



County of San Mateo Planning & Building Department
Agricultural Advisory Committee

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

MEETING PACKET

Date: Monday, December 12, 2016
Time: 7:00 p.m.
Place: Half Moon Bay Historic Train Depot
110 Higgins Canyon Road, Half Moon Bay, California

AGENDA

1. Call to Order
 2. Member Roll Call
 3. Public Comments for Items Not on the Agenda
 4. Consideration a renewal and amendment to a Coastal Development Permit and Planned Agricultural District Permit to allow construction of one additional Farm Labor Housing unit where five units were approved and constructed. The property is located in the unincorporated Moss Beach area of San Mateo County. The project is appealable to the CA Coastal Commission. Project is located at 9851 Cabrillo Highway, Moss Beach. County File No. PLN2007-00054; Owner: POST; Applicant David Lea.
 5. Agenda Topics – Williamson Act
 6. Consideration of the Action Minutes for the November 14, 2016 regular meeting.
 7. Community Development Director's Report
 8. Adjournment – Next meeting January 9, 2017
-

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ROLL SHEET – December 12, 2016

Agricultural Advisory Committee Attendance 2015-2016

	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
VOTING MEMBERS													
Brenda Bonner Public Member			X	X		X		X			X	X	
BJ Burns Farmer, Vice Chair			X	X	X	X		X	X	X	X	X	
Robert Cevasco Farmer				X	X	X					X		
Louie Figone Farmer			X	X	X	X		X	X	X		X	
Marilyn Johnson Public Member			X	X		X		X	X	X	X	X	
Vacant Farmer													
Peter Marchi Farmer			X	X	X	X		X	X	X	X	X	
Doniga Markegard Farmer			X									X	
Robert Marsh Farmer, Chair			X	X	X	X		X	X	X	X	X	
April Vargas Conservationist			X		X	X		X					
Vacant Ag Business													
Natural Resource Conservation Staff													
San Mateo County Agricultural Commissioner			X	X	X					X	X	X	
Farm Bureau Executive Director			X	X	X	X			X	X	X	X	
San Mateo County Planning Staff			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

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

DATE: December 14, 2016

TO: Agricultural Advisory Committee

FROM: Rob Bartoli, Planning Staff, 650/363-1857

SUBJECT: Consideration a renewal and amendment to a Coastal Development Permit and Planned Agricultural District Permit to allow construction of one additional Farm Labor Housing unit where five units were approved and constructed. The property is located in the unincorporated Moss Beach area of San Mateo County. The project is appealable to the California Coastal Commission. The project is located at 9851 Cabrillo Highway, Moss Beach.

County File Number: PLN2007-00054

PROPOSAL

The applicant is proposing to construct one new 850 sq. ft. Farm Labor Housing unit with three bedrooms and two bathrooms that will be located 9851 Cabrillo Highway, Moss Beach (APN 037-320-350) and the renewal of five existing Farm Labor Housing units.

DECISION MAKER

Planning Commission

QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE

1. Will the proposal for a new Farm Labor Housing unit 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: Rob Bartoli, Project Planner

Owner/Applicant: David Lea

Location: 9851 Cabrillo Highway, Moss Beach

APN: 037-320-350

Parcel Size: 275 acres

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

General Plan Designation: Agriculture/Rural

Williamson Act: Not Contracted

Existing Land Use: Existing farm with row crops, five Farm Labor Housing units, a farm center consisting of a barn, a packing shed, and other minor accessory structures.

Water Supply: The new Farm Labor Housing unit will connect to an existing domestic water connect to Coastside County Water District.

Sewage Disposal: The new Farm Labor Housing unit will utilize an existing septic system on the property.

Setting: The project parcel is accessed via a private road located off of Highway 1. Denniston Creek is located along the east property line. The proposed area of development is developed with a packing shed, barn, and five Farm Labor Housing units. The western, eastern, and southern portions of the property consist of row crops. The property is adjacent to agricultural use and open space on all sides. Across Highway 1 from the property is the Half Moon Bay Airport.

Will the project be visible from a public road?

The site is visible from Cabrillo Highway (Highway 1). The subject property is located within a small valley approximately 2,000 feet from Cabrillo Highway. Due to the distance and vegetation on the site, staff concludes that there will be minimal visual impact to the Cabrillo Highway/Highway 1 County Scenic Corridor.

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

No tree or vegetation removal is necessary to accommodate the project. The project is over 200 feet to the west of Denniston Creek. The proposed area of development would be located in an area that is currently farmed in association with the agricultural operations on the property and the existing Farm Labor Housing units. The development that is proposed will be outside of the riparian setbacks required per the Local Coastal Program (LCP). There will be no alteration to the area where the five existing Farm Labor Housing units are located.

Is there prime soil on the project site?

The project site is located on prime soils (has a Storie Index Rating of great than 80. On the 275-acre parcel, approximately 215 acres are prime soils. The area that is proposed to be converted for the Farm Labor Housing unit has never been used for agricultural uses and is part of the farm center on the property. The area is already disturbed and is separated from the agricultural activities on the property by farm roads. The area for the project is in close proximity to the road and will not impact the farming operation on the property.

DISCUSSION

A. KEY ISSUES

1. Zoning Regulations

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 as delineated in Section 6355 of the 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.

- The encroachment of all development upon land which is suitable for agricultural uses and other lands shall be minimized.
- All development permitted on a site shall be clustered.
- Development shall be located, sited and designed to carefully fit its environment so that its presence is subordinate to the pre-existing character of the site, and its surrounding is maintained to the maximum extent practicable.
- No use, development or alteration shall substantially detract from the scenic and visual quality of the County; or substantially detract from the natural characteristics of existing major water courses, established and mature trees and other woody vegetation, dominant vegetative communities or primary wildlife habitats.
- Where possible, structural uses shall be located away from prime agricultural soils.

The proposed unit would be located on prime agricultural land. The majority of the property contains prime soils, including the area that has already been converted for the farm center and existing Farm Labor Housing units. The project will take access from an existing private drive, minimizing

conversion of soils for required access on the property. The total area of disturbance is estimated to be 0.01 acres of the 275-acre site. The proposed unit is located in close proximity to existing development on adjacent parcels, will use a domestic water connection from Coastside County Water, and will maintain a large area of the property for continued farming. All new development on the site will be clustered together.

“Criteria for Conversion of Prime Agricultural Lands” – As stated, a portion of the parcel, including the project site, is covered with prime soils, as the soil in the area, Lockwood loam, has a Storie Index Rating of great than 80. However, the PAD regulations allow the conversion of prime soils with a PAD Permit when it can be demonstrated that:

- a. No alternative site exists on the parcel for the use.

