



**County of San Mateo Planning & Building Department**  
**Agricultural Advisory Committee**

455 County Center, 2<sup>nd</sup> Floor  
Redwood City, California 94063  
650/363-4161  
Fax: 650/363-4849

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## MEETING PACKET

**Date:** Monday, June 12, 2017  
**Time:** 7:30 p.m.  
**Place:** Half Moon Bay Historic Train Depot  
110 Higgins Canyon Road, Half Moon Bay, California

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## AGENDA

1. Call to Order
2. Member Roll Call
3. Public Comments for Items Not on the Agenda
4. Consideration of a Coastal Development Permit and Planned Agricultural District Permit pursuant to Sections 6328.4 and 6355 of the San Mateo County Zoning Regulations respectively, to construct a split-rail fence along the northern boundary of the property adjacent to a public coastal access easement and two accessory structures for an agricultural operation to grow Monterey Cypress trees, and to install a water tank and power panel for a domestic water well on the subject property. The project is located on an undeveloped parcel in the unincorporated Pescadero area of San Mateo County. The project is appealable to the California Coastal Commission. County File Number: PLN2016-00106. Applicant: Kerry Burke; Owner PDG Inc.
5. Consideration of the Action Minutes for the April 10, 2017 regular meeting.
6. Community Development Director's Report
7. Presentation of Proclamations to Outgoing Agricultural Advisory Committee Members
8. Adjournment – Next meeting July 10, 2017

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Agricultural Advisory Committee meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting; or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact the County Representative at least five (5) working days before the meeting at (650) 363-1857, or by fax at (650) 363-4849, or e-mail [rbartoli@smcgov.org](mailto:rbartoli@smcgov.org). Notification in advance of the meeting will enable the Committee to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it.

## ROLL SHEET – June 12, 2017

### Agricultural Advisory Committee Attendance 2016-2017

	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<b>VOTING MEMBERS</b>													
Brenda Bonner Public Member		X			X	X	X	X	X	X	X		
BJ Burns Farmer, Vice Chair		X	X	X	X	X	X	X	X	X	X		
Robert Cevasco Farmer					X			X	X	X	X		
Louie Figone Farmer		X	X	X		X	X	X	X	X	X		
Marilyn Johnson Public Member		X	X	X	X	X		X	X	X	X		
John Vars ** Farmer									X				
Peter Marchi Farmer		X	X	X	X	X	X	X	X	X	X		
Doniga Markegard Farmer						X		X	X	X			
Robert Marsh Farmer, Chair		X	X	X	X	X	X	X	X	X	X		
Vacant* Conservationist		X					X	X					
Vacant Ag Business													
<b>STAFF</b>													
Natural Resource Conservation Staff													
San Mateo County Agricultural Commissioner				X	X	X		X	X	X	X		
Farm Bureau Executive Director			X	X	X	X	X	X	X	X	X		
San Mateo County Planning Staff		X	X	X	X	X	X	X	X	X	X		
UC Co-Op Extension Representative								X					

**X: Present**

**Blank Space: Absent or Excused**

**Grey Color: No Meeting**

**\* As of 2/1/17**

**\*\* As of 2/1/17**

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

**DATE:** June 12, 2017

**TO:** Agricultural Advisory Committee

**FROM:** Carmelisa Morales, Planning Staff, 650/363-1873

**SUBJECT:** Consideration of a Coastal Development Permit and Planned Agricultural District Permit pursuant to Sections 6328.4 and 6355 of the San Mateo County Zoning Regulations respectively, to construct a split-rail fence along the northern boundary of the property adjacent to a public coastal access easement and two (2) accessory structures for an agricultural operation to grow Monterey Cypress trees, and to install a water tank and power panel for a domestic water well on the subject property. The project is located on an undeveloped parcel in the unincorporated Pescadero area of San Mateo County. The project is appealable to the California Coastal Commission.

County File Number: PLN 2016-00106

**PROPOSAL**

The applicant proposes to construct a 4-foot tall split-rail wood fence, approximately 476 feet long, along the northern boundary of the subject property, two (2) accessory structures (72 sq. ft. and 120 sq. ft.) on the eastern side of the property for an agricultural operation to grow Monterey Cypress trees, and a water tank and power panel for a domestic water well on the parcel. The fence will be along Arnold Miller

Trail, an easement dedicated for public coastal access located on the adjacent property immediately north. Three (3) 12-inch by 18-inch “no trespass/stay on path” signs will be permanently attached to the proposed fence at the following locations: one sign 20 feet from the start of the fence at the northeast section of the property and two signs on each side of the lockable chain gate approximately 396 feet west from the start of the fence. The two sheds will be used to store tools and supplies for the agricultural operation which will involve incubating and propagating Monterey Cypress trees from seeds and seedlings. The objective of the agricultural operation is to successfully acclimate Monterey Cypress trees to coastal environmental conditions so that they may be transplanted to the Northern California coastal zone area. The proposed 2,500 to 4,000 gallon water tank will be located approximately 120 feet from the eastern boundary line of the property. The proposed power panel for the water well (certified for domestic use) will be attached to the existing well house located approximately 30 feet from the eastern boundary line. No vegetation removal or grading is proposed. The project is located within the Cabrillo Highway State Scenic Corridor.

Pursuant to Section 6328.4 of the County Zoning Regulations, a Coastal Development Permit is required for the construction of the fence and two accessory structures, and installation of the water tank and power panel for one of the domestic water wells on the parcel. A Planned Agricultural District (PAD) Permit is not required for the two accessory structures, water tank and power panel as they are considered non-residential development accessory to a proposed agricultural use. However, a PAD Permit is required for shoreline access trails. Since the proposed fence will be used to establish a physical boundary line between the subject parcel and Arnold Miller Trail, a shoreline access trail, a PAD Permit is required for the fence.

## **DECISION MAKER**

Planning Commission.

## **QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE**

1. Will the proposal, the construction of a split-rail fence and two accessory structures and an agricultural operation to grow Monterey Cypress trees, have any negative effect on surrounding agricultural uses? If so, can any conditions of approval be recommended to minimize any such impact?
2. What position do you recommend that the Planning Department staff take with respect to the application for this project?

## **BACKGROUND**

Report Prepared By: Carmelisa Morales, Project Planner, Telephone 650/363-1873

Owner: PDG, Inc.

Applicant: Kerry Burke

Location: Undeveloped Parcel, Pescadero

APN: 086-211-030

Parcel Size: 3.71 acres

Existing Zoning: PAD/CD (Planned Agricultural District/Coastal Development District)

General Plan Designation: Agriculture Rural

Williamson Act: Not Contracted.

Existing Land Use: Undeveloped

Water Supply: There are three wells on the subject parcel. Two of the wells are certified for domestic use. However, there is no residential use on the parcel at this time. A well easement agreement between the subject parcel and the adjacent parcel immediately north was recorded on September 19, 1998 for shared access and use of the well approximately 75 feet from the southeast corner of the subject parcel.

