. The District ~~shall~~ **will** also use other methods of notification to provide opportunities for public input such as announcements required by law, press releases, the District’s **website**, e-mail, local newspapers, local bulletin boards, articles, print ads, **social media** and special mailings to interested individuals **or surrounding property owners/residents**. **Notifications are sent at a minimum 72 hours in advance of a meeting to each recipient**. Efforts will be made to notify the public a minimum of one week in advance of a public meeting **for agenda items of high public interest or that include action items of high significance to the community**. ~~For single subject meetings of the full Board of Directors, or for meetings of standing Board committees for which the agendas are set well in advance, notices will be sent out to the public at least two weeks before the meetings, if possible.~~

Edits to reflect current practice and/or requirements regarding public meeting notifications and outreach methods.

**Policy Provision 5**

*In addition to adopted and legally required noticing, the District shall notify owners of contiguous properties about public meetings where property acquisitions ~~in the Coastsides Protection Area~~ or any significant use or improvements proposed on District-owned lands ~~in the Coastsides Protection Area~~ are considered that may affect adjacent neighbors. This includes notification to neighbors within the Coastsides Protection Area.*

Minor edits to wording, including integration of more inclusive and expansive language.

~~**Implementation Guideline 5**~~

For meetings where land purchases or land management agreements are being considered, the District will notify owners of adjacent properties and other affected neighbors in the vicinity (e.g., within the watershed or road corridor) of a proposed purchase or agreement.

The District will also notify owners of adjacent properties and other affected neighbors in the vicinity (e.g., within the watershed or road corridor) of District preserves when significant changes in use or improvements – those that have a potentially major effect on the area – are proposed on District-owned lands.

**The District will send initial notifications via the U.S. Postal Service (USPS) using county-provided property ownership data. Initial notifications will request that interested recipients who would like to continue receiving future notifications of the same subject matter contact the District to be added to the interested parties list. Email addresses will be requested to expedite and simplify future notifications. However, notifications sent by USPS will be provided if specifically requested by a member of the public.**

Edits to reflect current practice regarding public meeting notifications and outreach methods.

**Policy Provision 6**

(Coastside Protection Area only)

*Because each land use management plan, policy update, acquisition project and significant capital improvement project is subject to full review by the District Board (Page 23 of Service Plan), meetings of the District Board and/or subcommittees on such matters concerning Coastside Protection Area territory shall be held in the Coastside Protection Area. **Holding at least one subcommittee and/or Board meeting in the Coastside Protection Area will satisfy this provision.***

Additional wording added for clarity.

**Implementation Guideline 6**

**The Board of Directors and/or Board committees will hold public meetings in the affected area of the District when they consider master plans and/or significant policies – which are those policies that could have a major or important effect on the area. In addition, most meetings held in the Board Chambers at the Administrative Office are held as hybrid meetings to allow virtual participation. For all meetings, the Board accepts written public comments from individuals, including those who are not able to attend the meeting.**

Edits to reflect current practice and/or policies regarding public meetings.

**Policy Provision 7**

*The District shall provide private property signs where appropriate and provide trail users information regarding private property boundaries and prohibit trespass to minimize public/private use conflicts and trespassing. The District shall clearly sign trails adjacent to active agriculture and provide trail users with information regarding property boundaries to minimize trespassing and conflicts with agricultural users.*

**Implementation Guideline 7**

**The District will install private property signs, where appropriate, and provide trail users with preserve maps and other information to help identify private property boundaries and help protect the privacy of District neighbors. To further inform trail users, where appropriate, the District will also post signs along trails adjacent to active agricultural land.**

**Policy Provision 8**

(Coastside Protection Area only)

*The following measures will be included in every future Use and Management Plan for parcels within the Coastside Protection Area:*

- a. *In areas where trail routes are immediately adjacent to private property, fencing shall be employed as necessary to deter users from leaving the trail. Specific fence, gate and crossing designs will be determined in consultation with adjacent affected property owner(s) at the Use and Management Plan stage.*



- b. All new trails/facilities ~~shall will~~ be sited away from the edges of new preserves to the greatest extent possible. All new trails/facilities will be designed to preserve existing vegetation within new preserves and at the property lines so that views of land uses in adjacent residential properties would be minimized.
- c. Trails shall be sited a minimum distance of 300 feet from occupied dwellings unless site-specific circumstances make this infeasible. Where a 300-foot setback is not feasible, trails shall be set back a minimum distance of 50 feet. Potential noise and privacy impacts must be evaluated for any subsequent District action and shall be reduced by berms, fencing, landscaping, and other feasible and compatible means, if necessary.