Staff Response: The Farm Labor Housing unit and driveway leading to it are designated as prime soils, but are in an already accessible area, in close proximity to the existing farm center and Farm Labor Housing units. The location of the new unit would be located on land already disturbed, reserving a large area of the agricultural field for continued farming. Locating off prime soils farther to the parcel’s south, east, or west boundaries would require additional disturbance of the soils from an extended access road, as well as the added distance to run the power and water to the unit.

- b. Clearly defined buffer areas are provided between agricultural and non-agricultural uses.

Staff Response: The on-going grazing operations will not be impacted by the construction of the Farm Labor Housing unit. The farming operation occurs to the south east and west of the farm center. Given the parcel’s size, there is ample room for the provision of agriculture and related uses on the remainder.

- c. The productivity of adjacent agricultural lands will not be diminished.

Staff Response: While the land to the west of the subject parcel is farmed, the property is separated by a creek, and thus their agricultural productivity would not in any way be diminished. The lands to the north, east, and south are not farmed. Any future farming on these properties would not be impacted by this project.

2. General Plan Policies

Policy 9.23 (*Land Use Compatibility in Rural Lands*) and Policy 9.30 (*Development Standards to Minimize Land Use Conflicts with Agriculture*)

encourages compatibility of land uses in order to promote the health, safety and economy, and seeks to maintain the scenic and harmonious nature of the rural lands; and seeks to (1) promote land use compatibility by encouraging the location of new residential development immediately adjacent to existing developed areas, and (2) cluster development so that large parcels can be retained for the protection and use of vegetative, visual, agricultural and other resources.

The subject parcel has a General Plan land use designation of "Agriculture." The proposed unit will be located on prime soils; however, the area that will be disturbed will be 0.01 acres of the 275-acre parcel. All development associated with the project will be clustered together in order to retain the remaining acreage for agricultural uses. The connection to the existing septic system and water connection will be reviewed by Environmental Health prior to approval for the Farm Labor Housing unit.

3. Local Coastal Program (LCP) Agriculture Policies

Policy 5.5 (*Permitted Uses on Prime Agricultural Lands Designated as Agriculture*) conditionally allows farm labor housing provided the criteria in Policy 5.8 (*Conversion of Prime Agricultural Land Designated as Agriculture*) are met:

- a. That no alternative site exists for the use.
- b. Clearly defined buffer areas are provided between agriculture and non-agricultural uses.
- c. The productivity of any adjacent agricultural land will not be diminished.
- d. Public service and facility expansion and permitted uses will not impair agricultural viability, including by increases assessment costs or degraded air and water quality.

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

4. Compliance with Farm Labor Housing Guidelines

The Farm Labor Housing Application Process guidelines, as approved by the Planning Commission on October 8, 2014, allow for permanent housing structures in specific situations where there is an on-going long-term need for farm workers. The guidelines require the Planning Commission to review applications for new permanent farm labor housing and limits the use of these structures for the housing of farm workers and, if the uses cease, the structure must either be demolished or used for another permitted use

pursuant to a permit amendment. The unit that is proposed is for a farmer laborer for the farming operation on the property.

ATTACHMENTS

- A. Vicinity Map of Project Parcel
- B. Project Plans

RB:pac - RJBAA0674_WPU.DOCX



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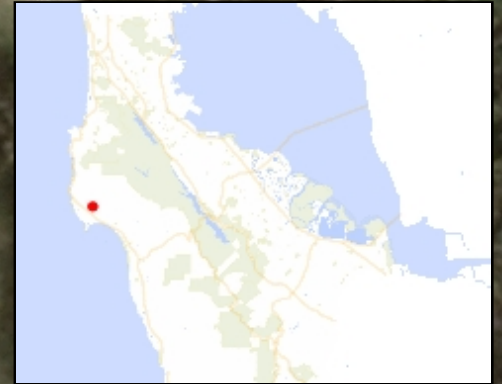
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THIS MAP IS NOT TO BE USED FOR NAVIGATION



0.04 0 0.02 0.04 Miles

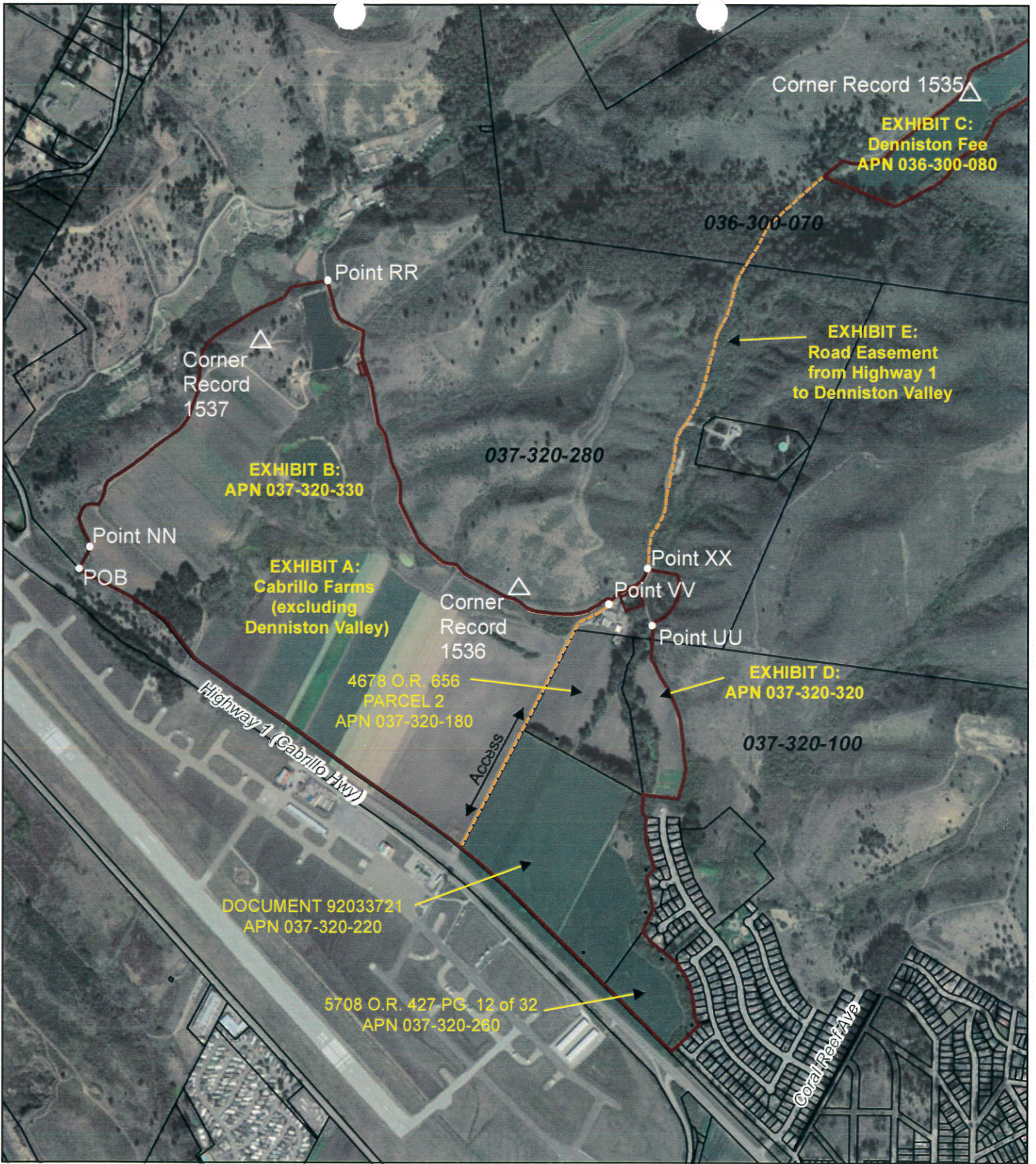
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