Sewage Disposal: None

Setting: The 3.71 acre parcel is located 0.55 miles south of the intersection of Bean Hollow Road and State Highway 1 (Cabrillo Highway) and 0.7 miles south of the entrance of Bean Hollow State Beach. The parcel is bounded by Cabrillo Highway to the east, the Pacific Ocean to the west, private property with an existing residence to the north, and a parcel designated as Open Space to the south. The parcel is on a broad-flat marine terrace with coastal bluffs along the western edge. A small beach is located at the northwesterly corner, and is accessible by a moderate slope. Arnold Miller Trail is a public coastal access easement that runs along the northern boundary of the subject parcel. The easement is completely on the adjacent property immediately north. The parcel is accessible from Cabrillo Highway through an existing road along the eastern boundary line. The road is also used by adjacent properties and to access Arnold Miller Trail. A fence also runs approximately 2 to 5 feet west of the eastern boundary line starting from the entrance of Arnold Miller Trail to the southeastern corner of the property. Three wells are located at the southeastern corner of the parcel. A well access easement is located approximately 75 feet from the southeast corner of the parcel for shared use between the subject parcel and the adjacent parcel immediately north.

Environmental Evaluation: An Initial Study and Mitigated Negative Declaration were published on September 14, 2016 for the original project proposal to construct a fence. After the project proposal was revised, the applicant submitted a letter from the project biologist (WRA Environmental Consultants) stating that the revised project proposal is not expected to have any additional impacts. Further, the two accessory structures, water tank, and power panel proposed are categorically exempt pursuant to Section 15303, Class 3 of the California Environmental Quality Act for construction of small structures and installation of small new equipment.

Chronology:

<u>Date</u>	<u>Action</u>
2003 – 2006	- Coastal Act violations (V-2-03-03 and V-2-13-004) recorded by California Coastal Commission (CCC) (associated with San Mateo County violation case no. VIO2003-00023) for unpermitted construction of a 6-foot tall barbed wire fence and installation of no trespassing signs along the northern boundary of property. Lawsuit resulted in requirement to submit coastal development application
2006 – 2013	- Application for coastal development permit (PLN2006-00134) submitted to the County of San Mateo. However, no progress was made within this time. Construction of fence was deemed not required by the CCC since unpermitted fence in violation was removed.
March 11, 2016	- Coastal development permit application, the subject of this application, submitted

- July 11, 2016 - Application deemed complete
  
- September 14, 2016 thru  
October 4, 2016 - 20-day public review period for Negative Declaration
  
- December 16, 2016 - Project revised to include a Planned Agricultural District Permit application to construct two accessory buildings and to propose an agricultural operation to grow Monterey Cypress trees.
  
- June 12, 2017 - Agricultural Advisory Committee meeting date.

*Will the project be visible from a public road?*

The proposed project is located within the Cabrillo Highway State Scenic Corridor with the Arnold Miller Trail, a public coastal access easement, immediately north on the adjacent property. Existing mature trees will screen the proposed project from Cabrillo Highway as they lie between the eastern boundary line of the subject parcel and Cabrillo Highway.

*Will any habitat or vegetation need to be removed for the project?*

The project parcel is a relatively flat marine terrace with coastal bluffs to the west. An existing road connected to Cabrillo Highway will provide access to the two accessory structures. No grading or vegetation removal is necessary to accommodate the two accessory structures and to construct the fence.



*Is there prime soil on the project site?*

The subject parcel contains prime soil, specifically soils classified with a Storie Index of Grade 1- Excellent (Elkhorn sandy loam, thick surface, gently sloping) soils. A portion of the proposed fence will be located in the coastal bluff area. This area is not rated.

## **DISCUSSION**

### A. KEY ISSUES

Planning staff has reviewed this proposal and has concluded the following:

#### 1. Compliance with Planned Agricultural District (PAD) Regulations:

The subject parcel contains prime soil, specifically soils classified with a Storie Index of Grade 1- Excellent (Elkhorn sandy loam, thick surface, gently sloping) soils. A portion of the proposed fence will be located in the coastal bluff area. This area is not rated.

Section 6352 of the County Zoning Regulations states that agriculture and non-residential development customarily considered accessory to agricultural uses are allowed on prime agricultural lands. The agricultural operation to grow Monterey Cypress trees is an allowed use. The two accessory structures, water tank, and power panel to electrify one of the wells on the property will be used for the proposed agricultural operation and is therefore considered non-residential development that is accessory to an agricultural use.

The proposed fence is regulated under Section 6412 (*Yards: General Provisions and Exception*) of the County Zoning Regulations. However, the proposed fence will establish a physical border between private property

and the Arnold Miller Trail. Section 6353 of the County Zoning Regulations states that shoreline access trails are allowed on prime agricultural lands upon issuance of a PAD Permit. Since the proposed fence will be for Arnold Miller Trail, a shoreline access trail, a PAD Permit is required.

In order to approve and issue a PAD Permit, the project must comply with the substantive criteria for the issuance of a PAD Permit, as applicable and delineated in Section 6355 of the County Zoning Regulations. As proposed and to be conditioned, the proposal complies with the following applicable policies, which will be discussed further in the project staff report to be prepared for the Planning Commission.

#### General Criteria

The proposed fence will be located along the northern boundary line of the subject parcel. Based on the proposed location, the fence is not expected to impact soil capability. The two proposed accessory structures, water tank, and power panel will be used for the proposed agricultural operation to grow Monterey Cypress trees. The accessory structures will be located on the eastern section of the parcel within the proposed area of the agricultural operation. The water tank and power panel will be located in the southeastern corner of the property also within the proposed area of the agricultural operation. The accessory structures, water tank, and power panel are all allowed uses in the PAD Zoning District and do not require a PAD Permit.

#### Water Supply Criteria

There are three wells on the project parcel. A well access easement at the southeastern corner of the property is shared between the subject parcel and adjacent parcel immediately north for shared use of the well located

approximately 75 feet from the southeastern corner of the property. A water tank and power panel are included in the project proposal for the domestic water well located approximately 30 feet from the southeastern corner of the property. There is no residential development on the project parcel at this time. In addition, there are no additional permits required for the domestic water well to be used for agricultural use. This well will provide adequate and sufficient water supplies needed for agricultural production. Avoidance measures to be installed and implemented during construction were recommended by the project biologist (WRA Environmental Consultants) to mitigate any potential impacts to special-status species that have the potential to occur within or near the project area and project parcel. These measures will be discussed and included as conditions of approval in the project staff report to be prepared for the Planning Commission.

#### Criteria for the Conversion of Prime Agricultural Lands

As stated above, the subject parcel contains prime soil, specifically soils classified with a Storie Index of Grade 1- Excellent (Elkhorn sandy loam, thick surface, gently sloping) soils. A portion of the proposed fence will be located in the coastal bluff area. This area is not rated. Section 6355.D of the County Zoning Regulations states that the conversion of prime agricultural land is not allowed unless there are no alternative sites that exist on the parcel for the use, clearly defined buffer areas are provided between agricultural and non-agricultural uses, the productivity of an adjacent agricultural land will not be diminished, and public service and facility expansions and permitted uses will not impair agricultural viability.

The project parcel is not adjacent to agricultural land as the parcel is bordered by a parcel developed with a single-family residence to the north, a parcel designated as Open Space to the south, Cabrillo Highway to the east, and coastal bluffs to the west. The proposed fence will be located

along the northern boundary line of the property. Due to the proposed location of the fence, the entire parcel is available for agricultural use. The proposed project will not impact the productivity of adjacent agricultural land as the adjacent parcels are not used for agricultural purposes. Lastly, the proposed fence will create a physical line between the subject parcel and Arnold Miller Trail thereby delineating the official path of the shoreline access trail for the public and protecting the proposed agricultural use on the subject parcel.