### **Implementation Guideline 8**

The District will consider neighbors' concerns including the desire for privacy on properties that adjoin District lands, and assist with the prevention of unintentional trespass by preserve visitors through the following:

- i. Evaluating potential noise and privacy impacts when planning trails and facilities adjacent to private property. Reducing potential noise or privacy impacts with berms, fencing, landscaping, and other feasible and compatible means, if possible.
- ii. Carefully conducting District business (such as performing maintenance or installing fencing) to avoid encroachment on adjacent private property. If a neighbor believes that the District is encroaching on adjacent private property, ~~he or she~~ they should notify the District as soon as possible.
- iii. Site new trails and facilities away from private property boundaries, to the extent possible, and design trails to preserve existing vegetation and to minimize views of adjacent residential properties' land uses. An effort will be made to site new trails 300 feet from occupied dwellings on neighboring properties, to the extent feasible. If infeasible, the District will seek to maintain a minimum setback of 50 feet. Fencing or visual screens may be used by the District to prevent trespassing in rare cases when trails are located directly adjacent to private property.

### **Policy Provision 9**

~~(Coastside Protection Area only)~~

~~Upon completion of the annexation process and with public involvement through local groups, the District shall conduct public hearings to develop its Basic Policies for the Coastside Protection Area. These hearings shall address, at a minimum, the following topics: public participation; resource management; public access; recreational use; public safety; cultural resources; agricultural and timber production; interagency~~

Policy Provision 9 addresses public involvement in the development of a District Basic Policy for the Coastside, which is currently being conducted by the General Manager's Office in a separate review process. (Continued next page.)

~~relationships; and public information.~~

**Implementation Guideline 9**

~~Individuals, local groups and organizations will be consulted through a process that will involve public meetings and offer ample other opportunities, such as e-mail, to provide input concerning the development of Basic Policies specific to the Coastside Protection Area.~~

As this provision is already being carried out, it is not longer necessary to identify it as an action item in the Good Neighbor Policy.

**Policy Provision 10 9**

(Coastside Protection Area only)

~~As noted in 6 above, the Board of Directors will hold public meetings in the Coastside Protection Area, as necessary, when policy changes specifically affect the coast all proposed Coastside Protection Area policies shall be considered by the full Board of Directors at public meetings held in the Coastside Protection Area.~~

Consolidation of repetitive language into the policy provision.

**Implementation Guideline 10**

~~The Board of Directors will hold public meetings in the Coastside Protection Area, as necessary, when policy changes specifically affect the coast.~~

**Policy Provision 101**

(Coastside Protection Area only)

*A District staff liaison will be assigned to the Coastside Protection Area to work with local residents, property owners, government, and interest groups in developing recommendations to the District Board of Directors.*

**Implementation Guideline 11**

~~The District's Planning Manager is the primary staff liaison to work with local residents, property owners, local elected officials, government agencies, and neighborhood and other interest groups in developing recommendations for the District's Board of Directors.~~ When the Coastside Protection Area was first integrated into the District, the Real Property Manager served as the primary liaison between local residents and the Board. Today, for agricultural topics, including leases and tenant communications, the Conservation Grazing Program Manager is the District's liaison and point of contact. For other topics (public access projects, habitat restoration projects, grant opportunities, etc.), several senior staff members act as liaisons, working with local residents, property owners, local elected officials, government agencies, and neighborhood and other interest groups in developing recommendations for the Board. In addition, the District has multiple means for residents to convey their concerns to the District and the Board: via phone, e-mail, public meeting comments or comments directly to their

Updated language regarding new District liaisons for specific topics.

Language added to clarify the different modes of public communication.

**elected Board representative.**

**Policy Provision 112**

The Legislative, ~~Finance~~Funding, and Public Affairs Committee, a Standing Committee of the Board, shall ~~at an annual public meeting~~ review the Good Neighbor Policy and its implementation and effectiveness **at least once every two years**. The Good Neighbor Policy shall be amended as necessary to ensure the best possible relationship between the District and its neighbors.