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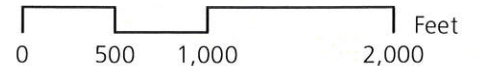
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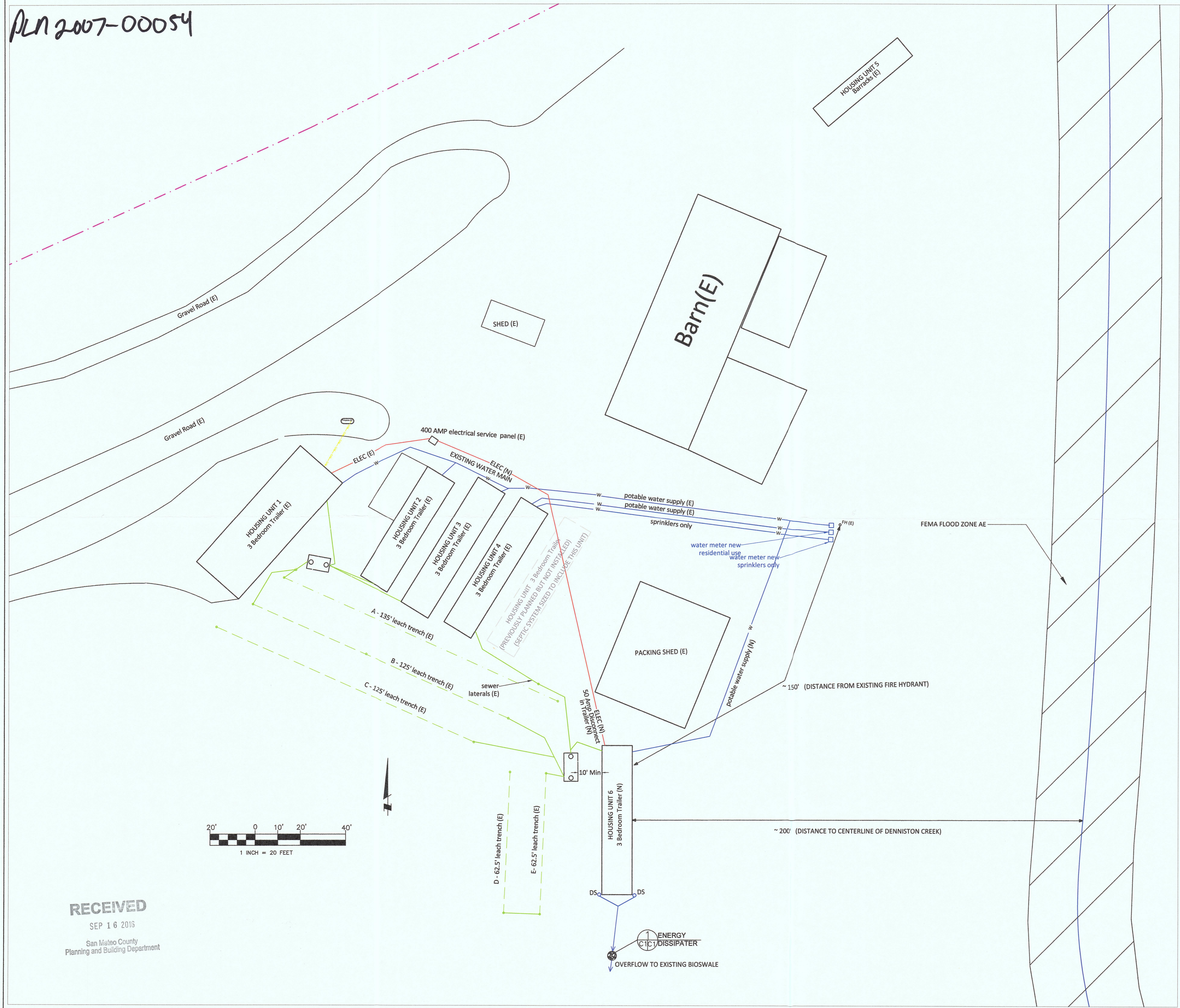
Cabrillo Farms (COC Application #PLN2012-00186)
Exhibit Overview

-  Rancho Corral de Tierra Property Boundary (Document 2002-015151)
-  Property Boundary
-  San Mateo County Assessor's Parcels

Map date: 1/2014
Scale: 1" = 1,000'
Sources: ESRI, San Mateo County 2012



PLN 2007-00054



SITE LOCATION MAP NOT TO SCALE

LEGEND

- DS DOWN SPOUT
- E EXISTING
- FH FIRE HYDRANT
- N NEW OR PROPOSED
- W WATER

GENERAL NOTES

1. PLANS PREPARED AT THE REQUEST OF: DAVID LEA, OWNER
2. SITE PLAN GENERATED FROM AERIAL PHOTOGRAPHY AND INFORMATION FROM SMC GIS SYSTEM AND FEMA.
3. THIS IS NOT A BOUNDARY SURVEY.