### Agriculturally Related Uses Criteria

The proposed project includes two accessory structures, a water tank, and a power panel which will all be accessory to the proposed agricultural operation to grow Monterey Cypress trees. The proposed project will be located along the eastern and southern boundary lines of the subject parcel and convert only a minimal amount of prime agricultural land.

## 2. Compliance with the General Plan (GP)

Staff has reviewed the proposed project and found that it complies with all applicable County General Plan policies, specifically:

Policy 9.4 (*Land Use Objectives for the Rural Lands*) lists objectives to protect and enhance the resources of the Rural Lands which include protection and conservation of vegetation and wildlife resources, protection of the unique scenic quality and pastoral character of the rural lands, and emphasis on providing a diversity of outdoor recreational opportunities for existing and future County residents. The proposed fence is located and designed to have a less than significant visual impact on its surrounding natural environment. The proposed fence will not affect the pastoral character of the rural lands because it will be constructed along the property line and remain at a height lower than the existing

natural vegetation. Although a portion of the fence will be exposed due to the lack of vegetation closer to the coastal bluff area, it will protect the unique scenic quality of the surrounding area by ending at least 8 feet from the coastal bluff area. Conditions of approval will be included in the project staff report prepared for the Planning Commission to mitigate potential impacts to special-status species within or near the project vicinity. Lastly, the proposed fence will not affect the Arnold Miller Trail. Its sole purpose is to physically delineate the subject property from the shoreline access trail and ensure visitors stay along the path.

### 3. Compliance with Local Coastal Program (LCP) Policies

Based on the project proposal, the construction of a new fence and two accessory structures and installation of a water tank and power panel for a domestic water well, a Coastal Development Permit is required pursuant to Section 6328.4 of the County Zoning Regulations for development in the Coastal Development (CD) District. Staff has determined that the project is in compliance with applicable Local Coastal Program (LCP) Policies, elaborated as follows:

#### Agriculture Component

Policies 5.5 (*Permitted Uses on Prime Agricultural Lands Designated as Agriculture*) and 5.8a (*Conversion of Prime Agricultural Land Designated as Agriculture*) outline the allowed uses and development on prime agricultural lands and identifies findings for the conversion of such lands. As discussed above, the proposed project is located on prime agricultural land, specifically soils classified with a Storie Index of Grade 1- Excellent (Elkhorn sandy loam, thick surface, gently sloping) soils. The coastal bluff area on the western side of the property which may partially contain some of the proposed fence is not rated. There are a number of conditionally permitted uses allowed on prime agricultural lands designated as agriculture including shoreline access trails. The proposed fence is

for the shoreline access trail and is therefore a permitted use upon the issuance of a PAD Permit.

Conversion of prime agricultural land within a parcel to a conditionally permitted use is prohibited unless the following can be demonstrated:

1. That no alternative site exists for the use.
2. Clearly defined buffer areas are provided between agricultural and non-agricultural uses.
3. The productivity of any adjacent agricultural land will not be diminished
4. Public service and facility expansions and permitted uses will not impair agricultural viability, including by increased assessment costs or degraded air and water quality.

As discussed in Section A.1 above, the project meets these requirements.

#### Locating and Planning New Development Component

Policy 1.8.a (*Land Uses and Development Densities in Rural Areas*) allows new development in rural areas only if it will not have significant adverse impacts on coastal resources and diminish the ability to keep all prime agricultural land and other land suitable for agriculture in agricultural production. The project involves the construction of a 4-foot tall split-rail fence that will be below the height of existing vegetation until it approaches the coastal bluff area. As it approaches the coastal bluff area, the fence will be exposed, but will end at least 8 feet from the bluff edge thereby preventing it from visually intruding the scenic qualities of the bluff area.

With the exception of the bluff area, the parcel meets the definition of Prime Agricultural Land (Policy 5.1.b. (*Definition of Prime Agricultural Lands*)). The Department of Agriculture Natural Resources Conservation Service Web Soil Survey has mapped the parcel's Storie Index as Grade 1. Construction of the fence will only minimally impact prime soils in an area utilized for a trail. The fence solely serves as a physical boundary line between the Arnold Miller Trail and the subject parcel. The two accessory structures, water tank and power panel are proposed to be used for the proposed agricultural operation to grow Monterey Cypress trees. The project will not have a significant impact on coastal resources or diminish the available agricultural lands.

#### Sensitive Habitats Component

LCP Policy 7.1 (*Definition of Sensitive Habitats*) defines sensitive habitats as any area in which plant or animal life or their habitats are either rare or especially valuable which include intermittent streams or riparian corridors. Further, Policy 7.3 (*Protection of Sensitive Habitats*) prohibits any development which would have significant adverse impact on sensitive habitat areas. The split-rail design of the fence (a post every 8 feet and the lowest rail being 8 inches above ground), will allow wildlife passage. Further, no riparian or wetland locations are located within the project area.

As stated above, the project biologist (WRA Environmental Consultants) identified special-status species that have the potential to occur within or near the project area. Mitigation measures will be discussed and are included as conditions of approval in the project staff report to be prepared for the Planning Commission. The discussion will address the potential impact to these special-status species and mitigation measures to ensure the timing of construction activities occur during the dry season. The project will also be conditioned to not allow construction activities within 30 minutes of sunrise/sunset and for erosion control

measures to allow the passage of the protected species as recommended by the project biologist.

### Shoreline Access Component

Policy 10.9 (*Public Safety*) aims to provide safe access to shoreline destinations such as bluffs which are large enough and of physical character to accommodate safety improvements and which provide room for public use as a vista point. The trail is accessed from an unpaved road that serves the subject parcel and is shared with neighboring properties. In the westerly direction, the trail eventually reaches the bluff area and a moderate downward slope allows for public access to a small beach. The project will not impact access and public safety of the Arnold Miller Trail. The sole purpose of the fence is to create a physical boundary between the subject parcel (private property) and the trail. The fence will not impede on the trail and will be located completely on the subject parcel.

The project will also comply with Policy 10.40 (*Signing and Publicizing Access*) requiring that all signs for shoreline access areas be distinctive in their design, easy to understand, and uniform. Three identical permanent non-reflective signs will be installed. Two signs will be located on each side of the lockable chain gate approximately 396 feet west from where the fence starts at the northeast section of the property with language as recommended by the California Coastal Commission. The sign detail serves to clearly inform the public that the Arnold Miller Trail and coastal bluff are accessible.