Adjustment to the frequency in reviewing/updating the Good Neighbor Policy from annually to at least once every two years.

**Implementation Guideline 12**

The District will review the Good Neighbor Policy **annually at least once every two years** at a public meeting of the District's Legislative, Funding and Public Affairs Committee, the location of which will be rotated among different sites in the District, to ensure its continued effectiveness and implementation. Based on input from the public, the Board will amend the Policy, as necessary, to ensure the best possible relationship between the District and its neighbors. Throughout the year, the District will also gather information and suggestions that neighbors provide to staff in person or send in via the **website**, e-mail or regular mail.

**Policy Provision 123**

The District shall maintain a Good Neighbor Brochure and shall update it regularly and distribute it to property owners with land adjoining **newly formed** District Preserves (**new neighbors**) and otherwise make it available to other existing **neighbors**. The Brochure shall contain the following information:

- Emergency contact information for District and other agencies by nature of emergency (fire, flooding, medical, illegal activity, abandoned vehicles, etc.)
- District contact for resource management (weed abatement, feral animal control, restoration and re-vegetation, etc.)
- District contact for fire and hazard prevention (fuel management, information regarding fire-safe practices, **defensible space**, fallen or hazardous trees, etc.)
- District contact for conflicts between neighbors and **pP**reserve visitors (trespass, parking, noise, etc.)
- District contact for general questions regarding use and management of **pP**preserves
- How to make a suggestion or file a complaint regarding use and management of District **pP**preserves or the District's operation in general (phone, write, e-mail, in person)
  - Contact information for Ombudsperson
  - Management and Board of Directors contact information
  - Website **and email mailbox**
  - Office hours and location

Minor updates to reflect new current practice and new topics of interest.

- Board meeting dates and times
- Copy of the Good Neighbor Policies

### **Implementation Guideline 13**

The District will **maintain develop** and periodically update a Board-approved Good Neighbor Brochure, which will include all the items listed under Policy Provision **123** above, among others. At the **scheduled annual** public meeting to review the Good Neighbor policy, input on the brochure will also be solicited and the Board will be fully informed of constituents' recommendations. The Brochure will be made available to neighbors.

## **Section 2: Land Purchase, Planning and Management**

The District will encourage neighbors to provide input in the following ways:

1. For potential new land purchases or land transfers and management agreements, the District will notify adjoining property owners of Board and Board Committee meetings where issues such as access to the new property and changes to existing land uses will be discussed. For significant or **Coastside Protection Area coastside** purchases, the Real Property Committee will conduct public on-site meetings, which may occur on weekends.
2. The District will evaluate access to newly acquired land by neighbors on a case-by-case basis to ensure public safety and determine whether access is compatible with District ordinances and low-impact recreation. To the extent feasible **and in accordance with District policies**, the District will consider continuing access through a permit system managed by the District.
3. In managing District preserves, to the extent possible, the District will **follow Board-adopted Resource Management Policies, which include but are not limited to:**
  - a. Control **nonnative** vegetation and **wildlife animals** and initiate cooperative efforts with neighbors to control non-natives **vegetation and wildlife** on lands adjacent to District preserves **using integrated pest management (IPM) as outlined in the District's IPM Program.**
  - b. Minimize the impact on native plants **and animals** when removing invasives **by following the best management practices as outlined by the District's IPM Program.**
  - c. Consider neighbors' desire to preserve the natural landscape viewshed.
  - d. Cooperate with local and state fire officials on emergency response and fire prevention.
  - ~~e. Implement its resource management policies.~~

Minor edits to better capture District policy areas of interest.