GRADING NOTES

NO GRADING WILL BE NECESSARY

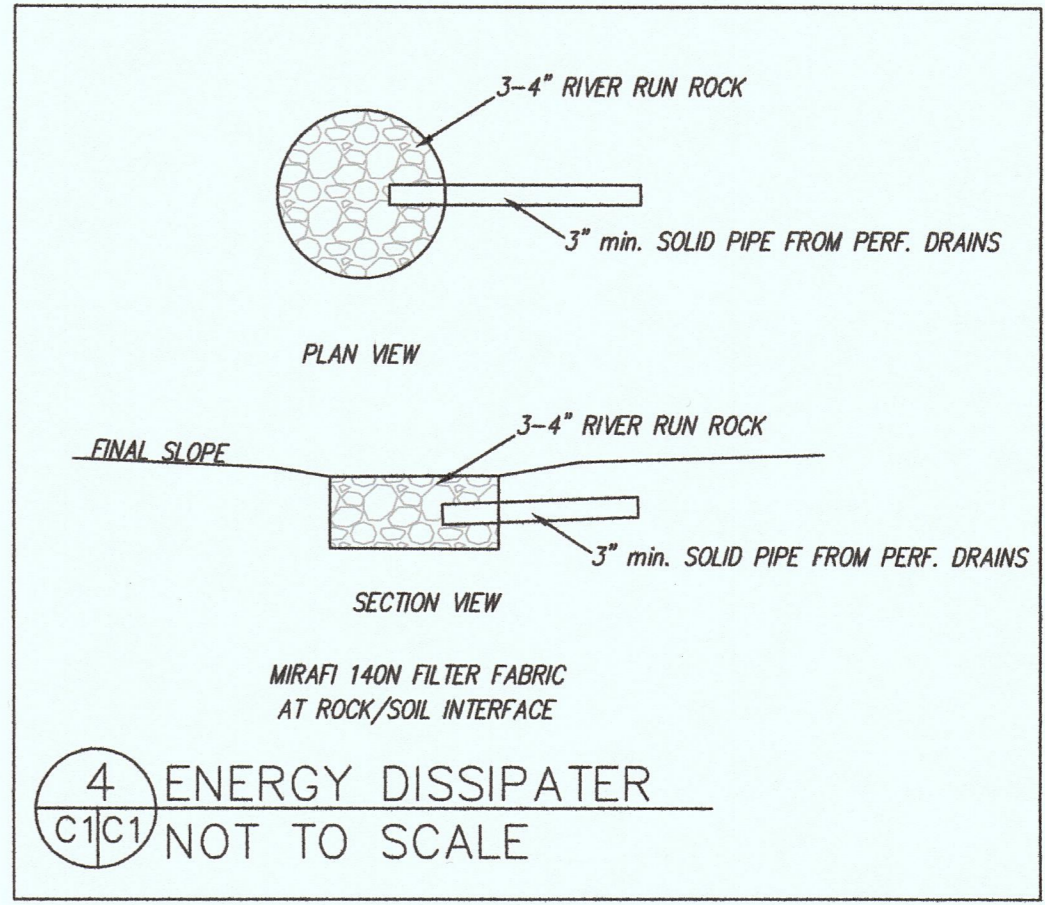
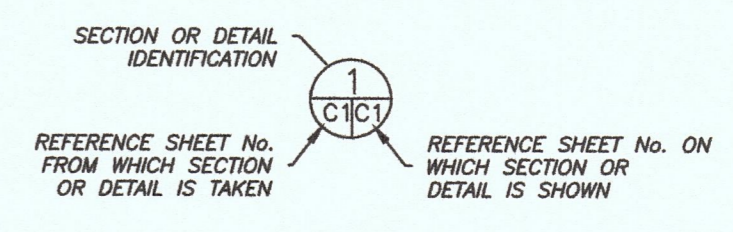
ALL TRENCHES WITHIN TRAVEL WAYS SHALL BE BACKFILLED TO SUBGRADE ELEVATION WITH COMPACTED APPROVED GRANULAR MATERIALS. IF TRENCHES ARE IN PROPOSED LANDSCAPE AREAS, THEY SHALL BE BACKFILLED WITH COMPACTED APPROVED GRANULAR MATERIAL TO WITHIN ONE FOOT OF FINISHED GRADE, AND THEN FILLED WITH HAND TAMPED SOILS.

DRAINAGE NOTES

1. DRAINAGE INTENT: IT IS THE INTENT OF THE DRAINAGE SYSTEM TO CONVEY ROOF RUNOFF TO A SAFE LOCATION.
2. ALL DOWNSPOUT DRAIN LINES SHALL LEAD TO ENERGY DISSIPATOR, AS SHOWN.
3. ALL ROOF DRAINAGE PIPES SHALL BE MINIMUM 3" DIAMETER SOLID PIPE, SLOPED AT 1% MINIMUM.



SECTION AND DETAIL CONVENTION



4 ENERGY DISSIPATER NOT TO SCALE

RECEIVED
SEP 16 2016
San Mateo County
Planning and Building Department

DATE: 9-14-16 DRAWN BY: AZG CHECKED BY: CMK REV. DATE: REV. DATE: REV. DATE:	SIGMA PRIME GEOSCIENCES, INC. 332 PRINCETON AVENUE HALF MOON BAY, CA 94019 (650) 728-3690 FAX 728-3593
SITE PLAN FARM WORKER HOUSING CABRILLO FARMS CABRILLO HIGHWAY MOSS BEACH, CALIFORNIA APN: 037-320-350	
SHEET C-1	

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

DATE: December 12, 2016

TO: Agricultural Advisory Committee
FROM: Melissa Ross, Senior Planner
SUBJECT: Agenda Topic: Williamson Act Program

BACKGROUND

At the September 12, 2016 meeting, the Agricultural Advisory Committee (AAC) requested a series of agenda items/study sessions that are focused on the regulations that are applied to projects that come before the Committee. The regulations and policies that will be brought to the Committee over the next several months include: Planned Agricultural District (PAD) Regulations, Farm Labor Housing Regulations, Williamson Act, Agricultural Tourism Guidelines, and Grading Ordinance.

This discussion is related to the Williamson Act Program.

DISCUSSION

A. History of the Williamson Act

Enacted by the State Legislature in 1965, the California Land Conservation Act (Williamson Act) authorizes local governments to enter into contracts with private landowners for the purpose of restricting development to agricultural, open space, and recreational uses on certain parcels in exchange for reduced property tax assessments. San Mateo County first entered into contracts under this Act in 1966.

In 2007, the State Department of Conservation (DOC) conducted a statewide audit of all participating cities and counties. In its audit of the County, the DOC found non-compliance with certain State regulations implementing the Williamson Act. In response, the Planning and Building Department (Department) developed a multi-step approach to address these audit findings that included a response to the audit, non-renewal of non-compliant parcels, and improvements to the County's Williamson Act Program (Program).

Since the audit, the Department has formally responded to the DOC, recorded county-initiated non-renewals for 174 non-compliant contracted parcels, resolved

11 non-renewal appeals, recorded 26 landowner initiated non-renewals, and has adopted a revised Program (2013).

Instrumental in the adoption of the revised Program was the collaboration of the Agricultural Advisory Committee's Williamson Act Subcommittee and the Department. This joint effort in drafting the current Program sought input from community members, the California Department of Conservation, San Mateo County Farm Bureau, Agricultural Commissioner, Assessor's Office, as well as comments received during the 2012 Board of Supervisors Study Session and the 2013 Williamson Act Public Workshop.

B. Adopted Williamson Act Program

The purpose and intent of the County's Program is to preserve the limited supply of agricultural land, encourage agricultural production through commercial channels, discourage premature conversion of agricultural land to non-agricultural uses, and allow compatible uses on contracted lands provided agricultural productivity is not compromised.