### **ATTACHMENTS**

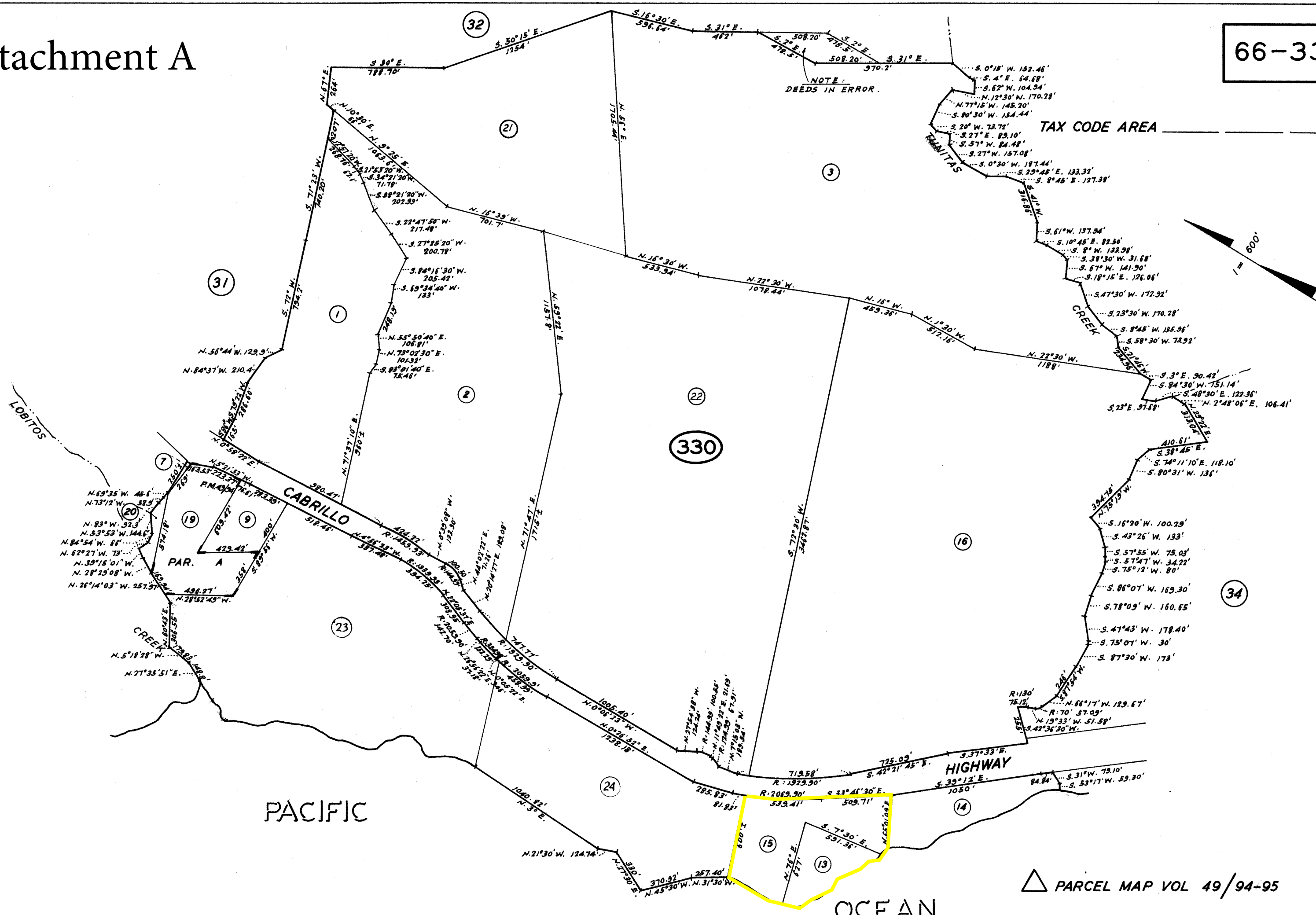
- A. Parcel Map
- C. Project Plans

CJM:aow – CJMBB0209\_WAU.DOCX



# Attachment A

66-33



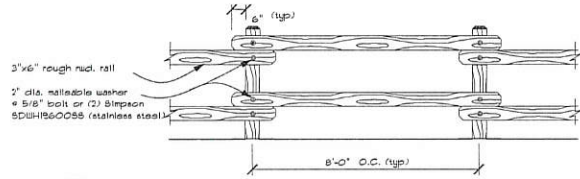
△ PARCEL MAP VOL 49/94-95

# Attachment B

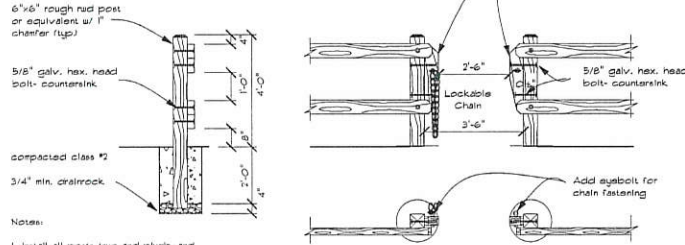
RECEIVED

MAR 11 2016

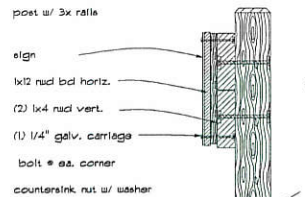
San Mateo County  
Planning and Building Department



**A** Boundary Fence Detail  
scale: 1/2"=1'-0"

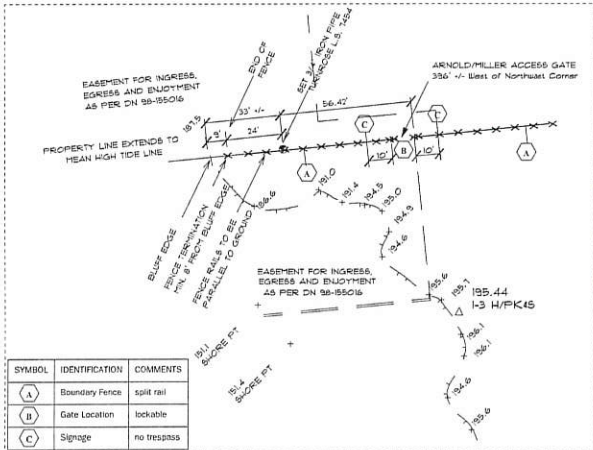
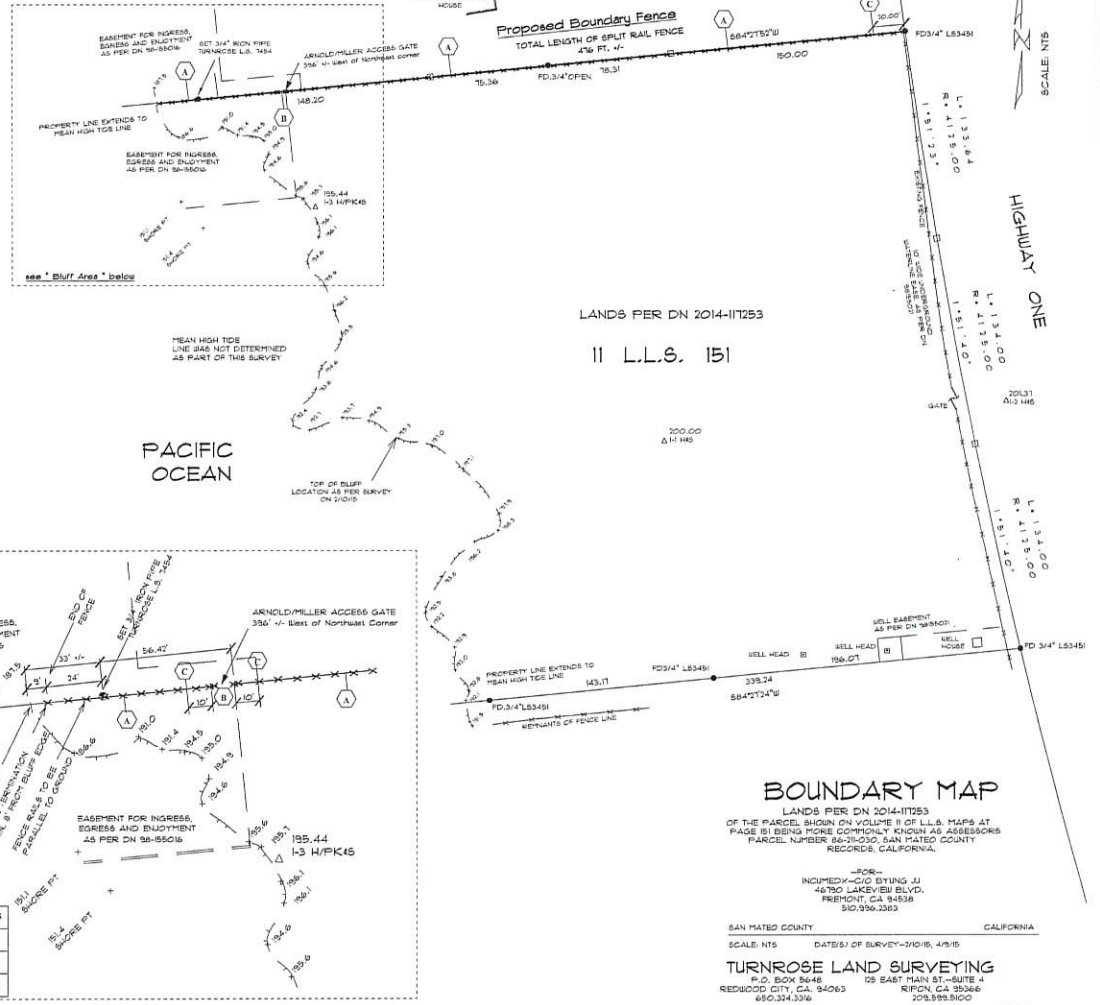