### **Section 3: Public Information, Education and Outreach**

District staff will provide information to educate neighbors about the District, its mission, events and activities. Interaction with neighbors through outreach is one way to provide services to them. The following provisions will guide the District's public education and outreach to neighbors:

1. Following close of escrow of land purchased, the District will acquaint new neighbors with policies and ordinances by providing each adjacent property owner with a letter of introduction, ~~and a copy~~ of the District's ~~Basic Policies~~ and ~~Good Neighbor Policy brochures and District~~ ordinances.
2. Generally represent the District in the community by attending local community meetings and contacting neighbors on relevant issues, as appropriate.
3. Provide information through a variety of means, such as the District's ~~website~~ ~~Web site~~, social media, e-mail, ~~quarterly~~ newsletters, and signboards, among others. ~~Encourage neighbors to opt-in to receive specific interested party notifications.~~
4. Make reasonable efforts to address and resolve situations that may arise between neighbors and the District. The District may also respond to specific neighborhood concerns by holding office and/or site meetings, as needed.
5. The Board has appointed an ~~O~~mbudsperson(s) to assist the public with their interactions with the District and ~~when staff has been unable to successfully address constituent concerns to~~ facilitate the resolution of conflicts. The Ombudsperson works independently and objectively to assist in maintaining positive relations with District residents and neighbors. Contact information for the ombudsperson is listed in the Good Neighbor brochure ~~and on the District website.~~

Updates to public meeting and outreach methods.

### **Other Relevant District Policies**

Below is a list of specific policies approved by the Board of Directors that provide additional direction on many aspects of District business and complement the Good Neighbor Policy:

1. The existing Basic Policy provides public information about the mission, purpose, strategic direction, and major elements of the District's operations.
2. The Public Notification Policy ensures that reasonable and timely efforts are made to notify surrounding landowners and interested members of the public of District activities.

3. Land Acquisition Policies and Procedures offer information about land purchases. This also includes the restrictive policy under which the District may use eminent domain to purchase private land at fair market value. Eminent domain in the Coastside Protection area has been permanently removed as a District power by California state law under an agreement with the San Mateo County Farm Bureau.
4. Resource Management Policies establish techniques to restore the natural environment and define the practices to protect and manage resources including managing vegetation, encouraging native plants, controlling non-native plants and animals, agricultural practices, and use of fire as a land management tool.
5. Use and Management Planning Process is a public process to develop use and management policies for District lands to protect the natural environment and provide opportunities for ecologically sensitive public enjoyment and education.
- ~~6. The District is developing an Encroachment Policy. This policy will educate District neighbors and users of open space areas about activities that are not allowed on District land, or allowed only by permit. The policy's goal is to protect public lands from encroachment. Examples of encroachments are a fence or trail that has been placed on District lands without permission.~~
6. The policies for Road Maintenance Agreements describe the parameters under which the District will enter into road agreements, including cost-sharing and other arrangements.

Language is out of date.

~~In the near future the Midpeninsula Regional Open Space District will develop or amend a number of public policies and policy documents. For example, the District's Public Notification Policy and its Basic Policy will both be revised and a set of Basic Policies will be developed for the San Mateo County coastside.~~

Removing unnecessary temporal language. Also, the District is the process of updating the Basic Policy at this time.

**Legal Note**

The purpose of this Policy is to promote good relationships with the District's neighbors by providing guidance to the District and to the public on how to best build and maintain positive relationships. This Policy represents the District's commitment to the principles contained in it. Government agencies like the District are subject to many legal requirements in carrying out its mission. It's not the purpose of this Policy to adopt new legal requirements but rather to supplement what the law already requires with a set of additional standards to which the District is publicly committed. No action taken by the District will be invalid merely for a failure to comply with this Policy.

## Midpeninsula Regional Open Space District

### Board Policy Manual

<b>Good Neighbor Policy</b>	<b>Policy 5.02</b> <b>Chapter 5 – Historical/Cultural</b>
Effective Date: 10/26/88	Revised Date:
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### Introduction

The Midpeninsula Regional Open Space District (District) is committed to building and maintaining good relationships with all its *neighbors*<sup>1</sup>. To demonstrate this commitment, the District’s Board of Directors adopted a Good Neighbor Policy in 1988.