Role of the Agricultural Advisory Committee

The role of the AAC in supporting the purpose and intent of the Program is to review Agricultural Preserve boundary modifications, new or modified contracts, exceptions to Program requirements, Determination of Compatibility, and non-renewal appeals.

Contract Eligibility Criteria

Two contract options are available through the Program: Agricultural Land Conservation Contracts (A/LCA) and Farmland Security Zone Act Contracts (FSZA/LCA). A/LCA contracts carry an initial term of 10 years and are self-renewing; FSZA/LCA contracts carry an initial term of 20 years and are self-renewing.

All contract types must meet the following eligibility criteria:

- Located within an Agricultural Preserve
- Have a General Plan Land Use Designation of "Open Space" or "Agriculture"
- Zoned Planned Agricultural District (PAD), Resource Management District (RM), or Resource Management-Coastal Zone District (RM-CZ)
- Minimum parcel size of 10 or 40 acres depending on agricultural use
- Meet the minimum annual crop income, grazing land utilization or horse breeding requirement
- Not exceed the maximum allowance of compatible uses
- All qualifying agriculture must be ongoing and for commercial purposes.

Additional requirement for FSZA/LCA contracts:

- Land must be Prime Farmland, Farmland of Statewide Importance, Unique Farmland or Farmland of Local Importance as designated by the DOC.

Exceptions

Exceptions to some eligibility criteria (minimum parcel size, crop income, minimum grazing land utilization) may be requested for new or existing contracts. In cases of new contracts, the exception will be reviewed by the AAC and Agricultural Commissioner for recommendation to the Board of Supervisors. For existing contracts, exceptions may be considered by staff after a recommendation by the AAC and Agricultural Commissioner.

Determination of Compatibility

When non-agricultural uses are present/proposed on land under an existing/new contract, a review of these “compatible” uses is required. Compatible uses may only be allowed if the compatible use does not exceed the amount of agricultural uses on the property and the use does not significantly reduce or interfere with the agricultural activities.

The role of the AAC is to review compatible uses for compliance with the *Maximum Allowance of Compatible Uses* (compatible uses cannot exceed agricultural uses; and, in no case can compatible uses exceed 25% of the parcel size) and issue a Determination of Compatibility if the uses are compliant.

The following are exempted and not subject to Determination of Compatibility review:

- a. Facilities and structures utilized in conjunction with the production, preparation, and storage of an agricultural commodity, commercial grazing, or commercial horse breeding.
- b. Existing single-family residences: repairs, alterations, and additions constituting less than 50%.
- c. New small structure construction of 500 sq. ft. or less (e.g., detached garage).
- d. Farm labor housing.
- e. Keeping of pets in association with a single-family residence, farm labor housing, or multiple-family residence.
- f. Septic systems: replacement and repair of existing septic systems as required by Environmental Health Division.

- g. Agricultural and domestic wells: replacement and repair of existing agricultural or domestic wells as required by Environmental Health Division.
- h. Repair to existing hardscape (e.g., roads, driveways, parking areas).
- i. Roof-mounted photovoltaic modules.
- j. Gas, electric, water or other utilities (other than ground mounted photovoltaic) that are placed above or underground.
- k. Wireless telecommunication facilities.
- l. Fencing.

Contract Termination

Contracts may only be terminated by non-renewal or cancellation. Nonrenewal is a nine (9) year process; cancellation is immediate, if approved.

Non-renewal may be initiated by the landowner or County. County-initiated non-renewals require a Board of Supervisors action; landowner-initiated requests are processed by the Department. Cancellation is landowner-initiated and requires a current fair market value assessment prior to the Board of Supervisors action on the cancellation. The cancellation fee is 12.5 percent of the assessment.

County-initiated non-renewals may be appealed by the landowner. Appeals are a three (3) year process. Example: A county-initiated non-renewal recorded and appealed in 2011 must be resolved by 2014 year's end.

C. Contract Monitoring and Status

The responsibility of the Department is to implement the Program which includes review of contracted lands for compliance, evaluate existing and process new or modified contracts, and processing non-renewals and appeals.

Current Status of Contracts

Below is the status of contracted parcels, as of this report date:

Williamson Act Parcel Contract Status	
Parcels Under Active Contract	314
Parcels Non-Renewed	200
Parcel Contracts Appealed	8
Total Contracted Parcels	522

Monitoring Process and General Timeline

In partnering with the Assessor's Office, the Department reviews the Agricultural Preserve Questionnaires (Questionnaires) mailed annually to landowners by the Assessor to evaluate ongoing commercial agriculture on contracted lands. The following provides a general timeline for Department processing of county-initiated contract non-renewals.

February-March	Assessor's Office Agricultural Questionnaire mailings.
April-May	Assessor's Office receipt and processing of returned Questionnaires.
May-August	Transmittal of Questionnaires to the Department; Department review and subsequent mailings to landowners requesting additional information; preparation for Board of Supervisors public hearing.
September-October	Board of Supervisors public hearing; Notice of Intent of non-renewal mailed to landowners.
November-December	Appeal period.
December	Recordation of non-renewals and Department transmittal of appeals to Assessor's Office.

Past county-initiated non-renewals have been recorded on parcels where insufficient agricultural operations were identified on Questionnaires, where parcels were contract ineligible due to zoning, or where no response was received to the Questionnaire or subsequent Department requests for information.

D. Next Steps

For the upcoming 2017 Compliance Review, the Department intends to focus on grazing operations and will begin reviewing and selecting those parcels once the Questionnaires are transmitted. The Department will also select those parcels where landowners have failed to respond to the Questionnaire or where a response indicates insufficient agriculture, as an ongoing process. Where parcels are not compliant, the Department will submit to the Board of Supervisors at a public hearing a recommendation to non-renew.

The Department anticipates a sizeable number of landowners indicating grazing as the qualifying agricultural use which may require the review of these contracts to be processed in two batches (2017 and 2018). This determination will be made as the Department's review is conducted next year and will be dependent upon

the number of grazing operations and adequacy of landowner documents (e.g., commercial tenant lease agreements, site plans). After processing the grazing contracts, review of cropland will commence in the subsequent year.

The Department intends to review all parcels under contract at least once then begin the annual 20% parcel contract compliance review.

In addition to the yearly review, the Department will continue to process non-renewal appeals and submit these appeals towards the end of the three (3) year appeal process to the AAC for a recommendation to the Board of Supervisors. The next currently pending appeals will be submitted to the AAC in 2018.