**B** Gate Detail  
scale: 1/2"=1'-0"



**C** Sign Detail

- NOTES:
- 1) EASEMENTS SHOWN WERE TAKEN FROM RECORDED DOCUMENTS NOTED IN A PRELIMINARY REPORT PREPARED BY CHICAGO TITLE COMPANY DATED OCTOBER 1, 2014 WITH TITLE NUMBER 14704030374-0.
  - 2) ELEVATIONS SHOWN ARE BASED UPON A CONTROL POINT BEING A HUB WITH SPICE AND SHINER SHOWN AS 1'-1" WITH AN ASSUMED ELEVATION OF 200.00 FEET. THIS IS NOT SEA LEVEL DATA. THE ELEVATIONS SHOWN ARE FOR RELATIVE PURPOSES ONLY.
  - 3) THE BLUFF LOCATION IS AN APPROXIMATE LOCATION AND GENERALLY REPRESENTS POINTS OF SUBMERGENCE APPROXIMATELY 7 FEET FROM THE EDGE OF A DRASTIC CHANGE IN SLOPE.
  - 4) A CORNER RECORD MAP IS BEING PREPARED AND SUBMITTAL TO COUNTY FOR BOUNDARY SURVEY WORK CONDUCTED.
- INDICATES SET 3X2 HUB WITH TAG "L.B. 7454"



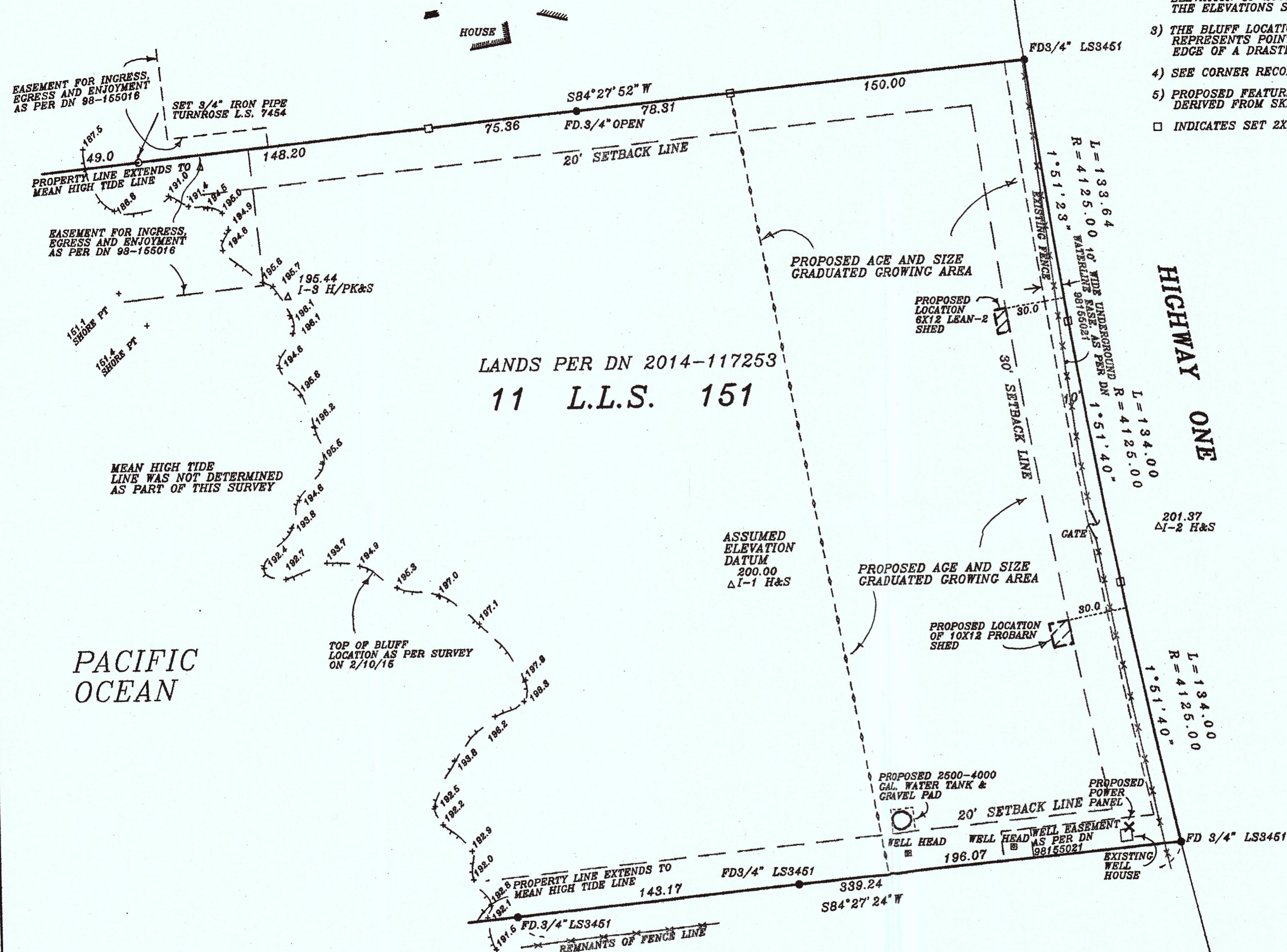
SYMBOL	IDENTIFICATION	COMMENTS
(A)	Boundary Fence	split rail
(B)	Gate Location	lockable
(C)	Signage	no trespass