In 2004, the Local Agency Formation Commission (LAFCo) approved the District’s Coastside Protection Program, expanding the District’s boundary to include coastal San Mateo County from the southern boundary of the city of Pacifica to the Santa Cruz County line. This geographic area is called the *Coastside Protection Area*<sup>2</sup>. In conjunction with LAFCo’s approval, the Board of Directors adopted a *Service Plan*<sup>3</sup> for the Coastside Protection Program, which outlines the preservation and management services that will be provided by the District in the Coastside Protection Area. A specific condition of the LAFCo-approved Service Plan required the District to amend its Good Neighbor Policy to include the key Service Plan policies, guidelines and implementation actions which relate to the enjoyment of privacy on adjoining private lands and public involvement in policy development, as well as in the use and management decision-making process. This policy consists of 12 policy provisions, which also meet the requirements of the Service Plan for the Coastside Protection Program and implement the specific LAFCo condition which the District’s Board adopted by Resolution No. 04-12 on May 26, 2004.

In Section 1 on the following pages, each of the 12 policy provisions (shown in *italics*) includes an implementation guideline (shown in **bold**), which describes how the District will carry out each provision. Unless specified otherwise, each Good Neighbor Policy provision applies Districtwide; only those that apply to the Coastside Protection Area are noted using the term “Coastside Protection Area only.” Sections 2 and 3 of this policy include additional provisions specific to (1) Land Purchase, Planning and Management and (2) Public Information, Education, and Outreach that are based on input given to the District by neighbors during a series of public meetings

<sup>1</sup> *Neighbor* – Residents and property owners located adjacent or close to a District preserve who may be affected by maintenance or visitor activities on the preserves.

<sup>2</sup> *Coastside Protection Area* – Please see a map on the last page. The area extends from the southern border of the City of Pacifica southerly to the San Mateo/Santa Cruz County line and westerly from the existing District preserves along Hwy 35 (Skyline Blvd.).

<sup>3</sup> *Service Plan* – The District’s plan for the Coastside Protection Program on the San Mateo County coast, which outlines preservation and management services that will be provided by the District.

throughout the District.

**Purpose**

The purpose of the Good Neighbor Policy is to establish guidelines and principles for ensuring good relationships between the District and its neighbors. In both the day-to-day conduct and in the long-range planning for public open space preserves, the District will make every effort to cooperate with neighbors, to take into account their perspectives, address their concerns, and engage and involve them in the process of making decisions regarding the public preserves.

**Section 1: Public Participation and Privacy**

Many of the provisions in this section discuss public participation and notification and explain how the District will provide opportunities for neighbors to participate in decisions which may affect neighboring private lands and how the District will seek to notify them of these opportunities. To the District, being a good neighbor is a public-private partnership.

**Policy Provision 1**

*The District shall institute appropriate forms of representation so that the District planning and decision-making includes the input of all communities who share similar interests. Relating to the Coastside Protection Area, this includes the input of Coastside residents.*

**The District’s Board of Directors voted on November 9, 2004 to approve a final redistricting plan and expand District Wards 6 and 7 to represent about 30,000 constituents in the Coastside Protection Area. In addition, the Board will publicly review District Ward boundaries after each official United States census and redistrict as necessary.**

**Policy Provision 2**

*The District shall establish advisory committees, task forces or work groups as needed to develop or review specific policies or plans.*

**When planning for large-scale or complex projects, public input is particularly valuable. Advisory committees, task forces or work groups can help assist the District in developing specific policies or plans. The Board will take the lead in creating these groups and welcomes suggestions by the community on when and how to best form them. Workshops with neighbors and the general public are a good way to discuss items of a controversial nature or significant changes in land-use or planning.**



**Policy Provision 3**

(Coastside Protection Area only)

*To ensure that local viewpoints are considered in all significant District planning and decision-making relating to the Coastside Protection Area, the District shall consult with local elected officials, government agencies, and government-sponsored organizations within the Coastside Protection Area including, but not limited to the Midcoast Community Council, Pescadero Municipal Advisory Council, Half Moon Bay City Council and their elected bodies.*

**The District will establish a database of elected officials, government agencies, and government-sponsored organizations it will consult with on all significant planning and decision-making. Such consultations may occur through public notifications of meetings and workshops, written questionnaires or requests for comments.**

**Policy Provision 4**

*To further ensure recommendations representing local involvement are considered in District planning and decision-making, the District shall directly notify community-interest groups, nonprofit land trusts, elected officials, and other interested organizations about District Board meetings or other public meetings that involve subjects of interest. This includes notification to Coastside interest groups relating to the District's activities within the Coastside Protection Area.*