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County of San Mateo Planning & Building Department
Agricultural Advisory Committee

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

Meeting Minutes
Regular Meeting November 14, 2016

1. Call to Order

Robert Marsh, Committee Chairman, called the Special Meeting of the Agricultural Advisory Committee (AAC) to order at 7:00 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) was present, as follows:

Regular Voting Members Present

BJ Burns
Marilyn Johnson
Peter Marchi
Robert Marsh
Brenda Bonner
Robert Cevalasco
Louie Figone
Doniga Markegard

Regular Voting Members Absent

April Vargas

Nonvoting Members Present

Rob Bartoli
Fred Crowder
Jess Brown

Nonvoting Members Absent

Jim Howard
UC Extension Representative

3. Public Comments for Items not on the Agenda

Agricultural Commissioner Crowder stated that on December 6, 2016 at the San Mateo County Board of Supervisors Meeting there will be a study session regarding the recently passed marijuana ballot measure. As

part of the study session, a number of County departments, including Ag, Weights, and Measures, and Planning and Building, will give a presentation on how their department is reacting to the newly approved state law. This item will be an informational item only. No action will be taken during the study session.

4. Agenda Topics – Agritourism Guidelines

Director Monowitz presented the item. He stated that the AAC has asked Planning staff to review some of the rules and regulations that are applied to projects that typically come before the AAC. One item that proposed to be reviewed was the PAD zoning regulations, which were reviewed at the prior meeting. The agenda topic for this meeting is the Agritourism Guidelines after receiving a request from the AAC to talk about this item.

Director Monowitz talked about the background of how the Agritourism Guidelines originated. He stated that a number of farms were setting up special events, particularly around the holiday season. However, as more of these events started to occur, the County started to receive complaints about them. In response, the San Mateo County Planning and Building Department and the San Mateo County Agricultural Advisory Committee's subcommittee on agritourism have developed the guidelines for the review and establishment of commercial activities on agricultural land. These guidelines seek to provide guidance regarding the application of existing Local Coastal Program (LCP) policies and zoning regulations in a manner that facilitates the establishment of uses that are secondary to the agricultural uses of the land, support the economic viability of farming and ranching, and minimize conflicts with agricultural activities on said lands and/or adjacent lands.

Director Monowitz went on to briefly cover the definitions contained in the Agritourism Guidelines. Agritourism is defined as the act of visiting a working farm/ranch or agricultural operation for the purpose of enjoyment, education or active involvement in the activities of the farm/ranch or agricultural operation that adds to the economic viability of the agricultural operation. He stated that the uses proposed under the Agritourism Guidelines need to be related to and supportive of the ongoing agricultural activities on the property. Uses that are not related to agriculture, such as weddings and music concerts, are considered to be non-agricultural commercial events. These types of events are allowed, but are not considered to be Agritourism and would need to obtain the proper permits. Commercial recreation is an allowed use subject to density credits and the PAD regulations. Agritourism events are temporary in nature, while commercial recreation is a more permanent use.

Director Monowitz stated what the goals of the Agritourism Guidelines are: 1. Confirm that agritourism uses are secondary and supplemental to existing agricultural uses of the land. 2. Agritourism uses must be

compatible with and beneficial to the agricultural uses on the land. 3. Allow temporary agritourism uses and facilities on all agricultural lands, but limit them in scale, location and time. Require staff level review to confirm temporary uses are consistent with these guidelines. 4. Limit percentage of lands utilized for agritourism. 5. Ensure the “Right to Farm” on all lands.

Director Monowitz then went through the limitations and specifics of the Agritourism Guidelines. If an event stayed within these limitations, then the project would be considered an Agritourism use. The event also needs to meet the required limit on days of operation. The use can only occur for 45 consecutive days, only two times a year, creating a maximum of 90 days for events on properties.

Director Monowitz stated that there are performance standards that must be met by the proposed event. He stated that every event, even if does not need other permits, is required to submit an application for an agritourism event. This application is reviewed by staff, the AAC, and ultimately is approved or denied by the Community Development Director.

Director Monowitz stated that there are four findings that are required for each agritourism event: 1. That the agritourism use is compatible with the long-term agricultural uses of the land. 2. That the agritourism operation will not adversely affect the health or safety of persons in the area and will not be materially detrimental to the public welfare or injurious to agricultural property. 3. That the agritourism operation is in substantial conformance with the goals set forth in the San Mateo County Agritourism Guidelines. Specifically, that the operation is secondary and supplemental to existing agricultural operation on said land. 4. That the proposed use and activities comply with all relevant provisions of the General Plan, Local Coastal Program, Zoning Regulations, and Williamson Act (where applicable). He stated that when project has reached a critical threshold and are no longer secondary to agriculture, then the project may be a commercial recreational use. He stated that the important questions for the AAC to decide on for these types of applications are, do the proposal meet the limitations for temporary events and do they meet the performance standards. If there are concerns about an application, during the AAC’s review of the project, it would be appropriate to bring up these concerns to staff.

Vice Chair Burns stated that agritourism should be secondary in nature to agricultural production. He asked what the County does when these events grow to a point where they are no longer secondary to agriculture.

Director Monowitz stated that for agritourism events, the County asks that the operator submit a permit every year for review by staff and the AAC. If there is a full permit, PAD and CDP, for a commercial

recreational use, that use is for the life of the permit. If an agritourism event exceeds what the application stated what the event proposed, then the County can require them to stop those activities.

Vice Chair Burns stated that agritourism could deplete agriculture. He said that he sees this happening now. He also stated that the events could cause more problems in the future. He stated that the County is aware of these issues and something should be done about it. He does not want it to get out of hand.

Director Monowitz stated that to the degree that people are not complying with the guidelines, the County is willing to work with the property owner. Also, he stated that the County is open to revisiting these guidelines if there is an issues with them that needs to be address and work with the AAC subcommittee.

Vice Chair Burns asked about the events that do not follow the Agritourism Guidelines and start off small, but get larger and larger.

Director Monowitz stated that for those issues, we have enforcement abilities and can issues penalties and other tools.

Committee Member Johnson stated that she see properties where there are violations and where agritourism is no longer secondary on a property. She asked if the 90 day limitation would apply to projects that have CDP and PAD permit for commercial recreation. She also asked if the Agritourism Guidelines are applicable to these uses. She stated that it can be frustrating to see properties where crops are not planted and the agritourism events are continuing.

Director Monowitz stated if there is a CDP and PAD permit, the use can exceed the 90 day limitation. A project for commercial recreation are still reviewed against the Agritourism Guidelines, as well as other regulations. There are still time restrictions for these permits however. The use also still must be secondary to agriculture.

Vice Chair Burns asked what the 12 date limitation in the Agritourism Guidelines was in reference to.

Director Monowitz stated that the 12 dates are how many farm dinners could occur in one year.

Chair Marsh, stated that the reason for the 45 day period is because there is time required to set up an event like pumpkins and Christmas trees.

Agricultural Commissioner Crowder asked how staff makes the determination that the agritourism are secondary to agriculture. Is there information that the applicant provides as part of the process.

Director Monowitz responded by saying that while there are not clearly defined thresholds, staff has asked applications to explain the agricultural operations on the site and confirming that agricultural activities are occurring on the site.