Proposed Split Rail Fence and Signs  
 SCALE: NTS  
 DRAWN BY:  
 DATE: 3/16

# Attachment B

**NOTES:**

- 1) EASEMENTS SHOWN WERE TAKEN FROM RECORDED DOCUMENTS NOTED IN A PRELIMINARY REPORT PREPARED BY CHICAGO TITLE COMPANY DATED OCTOBER 1, 2014 WITH TITLE NUMBER FWTO-4071400317-KD.
  - 2) ELEVATIONS SHOWN ARE BASED UPON A CONTROL POINT BEING A HUB WITH SPIKE AND SHINER SHOWN AS "I-1" WITH AN ASSUMED ELEVATION OF 200.00 FEET. THIS IS NOT SEA LEVEL DATUM. THE ELEVATIONS SHOWN ARE FOR RELATIVE PURPOSES ONLY.
  - 3) THE BLUFF LOCATION IS AN APPROXIMATE LOCATION AND GENERALLY REPRESENTS POINTS OF REFERENCE APPROXIMATELY 2' FROM THE EDGE OF A DRASTIC CHANGE IN SLOPE.
  - 4) SEE CORNER RECORD NO. 2386 FOR ADDITIONAL BOUNDARY INFORMATION.
  - 5) PROPOSED FEATURES (SHEDS, PLANTING AREA, WATER TANK, ETC.) WERE DERIVED FROM SKETCHES AND CONVERSATIONS WITH OWNER AND CONSULTANTS.
- INDICATES SET 2X2 HUB WITH TAG "L.S. 7454"



SCALE: 1" = 40'



Michael T. Turnrose

12/7/16

RECEIVED

DEC 09 2016  
San Mateo County  
Planning Division

REVISED 12/7/16  
**BOUNDARY MAP**  
LANDS PER DN 2014-117253  
OF THE PARCEL SHOWN ON VOLUME 11 OF L.L.S. MAPS AT  
PAGE 151 BEING MORE COMMONLY KNOWN AS ASSESSORS  
PARCEL NUMBER 86-211-030, SAN MATEO COUNTY  
RECORDS, CALIFORNIA.

--FOR--  
INCUMEDX--C/O BYUNG JU  
46790 LAKEVIEW BLVD.  
FREMONT, CA 94538  
510.996.2383

SAN MATEO COUNTY CALIFORNIA  
SCALE: 1" = 40' DATE(S) OF SURVEY--2/10/15, 4/9/15

**TURNROSE LAND SURVEYING**  
125 EAST MAIN ST.--SUITE 4  
RIPON, CA 95366  
209.599.5100  
BAY AREA 650.324.3316

JOB 15-05  
PLN 2016-00106



County of San Mateo Planning & Building Department  
**Agricultural Advisory Committee**

455 County Center, 2<sup>nd</sup> Floor  
Redwood City, California 94063  
650/363-4161  
Fax: 650/363-4849

**Meeting Minutes  
Regular Meeting April 10, 2017**

**1. Call to Order**

Robert Marsh, Committee Chairman, called the Regular Meeting of the Agricultural Advisory Committee (AAC) to order at 7:35 p.m. at the Half Moon Bay Historic Train Depot, 110 Higgins Canyon Road, Half Moon Bay, CA.

**2. Member Roll Call**

Chair Marsh called the roll. A quorum (a majority of the voting members) were present, as follows:

Regular Voting Members Present

BJ Burns  
Peter Marchi  
Robert Marsh  
Brenda Bonner  
Louie Figone  
Robert Cevasco  
Marilyn Johnson

Regular Voting Members Absent

John Vars  
Doniga Markegard

Nonvoting Members Present

Rob Bartoli  
Jess Brown  
Fred Crowder

Nonvoting Members Absent

Jim Howard  
Igor Lacan

3. **Public Comments for Items not on the Agenda**

No comments from the public were received.

4. **Consideration of a Coastal Development Permit and a Planned Agricultural District Permit, pursuant to Sections 6328.4 and 6353 of the County Zoning Regulations, and a Grading Permit, pursuant to Section 8600.1 of the County Ordinance Code, to improve an existing partially paved parking lot which serves Montara State Beach. The existing trail from the parking lot to the beach will be improved and two picnic areas will be added which will provide Americans with Disabilities Act (ADA) accessible viewing areas. The existing parking lot does not have a property address, but located just north of urbanized Montara in Unincorporated San Mateo County. This project is appealable to the California Coastal Commission. County File Number: PLN 2016-00306. Applicant: CA State Parks**

Planner Bartoli presented the item. The applicant proposes to improve an existing partially paved parking lot which serves Montara State Beach by grading, slightly enlarging, and paving the lot. The existing trail from the parking lot to the beach will be improved and two picnic areas will be added which will provide Americans with Disabilities Act (ADA) compliant accessible viewing areas.

The California State Parks is proposing to pave the existing dirt parking lot and stripe the lot for 37 standard parking spaces and two (2) Americans with Disabilities Act (ADA) compliant parking spaces.

The improved parking lot and trails are not located on soils identified as prime soils. Public Recreation Trails are a permitted use on lands suitable for agriculture and other lands. The parking lot provides parking and public access to Montara State Beach below.

The project area was previously disturbed for highway construction and project improvements are clustered with existing development.

It is unlikely that the project site would be utilized for agricultural uses due to the lack of a viable water supply, the physical makeup of the site, and the presence of sensitive habitat and cultural resources elsewhere on the project. The total area of disturbance is estimated to be 0.9 acres of the 33.75-acre site.

The project site is located on prime soils (has a Storie Index Rating of less than 80). The project area has no prime soils but does have lands identified as suitable for agriculture or other lands. The area that is proposed to be converted for the parking lot and trail improvements has not been used for agricultural uses.

Chair Marsh and Committee Member Figone spoke about the past agricultural history of the property stating that the property was last farmed in the 1950's.

Chair Marsh opened public comment.

Kerry Burke stated that she wished the County would zone properties that have a recreational use and are owned by the State or other public agencies to Resource Management-Coastal Zone as these properties will not have agriculture on them.

She also asked if there will be drainage improvements as part of this project.

Planner Bartoli stated that the project would be subject to the County's stormwater requirements.

Vice Chair Burns stated that he would like to see a list of State Park owned properties that are not used for park purposes that could be used for farming activities in the meantime.

Adria Arko, stated that she has been working with the State Parks and POST on behalf of RCD to learn about the historic use of parcels on the coast, specifically related to agricultural uses. She stated that she will follow up with members of the AAC about this issue.

Committee Member Marchi asked a clarification question about the Americans with Disabilities Act.

Vice Chair Burns moved to recommend approval of the project; Committee Member Figone seconded the motion. The motion was approved unanimously (7 ayes – 0 noes).

5. **Consideration of a renewal of a Planned Agricultural District Permit, pursuant to Section 6350 of the San Mateo County Zoning Regulations, and a Coastal Development Permit, pursuant to Section 6328.4 of the San Mateo County Zoning Regulations, to allow seasonal commercial recreation activities at the Arata Pumpkin Farm located at 185 Verde Road in the unincorporated San Gregorio area of San Mateo County. This project is appealable to the California Coastal Commission. County File Number: PLN 2015-00084. Applicant: Chris Gounalakis.**

Planner Bartoli presented the item. The applicant is proposing a renewal and amendment of a Planned Agricultural District Permit for Commercial Recreation uses from August 1 through November 1, annually, and

include a hay maze, a haunted barn, a play set/jumper, a petting zoo, pony rides, a food truck, a snack bar, and associated parking.

The proposed Commercial Recreation uses would be permitted from August 1 through November 1, for 5 consecutive years. 135 on-site parking spaces are proposed. An additional 58 cars may park in limited areas of Verde Road.

During August 1 through November 1, Commercial Recreation utilizes 21% of the property with approximately 45% remaining in permanent agriculture. The balance of the year the entire property (except the developed and play set/jumper areas) will be used for agricultural production. Non-soil dependent seedling/starter plants and agricultural storage in the areas used for parking and crop production in all other areas. Crops to be grown are fava beans, pumpkins, corn, bell beans, and Stone Pine Christmas trees.