**Participation by local citizens is of critical importance to the District. Therefore, the District will encourage citizen involvement by notifying neighboring property owners, neighborhood organizations and interested individuals of upcoming Board meetings, special meetings, or workshops as established in the District's Public Notification Policy. The District will also use other methods of notification to provide opportunities for public input such as announcements required by law, press releases, the District's website, e-mail, local newspapers, local bulletin boards, articles, print ads, social media and special mailings to interested individuals or surrounding property owners/residents. Notifications are sent at a minimum 72 hours in advance of a meeting to each recipient. Efforts will be made to notify the public a minimum of one week in advance of a public meeting for agenda items of high public interest or that include action items of high significance to the community.**

**Policy Provision 5**

*In addition to adopted and legally required noticing, the District shall notify owners of contiguous properties about public meetings where property acquisitions ~~in the Coastside Protection Area~~ or any significant use or improvements proposed on District-owned lands ~~in the Coastside Protection Area~~ are considered that may affect adjacent neighbors. This includes notification to neighbors within the Coastside Protection Area.*

**For meetings where land purchases or land management agreements are being considered, the District will notify owners of adjacent properties and other affected neighbors in the vicinity (e.g., within the watershed or road corridor) of a proposed purchase or agreement.**

**The District will also notify owners of adjacent properties and other affected neighbors in the vicinity (e.g., within the watershed or road corridor) of District preserves when**

significant changes in use or improvements – those that have a potentially major effect on the area – are proposed on District-owned lands.

The District will send initial notifications via the U.S. Postal Service (USPS) using county-provided property ownership data. Initial notifications will request that interested recipients who would like to continue receiving future notifications of the same subject matter contact the District to be added to the interested parties list. Email addresses will be requested to expedite and simplify future notifications. However, notifications sent by USPS will be provided if specifically requested by a member of the public.

#### **Policy Provision 6**

(Coastside Protection Area only)

*Because each land use management plan, policy update, acquisition project and significant capital improvement project is subject to full review by the District Board (Page 23 of Service Plan), meetings of the District Board and/or subcommittees on such matters concerning Coastside Protection Area territory shall be held in the Coastside Protection Area. Holding at least one subcommittee and/or Board meeting in the Coastside Protection Area will satisfy this provision.*

**The Board of Directors and/or Board committees will hold public meetings in the affected area of the District when they consider master plans and/or significant policies – which are those policies that could have a major or important effect on the area. In addition, most meetings held in the Board Chambers at the Administrative Office are held as hybrid meetings to allow virtual participation. For all meetings, the Board accepts written public comments from individuals, including those who are not able to attend the meeting.**

#### **Policy Provision 7**

*The District shall provide private property signs where appropriate and provide trail users information regarding private property boundaries and prohibit trespass to minimize public/private use conflicts and trespassing. The District shall clearly sign trails adjacent to active agriculture and provide trail users with information regarding property boundaries to minimize trespassing and conflicts with agricultural users.*

**The District will install private property signs, where appropriate, and provide trail users with preserve maps and other information to help identify private property boundaries and help protect the privacy of District neighbors. To further inform trail users, where appropriate, the District will also post signs along trails adjacent to active agricultural land.**

#### **Policy Provision 8**

(Coastside Protection Area only)

*The following measures will be included in every future Use and Management Plan for parcels within the Coastside Protection Area:*

- a. In areas where trail routes are immediately adjacent to private property, fencing shall be*

*employed as necessary to deter users from leaving the trail. Specific fence, gate and crossing designs will be determined in consultation with adjacent affected property owner(s) at the Use and Management Plan stage.*

- b. All new trails/facilities will be sited away from the edges of new preserves to the greatest extent possible. All new trails/facilities will be designed to preserve existing vegetation within new preserves and at the property lines so that views of land uses in adjacent residential properties would be minimized.*
- c. Trails shall be sited a minimum distance of 300 feet from occupied dwellings unless site-specific circumstances make this infeasible. Where a 300-foot setback is not feasible, trails shall be set back a minimum distance of 50 feet. Potential noise and privacy impacts must be evaluated for any subsequent District action and shall be reduced by berms, fencing, landscaping, and other feasible and compatible means, if necessary.*