Chair Marsh stated that when you see that someone doesn't produce the commodity and sell it, it is hard for the County to see if the item is produced on the property. It is important to see what is being grown on the property.

Director Monowitz stated the Guidelines give staff the tools to address the issues that have come up at this meeting.

Committee Member Johnson asked how long a CDP is valid for.

Director Monowitz stated that in most cases, CDP are good forever. If someone get a CDP for a hotel, they do not need to renew that permit. In the case of a CDP for a commercial recreation use, there is a time period for how long that permit is valid.

Committee Member Marchi stated that he recalled conversations regarding how the County could determine if an agritourism is secondary to agriculture on the property. He stated that one way to limit the size of the event, 1 acre if the parcel was less than 40 acres, 2 acres if the parcel was greater than 40 acres. He stated that he recalled that the conversation also touched on determining if the monetary value of the agritourism event was greater than the agriculture production on the site. He stated the County staff said they were not interested in auditing people's financial records.

Chair Marsh opened public comment on the item.

Kerry Burke said that if there is a CDP and PAD permit with conditions, but if they project was not in compliance with these conditions, what can the County do to get them into compliance.

Director Monowitz stated that CDP and PAD permits of agritourism uses do need to have a length of time for their permit. The Planning Commission and Board of Supervisors, takes into account compliance with previous permits. If a project is not in compliance with their conditions of approval, the County can take enforcement steps to bring them back into compliance and document that issues to inform decisions makers.

Ron Sturgeon stated that the committee is talking about one specific project. He stated that the agritourism on that property is not secondary to the agriculture. He wanted to understand why a permit was granted for

this property by the County. He went on to say that the Agriculture Commissioner on this project found that the use was secondary to agriculture on the property, but the AAC did not make that finding. He wanted to know why this was the case

Director Monowitz stated that this project required a PAD and CDP permit and was approved at the Planning Commission. The applicant submitted information that was sufficient for the Planning Commission to make a decision on the application. This included information that was submitted by the applicant demonstrated that there were agricultural uses on the site. Stated that this was a two year permit.

Chair Marsh said that is not fair for the neighbors and not fair to other agriculture uses.

Director Monowitz that as part of the creation of the Guidelines was to make it more fair for those involved.

Committee Member Marchi asked about if a corn maze would require an agritourism permit if it is part of the crop and the farm.

Vice Chair Burns said that maybe the County should check these operations on weekends to confirm that they are operating within the requirements.

Director Monowitz stated that he and other County staff have visited the sites during weekends. He asked if people in the community see something that does not seem right, to contact the Planning Department to look into it.

Vice Chair Burns stated that it is the County's responsibility to do check in on these uses. He wants to see these uses controlled and protect agriculture. He said that it is not fair to the neighbors, the community, or people that use the highway that these uses continue to grow and grow. He has concerns about prime agricultural lands being harmed by these events.

Director Monowitz stated that the County is grateful for any information about these issues from people in the community. He stated that he has not encountered situations where people have established agritourism events without permits.

Chair Marsh spoke about the traffic issues on the weekends in Pescadero.

Agricultural Commissioner Crowder said that it was his recollection to deny the permit the last time it was before the AAC. When the item went to the Planning Commission, there needs to be concrete evidence for the Planning Commission to vote on. In the future when looking at these

regulations, there might need to be more defined guidelines asking for more information for the applicant.

Planner Bartoli stated that the AAC made no recommendation on this project the last time it was before them.

Kerry Burke, said there could be a spillover effect when agritourism events can impact the use of surrounding properties and agricultural operations. This can include parking overflow onto public roads or impact prime soils. Some of these project require environmental review and can allow these issues to be addressed. In the future, it might be helpful to have more tools to work with on these type of applications.

Committee Member Figone asked what types of enforcement actions can the County take if a project is not in compliance.

Director Monowitz stated that the County would contact the operator and ask them to stop the activity. If they did not the County could issue citations or revoke their permit.

Committee Member Johnson asked about what kind of inspections occur regarding the statues on the property.

Director Monowitz stated that the Building Official has reviewed the plans for the hay maze, but would need see if any review is required for the statues.

Chair Marsh closed public comment.

5. **Consideration of an application for an Agritourism Event for the upcoming 2016 Christmas tree sale season. The proposed days and hours of operation are as follows: November 15, 2016 – December 24, 2016 from 9:00 am to 5:00 pm. The proposed elements are: 1) a train on rubber tires that transports guests along an existing gravel road and 2) one food/snack bar sales of prepackaged foods and associated seasonal related items. Project is located at 78 Pilarcitos Creek Road. County File No. PLN2016-00458; Owner/Applicant: Sare**

Planner Bartoli presented the item. The applicant is proposing an Agritourism Event for the upcoming Christmas tree season. The proposal includes a train ride on an existing gravel road and snack bar with prepackaged foods. The location of the parking and train ride are in already disturbed areas and are located within close proximity to the existing development on the site. While a portion of the site for the Agritourism Event is located on prime soils, no soils will be converted for this temporary event. This item was brought to the AAC last year for

the same exact Agritourism Event. There are no changes between the applications in 2015 and this current permit.

Committee Member Marchi stated that this project came before the AAC last year and there are no changes.

Chair Marsh stated that the property has been used for Christmas trees for a long time.

Committee Member Figone asked why this use required an Agritourism permit.

Director Monowitz stated that the project does not need a permit, but qualifies for the Agritourism exemption. The applicant still needs to get an exemption and the AAC is reviewing the exemption.

Chair Marsh opened public comment.

Kerry Burke, stated that it would be helpful to have information in the staff report about if the project was previously before the AAC for their review.

Chair Marsh closed public comment.

Committee Member Marchi stated that he will be voting for the project, but he wanted to disclose that he is related to property owner, but has no monetary gain in the project.

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

Vice Chair Burns asked if all the Agritourism uses have hours of operations that end at the same time.

Planner Bartoli stated that under the Agritourism Guidelines, the event must end at sunset each day, as no lighting shall be allowed as part of the event. If a use has a PAD and CDP permit, those hours of operation can be changed.

6. **Consideration of a Coastal Development Permit and a Planned Agricultural Development Permit, pursuant to Sections 6328.4 and 6353 of the County Zoning Regulations, a Grading Permit, pursuant to Section 8600.1 of the County Ordinance Code, and certification of a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, for the construction of the Green Valley Trail (part of the California Coastal Trail). This project is appealable**

to the California Coastal Commission. County File No. PLN2016-00398; Owner/Applicant: San Mateo County Parks Department

Planner Bartoli presented the item. The construction of the new trail is located on PAD zoned property. There is no prime soils within the scope of the project. The parcels are not under Williamson Act and there is no active agricultural operations on the parcels. Only minor vegetation is proposed to be removed. The property is owned by State Parks and Caltrans. The project sponsor is San Mateo County Parks.