There is a proposed change from the 2015 proposal in the hours of operation for October.

Previously permitted hours of operation:

August 1 – November 1 (except October)

Monday – Friday: 9:00 a.m. – 6:00 p.m. Saturday: 9:00 a.m. – 9:00 p.m.

Sunday: 9:00 a.m. – 8:00 p.m. No changes are proposed.

Previously permitted hours of operation:

October Monday – Thursday: 9:00 a.m. – 7:00 p.m.

Friday and Saturday: 9:00 a.m. – 10:00 p.m.

Sunday: 9:00 a.m. – 7:00 p.m.

Proposed hours of operation:

October Monday – Thursday: 9:00 a.m. – 9:00 p.m.

Friday and Saturday: 9:00 a.m. – 10:30 p.m.

Sunday: 9:00 a.m. – 7:00 p.m.

The recreation structures moved to developed areas; project is clustered with developed areas. Agricultural Production in all areas is maximized. 45% of land will be permanently farmed (all-year), the remaining 9 months of the year the maze area will be farmed and the parking areas will have container-based agriculture on them such as starter plants.

Property is under a Williamson Act Contract which was amended by the Board of Supervisors in September 2012 to include the above uses as compatible uses under the contract.

In 2017, the applicant submitted a Williamson Act Survey confirming the minimum annual income requirement of \$10,000 from the sale of crops which was generated by the agricultural operations on the property.

The property is compliant with the minimum income requirement and, in 2015, was granted an exception to the minimum parcel size of 40 acres for lands comprised of Prime and Non-Prime Agricultural Lands under the County's Williamson Act Program. Subject parcel is 8.37 acres.

Staff granted the exception in 2015 based on input from the Agricultural Commissioner that the agriculture on the property is highly productive and that continued agricultural production has a significant public benefit.

No changes to the size of the parcel are proposed. The contracted area is otherwise in compliance with the minimum eligibility requirements.

Chair Marsh asked a question regarding compliance with the Williamson Act Contract and the exception from 2015.

Commissioner Crowder stated he went out to the property in 2015 and reviewed the property owner's Form F from his taxes which stated that he had more than \$10,000 in income. At the time, he did not verify if the number was farm income only and if the income was only from that one property.

Commissioner Crowder asked what the County reviewed regarding the 2017 determination for the property's compliance with the Williamson Act.

Planner Bartoli stated that the County reviewed a copy of the completed Williamson Act Survey for the property. There was no additional information reviewed. He stated that this is the normal procedure for Williamson Act review. If there is desire to have more information requested during review of Williamson Act Contracts that might be a conversation that the AAC could have regarding Williamson Act Contract compliance and regulations as a whole.

Chair Marsh stated he if the project is not in compliance that is a problem.

Commissioner Crowder asked what information the County asks for regarding establishing a property owner's tax basis.

Committee Member Johnson stated that the County could check to see what the property owner is selling by looking at receipts and the receipts for purchases of seeds.

Committee Member Cevalco asked if the County asked where the produce from the property was being sold.



Commissioner Crowder stated that the produce was being sold on the property, direct sales, and sales through Tom and Pete's.

Committee Member Cevasco stated that \$10,000 is not much and that selling to people that come to visit the site can be more profitable than direct sales. He stated during the Williamson Act review, he advocated for a higher dollar amount than \$10,000. He stated that with sales on the site, the amount that has to be sold is not much.

Committee Member Figone asked about the extended hours of operation. He asked if outdoor lighting will be part of the project.

Planner Bartoli stated that no outdoor lighting is proposed. He stated that the applicant is asking for the extended hours as he was having difficulties in the past of having people leave his property prior to the closing of the farm.

Committee Member Marchi talked about the potential amount of sales of the property's crops at the farm stand.

Chair Marsh stated that he did not believe that the property meets the Williamson Act Contract requirements, but was not sure how to prove that.

Committee Member Burns spoke about the agricultural formulas used to calculate farm income.

Commissioner Crowder stated that in the future he would want to review receipts and other documents for Williamson Act compliance for this property. He stated that the property does have a diversity of crops including the sales of eggs.

Committee Member Cevasco stated that when people buy pumpkins on the property, it is very possible to make the

Williamson Act requirements. He is not supportive of having the County require more information about Williamson Act requirements as he does not like the government intruding in agricultural operations. He stated that he would like to see the income requirements raised to \$100,000 to \$200,000. He has seen the applicant plant the field and grow crops. He also spoke about the need to protect local agriculture on coast.

Chair Marsh spoke about the amount of pumpkins that are grown on the property. He would like pictures of what is grown on the property.

Committee Member Bonner asked why someone would state on their income taxes, that they made more than \$10,000 if they did not make it.

She also stated that the selling of the eggs could help meet the Williamson Act Contract requirements.

Committee Member Marchi spoke about the chicken eggs that are produced on the property.

Kerry Burke stated that she did not agree with the exception granted for the Williamson Act Contract for this parcel. She stated she was not supportive of the extension of the hours of operation as she stated that it is already dark by 9 pm in October. She did have concerns about asking for too much information for Williamson Act compliance. This particular property should be used primarily for agriculture due to its size, she said.

Commissioner Crowder stated that the extension of the hours of operation could lead to people staying on the property longer and exacerbate the issue of having people leave the property at closing time.

Committee Member Burns spoke about the growing of pumpkins on the property and the yield of agricultural crops on the site. He also stated that the property should not be in the Williamson Act and that the County should non-renew the parcel. He believes that ag- tourism is taking over properties in certain areas. He stated that there will be a number of properties that will be non-renewed when they are reviewed by the County.

Committee Member Cevasco spoke about the Williamson Act Contract requirements. He also stated that he believes that the property is in compliance with the Williamson Act.

Commissioner Crowder stated he would like to see some documentation for income verification. He spoke about how certain issues can be quantified regarding the Williamson Act and ag-tourism guidelines.

Committee Member Burns stated that the primary use of the property should be used for agriculture, not commercial recreational uses.

Committee Member Marchi asked how much of the property is used for commercial events. He stated that the amount of compatible uses cannot exceed 25%.

Planner Bartoli stated that 21% of the property is utilized during the commercial recreational for these activities.

Chair Marsh stated that there is parking for the uses that is located along the eastern portions of the property and Highway 1.

Committee Member Johnson spoke about the conditions of approval for the 2014 permit that the AAC made for the project. These conditions were related to the renewal permit, information for code compliance on the property, and specific consequences for non-compliance.

Planner Bartoli stated that the conditions of this renewal, other than changes to two of them, are being carried forward as last approved in 2014 and 2015. He stated that these recommendations from the AAC were made part of prior approvals and will be conditions for this renewal. The parking of cars along the eastern portions of Highway 1 that is not shown on the site plan is not permitted.

Kerry Burke talked about the purpose of the Williamson Act Regulations.

Chair Marsh spoke about the history of the property and how the property got to the size it is today.

Committee Member Johnson asked about the location of the parking in relationship to the prime soils on the site.

Planner Bartoli stated that there is some parking on prime soils, in an area on the property that is considered to be developed and converted soils. This area is characterized by development and parking areas and has not historically been farmed.

Committee Member Cevalco spoke about the existing rules of the Williamson Act. He stated that he does not want to extend the hours of operation and the length of the permit and asked to focus on the PAD permit.