**The District will consider neighbors' concerns including the desire for privacy on properties that adjoin District lands, and assist with the prevention of unintentional trespass by preserve visitors through the following:**

- i. Evaluating potential noise and privacy impacts when planning trails and facilities adjacent to private property. Reducing potential noise or privacy impacts with berms, fencing, landscaping, and other feasible and compatible means, if possible.**
- ii. Carefully conducting District business (such as performing maintenance or installing fencing) to avoid encroachment on adjacent private property. If a neighbor believes that the District is encroaching on adjacent private property, they should notify the District as soon as possible.**
- iii. Site new trails and facilities away from private property boundaries, to the extent possible, and design trails to preserve existing vegetation and to minimize views of adjacent residential property land uses. An effort will be made to site new trails 300 feet from occupied dwellings on neighboring properties, to the extent feasible. If infeasible, the District will seek to maintain a minimum setback of 50 feet. Fencing or visual screens may be used by the District to prevent trespassing in rare cases when trails are located directly adjacent to private property.**

#### **Policy Provision 9**

(Coastside Protection Area only)

*As noted in 6 above, the Board of Directors will hold public meetings in the Coastside Protection Area, as necessary, when policy changes specifically affect the coast.*

#### **Policy Provision 10**

(Coastside Protection Area only)

*A District staff liaison will be assigned to the Coastside Protection Area to work with local residents, property owners, government, and interest groups in developing recommendations to the District*

*Board of Directors.*

**When the Coastside Protection Area was first integrated into the District, the Real Property Manager served as the primary liaison between local residents and the Board. Today, for agricultural topics, including leases and tenant communications, the Conservation Grazing Program Manager is the District's liaison and point of contact. For other topics (public access projects, habitat restoration projects, grant opportunities, etc.), several senior staff members act as liaisons, working with local residents, property owners, local elected officials, government agencies, and neighborhood and other interest groups in developing recommendations for the Board. In addition, the District has multiple means for residents to convey their concerns to the District and the Board: via phone, e-mail, public meeting comments or comments directly to their elected Board representative.**

### **Policy Provision 11**

*The Legislative, Funding, and Public Affairs Committee, a Standing Committee of the Board, shall review the Good Neighbor Policy and its implementation and effectiveness at least once every two years. The Good Neighbor Policy shall be amended as necessary to ensure the best possible relationship between the District and its neighbors.*

**The District will review the Good Neighbor Policy at least once every two years at a public meeting of the District's Legislative, Funding and Public Affairs Committee, the location of which will be rotated among different sites in the District, to ensure its continued effectiveness and implementation. Based on input from the public, the Board will amend the Policy, as necessary, to ensure the best possible relationship between the District and its neighbors. Throughout the year, the District will also gather information and suggestions that neighbors provide to staff in person or send in via the website, e-mail or regular mail.**

### **Policy Provision 12**

*The District shall maintain a Good Neighbor Brochure and shall update it regularly and distribute it to property owners with land adjoining newly formed District Preserves (new neighbors) and otherwise make it available to other existing neighbors. The Brochure shall contain the following information:*

- *Emergency contact information for District and other agencies by nature of emergency (fire, flooding, medical, illegal activity, abandoned vehicles, etc.)*
- *District contact for resource management (weed abatement, feral animal control, restoration and re-vegetation, etc.)*
- *District contact for fire and hazard prevention (fuel management, information regarding fire-safe practices, defensible space, fallen or hazardous trees, etc.)*
- *District contact for conflicts between neighbors and preserve visitors (trespass, parking, noise, etc.)*
- *District contact for general questions regarding use and management of preserves*
- *How to make a suggestion or file a complaint regarding use and management of District preserves or the District's operation in general (phone, write, e-mail, in person)*

- *Contact information for Ombudsperson*
- *Management and Board of Directors contact information*
- *Website and email*
- *Office hours and location*
- *Board meeting dates and times*
- *Copy of the Good Neighbor Policies*

**The District will maintain and periodically update a Board-approved Good Neighbor Brochure, which will include all the items listed under Policy Provision 12 above, among others. At the scheduled public meeting to review the Good Neighbor policy, input on the brochure will also be solicited and the Board will be fully informed of constituents' recommendations. The Brochure will be made available to neighbors.**