Committee Member Figone spoke about the Gray Whale Cove parking lot in relationship to where the trail is.

Chair Marsh stated that while the project is not impacting any agriculture operations now, the trail will be coming south, so there maybe impacts.

Planner Bartoli stated there the future location of the trail is still under review and no determination for its location has been made.

Committee Member Johnson asked for better graphics for projects that the AAC reviews. She noted that the maps were hard to read.

Committee Member Johnson also stated that it is difficult to make a decision on if this project will impact agriculture if it is not know where the location of the trail will be for future segments. She expressed her concerns about how the trail could impact agriculture in the future.

Planner Bartoli stated if there is an impact to PAD zoned lands by future segments of the trail, the project will be reviewed when that portion of the trail comes forward.

Committee Member Figone stated that the proposed trail would end at the Gray Whale Cove Parking lot and tie to the existing trails that are there.

Committee Member Marchi asked how close the trail is to the area where the Lea farmers.

Committee Member Figone stated that the trail is quite a distance away.

Chair Marsh opened public comment.

Kerry Burke stated that while this property may have been farmed many years ago, there is no active agriculture on the property. It might be more appropriate to have these properties zone RM/CZ than PAD. The land is being utilized more for recreation than agriculture.

Chair Marsh closed public comment.

Committee Member Figone asked about the upper Gray Whale Cove parking lots and improvements that might be made to it.

Planner Bartoli stated that the County Parks is working on a separate project to pave the upper dirt parking lot and install drainage.

Committee Member Bonner moved approval the project; Committee Member Figone seconded the motion. The motion was approved unanimously (7 ayes – 0 noes).

Vice Chair Burns asked who is on the committee reviewing the trails along the coast. He suggested that someone from the agriculture community be involved in the committee.

Director Monowitz stated that representatives from County Parks, State Parks, and Caltrans is part of a committee reviewing the trails. He stated that he did not know if there were other groups involved in the review. He agreed that as the trail moves south, there could be impacts to agriculture uses.

Committee Member Marchi made a comments about having larger maps as part of the staff report.

7. Consideration of the Action Minutes for the September 12, 2016 regular meeting and October 11, 2016 special meeting.

Vice Chair Burns moved approval the meeting minutes for the September 12, 2016 regular meeting Committee Member Johnson seconded the motion. The motion was approved unanimously (5 ayes – 0 noes – 2 abstain Bonner and Markegard).

Dante Silvestri had a comment regarding the October 11, 2016. On page 7 of the minutes, he asked to have the minutes corrected to say that the Apple site is no longer in operation.

Committee Member Bonner moved approval the meeting minutes ask amended for the October 11, 2016 special meeting Vice Chair Burns seconded the motion. The motion was approved unanimously (5 ayes – 0 noes – 2 abstain Figone and Markegard).

7. Community Development Director's Report

Chair Marsh asked if the items listed under upcoming PAD permit is different than the attached spreadsheet.

Planner Bartoli stated that the attached spreadsheet is a list of rural CDXs that have submitted for during the month of October.

Director Monowitz gave an overview of the Director's Report and stated that as part of the CDX report, staff can include address so that people can see the location of the permit. In cases where there is no address, staff can add the street name.

Chair Marsh opened public comment.

Ron Sturgeon stated that the CDX for grading for a pump house (PLN2016-00434) should be a permit that come before the AAC for their review as there are number of activities on going on the property.

Chair Marsh closed public comment.

Vice Chair Burns stated the trenching that occurred on the property next to Pescadero High School has not been filled back in and leveled back.

Director Monowitz stated that he will look into this issue.

Vice Chair Burns asked if the County received a letter from the Farm Bureau regarding the proposed fire station.

Vice Chair Burns stated that he likes the new building, but he has concerns about the ADA access to the bathroom, as the bathrooms are located outside, it is usually dark during the meeting, and the parking lot is dirt. He stated that it may be difficult for a person to get to the bathroom if they are handicapped.

Director Monowitz stated that County staff is opening to suggestion for alternative locations.

Kerry Burke asked about the status report that Director Monowitz presented at the most recent Board of Supervisor meeting.

Director Monowitz stated that as it relates to the rural area, the Planning Department is focusing on streamlining the permit process, Farm Labor Housing process, coastside office hours, and the Agricultural Ombudsman.

Committee Member Johnson asked for an update on the subdivision regulations.

Director Monowitz stated that staff is still working on the draft update subdivisions regulations. The draft regulations will come to the AAC for review. The regulation may come back to the AAC for review in early 2017.

Adjournment (8:38 p.m.)

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

DATE: December 12, 2016

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

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 November 1, 2016 to November 30, 2016.

PLANNED AGRICULTURAL DISTRICT PERMIT OUTCOMES

PLN2016-00257, a PAD permit for a new Farm Labor Housing Unit, was approved by the San Mateo County Planning Commission on November 30, 2016.

UPCOMING PLANNED AGRICULTURAL DISTRICT PERMIT PROJECTS

Three applications for a PAD permit was received during the month of November:

- PLN2016-00495 is a CDP & PAD permit to allow construction of 4 FLH units, associated septic, & domestic well located at 950 La Honda Road, San Gregorio.
- PLN2016-00496 is a CDP/PAD CDP & Planned Agricultural District permit to construction 3 non-soil dependent greenhouses (3600 s/f each) & legalize one permanent farm stand, located at 950 La Honda Road, San Gregorio.

COASTAL DEVELOPMENT EXEMPTIONS FOR AGRICULTURAL PROJECTS

See attached report regarding the one rural CDX application that were received by the Planning Department from 11/1/16-11/30/16. Each permit includes the description of the project and the status of the permit. Copies of the CDXs are available for public review at the San Mateo County Planning Department.

ADDITIONAL ANNOUNCEMENTS

In response regarding the trenching that has occurred at the Pescadero High School, the trench site was left "mounded" in the middle (parallel to Butano Cut Off) in anticipation of soil settling during the wet season. The site will be regraded next spring to level out the site after settling has occurred. From Google Earth, the area had been farmed off and on through the years (looks like it stopped around 2012). It is staff's understanding that no interest in farming the site has been expressed to the school district.

ATTACHMENT

A. Rural CDXs from 11/1/16-11/30/16

RURAL CDXs FOR 11/1/16-11/30/16						
Permit Number	RECORD NAME	DATE OPENED	DESCRIPTION	APN	ADDRESS	RECORD STATUS
PLN2016-00490	AG. WELL	11/15/2016	CDX for a new agricultural well to provide water for existing agricultural fields (pumpkins & field crops). Property owner currently uses District water connection for irrigation & wants to discontinue using that connection for irrigation.	048071020	420 PURISIMA WAY, MIRAMAR, CA	Approved