Commissioner Crowder spoke about the difficulty of enforcing some of the Williamson Act Regulations.

Committee Member Bonner asked about the Williamson Act renewal process.

Committee Member Burns recommended that the Williamson Act Contract be non-renewed.

Planner Bartoli stated that the project before the AAC tonight is strictly regarding the PAD permit. County staff and the County Planning Commission found that the property is in compliance with the Williamson Act Contract.

Chair Marsh would like to see supporting documents for Williamson Act compliance.

Committee Member Johnson proposed to recommend approval of reduced hours of operations and not the expanded hours that are proposed. She also talked about night admissions on the site and some structures on the site.

Chair Marsh said that he does not want people on his property after dark.

Committee Member Cevalasco stated that it is unlikely that the County reduced the hours from what was previously approved. He suggested that the hours of operation remain the same and not give the applicant extra hours.

Chair Marsh asked about parking along with Verde Road. He stated that he has heard complaints about not being able to get through on Verde Road.

Planner Bartoli stated that the applicant has been approved for 58 spaces along Verde Road. He stated if there are issues, they should be brought to the attention of Public Works, the Sheriff's Office, and the Planning Department. No complaints were received by Planning for the applicant's permit.

Committee Member Marchi about the cost of the renewal of the permit.

Planner Bartoli stated that the permit renewal is \$2,000.

Commissioner Crowder asked about the purpose of the one year permit compared to a five year permit.

Vice Chair Burns stated that the purpose would be to align a broader discussion about Williamson Act Requirements and the permit for this project.

Committee Member Cevalasco stated that the one year permit would remind the applicant people are still watching the property and want to make sure that the property will still be used for agriculture.

Committee Member Johnson asked about conditions of approval and enforcement.

Committee Member Bonner moved to recommend approval of the project for a one year permit and no change from the 2015 approved hours of operation; Vice Chair Burns seconded the motion. The motion was approved (5 ayes – 1 noes (Johnson) – 1 abstain (Marsh)).

Vice Chair Burns asked about the review of the Williamson Act review process.

Planner Bartoli talked about the five year random cycle for review.

The AAC asked to have a discussion regarding the Williamson Act regulations in San Mateo County at a later date.

**6. Consideration of the Action Minutes for the March 13, 2017 regular meeting.**

One grammatical correction was made on page 1 of the minutes. The correction was “Farm Day” from “Far Day”.

Committee Member Johnson moved approval the meeting minutes as amended for the February 13, 2017 regular meeting; Committee Member Cevalco seconded the motion. The motion was unanimously approved. (7 ayes – 0 noes)

**7. Community Development Director’s Report**

Planner Bartoli presented the Director’s Report.

**Adjournment (9:10 p.m.)**

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

**DATE:** June 12, 2017

**TO:** Agricultural Advisory Committee  
**FROM:** Planning Staff  
**SUBJECT:** Community Development Director's Report

**CONTACT INFORMATION:** Rob Bartoli, Planner III, 650-363-1857, [rbartoli@smcgov.org](mailto:rbartoli@smcgov.org)

The following is a list of Planned Agricultural District permits and Coastal Development Exemptions for the rural area of the County that have been received by the Planning Department from April 1, 2017 to May 31, 2017.

**PLANNED AGRICULTURAL DISTRICT PERMIT OUTCOMES**

PLN2016-00454, a PAD and CDP permit for an addition to an existing single family house (located at 1590 Purisima Creek Road, Half Moon Bay), was approved by the San Mateo County Planning Commission on April 12, 2017. This project was reviewed by the AAC on 1/9/2017.

PLN2007-00054, a PAD and CDP permit for one new Farm Labor Housing unit and the renewal of five existing Farm Labor Housing units (located at 9851 Cabrillo Highway, Moss Beach) was approved by the San Mateo County Planning Commission on April 26, 2017. This project was reviewed by the AAC on 12/12/2016.

PLN2015-00084, a Renewal and Amendment of a PAD and CDP permit, to allow seasonal commercial recreation activities at the Arata Pumpkin Farm (185 Verde Rd. Half Moon Bay) was approved by the San Mateo County Planning Commission on May 10, 2017. The Planning Commission approved a 3 year permit for the project and left in place the hours of operations from the previous approval. This project was reviewed by the AAC on 4/10/2017.

PLN2016-00445, a PAD and CDP permit for a domestic water well to serve a future single-family dwelling on a vacant parcel (APN 066-330-130 and 066-330-150) located in the unincorporated San Gregorio was approved by the San Mateo County Planning Commission on May 24, 2017. This project was reviewed by the AAC on 1/9/2017.

**UPCOMING PLANNED AGRICULTURAL DISTRICT PERMIT PROJECTS**

No new applications for PAD permits were received during the month of April. One PAD and CDP application (PLN2017-00201) was received in May to co-locate a new T-Mobile Wireless Facility on an existing monopole at 440 Pigeon Point Road, Pescadero.

**COASTAL DEVELOPMENT EXEMPTIONS FOR AGRICULTURAL PROJECTS**

See attached status report regarding the four rural CDX applications that were received by the Planning Department from 4/1/17-5/31/17. The exemption applications include the description of the project and the status of the permit. A copy of CDXs are available for public review at the San Mateo County Planning Department.

## **ADDITIONAL ANNOUNCEMENTS**

Expiring terms for AAC Members –

On June 30, 2017, three members of the AAC will have served the maximum amount of terms and years as allowed by the AAC By-Laws. The members that will be termed out after the June AAC meeting are:

Robert Cevasco – Term Dates: 07/01/2005-06/30/2017

Marilyn Johnson – Term Dates: 11/20/2001-06/30/2017

Peter Marchi – Term Dates: 11/20/2001-06/30/2017

## **ATTACHMENTS**

- 1) CDX List

RURAL CDX'S FOR 4/1/17-5/31/17

Permit Number	RECORD NAME	DATE OPENED	DESCRIPTION	APN	Address	RECORD STATUS
PLN2017-00144	REPLACE WATER LINE	4/6/2017	CDX involving underground placement of (e) water line servicing CA Dept. of Parks & Rec; installation of underground water line to (e) well and construction of two (2) - 5,000 gal. water storage tanks.	081013120	Stage Road, San Gregorio	Submitted
PLN2017-00169	WATER STORAGE TANKS	4/27/2017	CD Exemption for replacement of failed fire (water) storage system (replace 6500 gallon fire storage water tank with two 5000 gal tanks) in same location. Inspected & approved by Cal Fire prior to submittal. Associated with BLD2017-00860.	081060070	20165 Cabrillo Highway, Half Moon Bay	Approved
PLN2017-00208	AG. FENCE	5/16/2017	CDX to allow Giusti Farms to construct an 8' high field fence to keep deer away from crops (Brussels sprouts), on lands leased from POST; associated with BLD2017-01006.	065210220	Higgins Canyon Road, Half Moon Bay	Approved
PLN2017-00213	REMODEL SFD & WATER TANKS	5/17/2017	CDX for the installation of 2 water tanks for fire suppression storage at the southeastern corner of the property & a major remodel within an existing residence (no exterior expansion) which includes converting a basement into conditioned space, re-locating entry from 1st floor to basement level, & adding exterior stairs to rear side of residence (associated with BLD2017-00812). The parcel is located on prime soils, FEMA Zone A, & within a County Scenic Corridor.	087030170	3334 Pescadero Creek Road, Pescadero	Project Analysis