## **Section 2: Land Purchase, Planning and Management**

The District will encourage neighbors to provide input in the following ways:

1. For potential new land purchases or land transfers and management agreements, the District will notify adjoining property owners of Board and Board Committee meetings where issues such as access to the new property and changes to existing land uses will be discussed. For significant or Coastside Protection Area purchases, the Real Property Committee will conduct public on-site meetings, which may occur on weekends.
2. The District will evaluate access to newly acquired land by neighbors on a case-by-case basis to ensure public safety and determine whether access is compatible with District ordinances and low-impact recreation. To the extent feasible and in accordance with District policies, the District will consider continuing access through a permit system managed by the District.
3. In managing District preserves, to the extent possible, the District will follow Board-adopted Resource Management Policies, which include but are not limited to:
  - a. Control nonnative vegetation and wildlife and initiate cooperative efforts with neighbors to control non-natives vegetation and wildlife on lands adjacent to District preserves using integrated pest management (IPM) as outlined in the District's IPM Program.
  - b. Minimize the impact on native plants and animals when removing invasives by following the best management practices as outlined by the District's IPM Program.
  - c. Consider neighbors' desire to preserve the natural landscape viewshed.
  - d. Cooperate with local and state fire officials on emergency response and fire prevention.

## **Section 3: Public Information, Education and Outreach**

District staff will provide information to educate neighbors about the District, its mission, events and activities. Interaction with neighbors through outreach is one way to provide services to them. The following provisions will guide the District's public education and outreach to neighbors:

1. Following close of escrow of land purchased, the District will acquaint new neighbors with policies and ordinances by providing each adjacent property owner with a letter of introduction, copies of the District's Basic Policy and Good Neighbor Policy brochures and District ordinances.
2. Generally represent the District in the community by attending local community meetings and contacting neighbors on relevant issues, as appropriate.
3. Provide information through a variety of means, such as the District's website, social media, e-mail, newsletters, and signboards, among others. Encourage neighbors to opt-in to receive specific interested party notifications.
4. Make reasonable efforts to address and resolve situations that may arise between neighbors and the District. The District may also respond to specific neighborhood concerns by holding office and/or site meetings, as needed.
5. The Board has appointed an Ombudsperson(s) to assist the public with their interactions with the District and when staff has been unable to successfully address constituent concerns to facilitate the resolution of conflicts. The Ombudsperson works independently and objectively to assist in maintaining positive relations with District residents and neighbors. Contact information for the ombudsperson is listed in the Good Neighbor brochure and on the District website.

### **Other Relevant District Policies**

Below is a list of specific policies approved by the Board of Directors that provide additional direction on many aspects of District business and complement the Good Neighbor Policy:

1. The existing Basic Policy provides public information about the mission, purpose, strategic direction, and major elements of the District's operations.
2. The Public Notification Policy ensures that reasonable and timely efforts are made to notify surrounding landowners and interested members of the public of District activities.
3. Land Acquisition Policies and Procedures offer information about land purchases. This also includes the restrictive policy under which the District may use eminent domain to purchase private land at fair market value. Eminent domain in the Coastside Protection area has been permanently removed as a District power by California state law under an agreement with the San Mateo County Farm Bureau.
4. Resource Management Policies establish techniques to restore the natural environment and define the practices to protect and manage resources including managing vegetation, encouraging native plants, controlling non-native plants and animals, agricultural practices, and use of fire as a land management tool.
5. Use and Management Planning Process is a public process to develop use and management policies for District lands to protect the natural environment and provide opportunities for

ecologically sensitive public enjoyment and education.

6. The policies for Road Maintenance Agreements describe the parameters under which the District will enter into road agreements, including cost-sharing and other arrangements.

**Legal Note**

The purpose of this Policy is to promote good relationships with the District's neighbors by providing guidance to the District and to the public on how to best build and maintain positive relationships. This Policy represents the District's commitment to the principles contained in it. Government agencies like the District are subject to many legal requirements in carrying out its mission. It's not the purpose of this Policy to adopt new legal requirements but rather to supplement what the law already requires with a set of additional standards to which the District is publicly committed. No action taken by the District will be invalid merely for a failure to comply with this Policy.