



County of San Mateo Planning & Building Department Agricultural Advisory Committee

BJ Burns
Koren Widdel
Jess Brown
Jim Howard

John Vars
Judith Humburg
Laura Richstone
Lauren Silberman

Louie Figone
Frank McPherson
Robert Marsh
Ron Sturgeon

William Cook
Cynthia Duenas
Peter Marchi
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County Office Building
455 County Center, 2nd Floor
Redwood City, California 94063
650/363-1829
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Regular Meeting

****BY VIDEOCONFERENCE ONLY****

Date: Monday August 10, 2020
Time: 7:00 p.m. to 9:00 p.m.
Place: Virtual Meeting due to COVID-19 Shelter in Place Order

Pursuant to the Shelter in Place Orders issued by the San Mateo County Health Officer and the Governor, the Governor's Executive Order N-29-20, and the CDC's social distancing guidelines which discourage large public gatherings, the Half Moon Bay Public Library is no longer open to the public for Agricultural Advisory Committee meetings.

*** PUBLIC PARTICIPATION**

Written Comments:

Members of the public may provide written comments by email to LRichstone@smcgov.org and should include the specific agenda item on which you are commenting, or note that your comment concerns an item that is not on the agenda.

The length of the emailed comment should be commensurate with the 5 minutes customarily allowed for verbal comments, which is approximately 300-400 words. To ensure your comment is received and read into the record for the appropriate agenda item, please submit your comments no later than 5:00 p.m. the day before the meeting. The County will make every effort to read emails received after that time, but cannot guarantee such emails will be read into the record. Any emails received after the deadline which are not read into the record will be provided to the Committee after the meeting and become part of the administrative record.

Individuals who require special assistance or a disability-related modification or accommodation 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 Laura Richstone, the Planning Liaison, by 10:00 a.m. on the Friday before the meeting at LRichstone@smcgov.org. Notification in advance of the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting, the materials related to it, and your ability to comment.

Virtual Meeting/Spoken Comments

Spoke public comments will be accepted during the meeting through Zoom. **Please read the following instructions carefully:**

1. The August 10, 2020 Agricultural Advisory meeting may be accessed through Zoom online at the link <https://smcgov.zoom.us/j/94579200461>. The **meeting ID** is: 945 7920 0461. The meeting may also be accessed via telephone by dialing +1 669-900-6833 (Local). Enter the meeting ID: 931 8347 8974, then press #. (To find your local number: <http://smcgov.zoom.us/u/admSDqceDg>).
2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up to date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionalities may be disabled in older browsers including internet explorer.
3. You may be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When the Committee calls for the item on which you wish to speak, click on “raise hand” or *9 if calling in on a phone. The Secretary will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.
5. When called, please limit your remarks to the time limit allotted.

MATERIALS PERSENTED FOR THE MEETING:

Applicants and members of the public are encouraged to submit materials to the Agricultural Advisory Committee. All materials (including but not limited to models and pictures) submitted on any item on the agenda are considered part of the administrative record for that item, and must be retained by the Committee Secretary. If you wish to retain the original of an item, a legible copy must be left with the Committee Secretary.

AGENDAS AND STAFF REPORTS ONLINE:

To view the agenda, please visit our website at <https://planning.smcgov.org/agricultural-advisory-committee>. Staff reports will be available on the website one week prior to the meeting. For further information on any item listed below please contact the corresponding Project Planner indicated.

To view the San Mateo Resource Conservation District (SMRCD) Municipal Service Review Circulation Draft noted in Item 6, please visit this link:

<https://lafco.smcgov.org/sites/lafco.smcgov.org/files/RCD%20Municipal%20Service%20Review.pdf>

CORRESPONDENCE TO THE COMMITTEE:

Laura Richstone, Agricultural Advisory Committee Liaison
455 County Center, 2nd Floor
Redwood City, CA 94062
Phone: 650/363-1829
Facsimile: 650/363-4849

Email: LRichstone@smcgov.org

NEXT MEETING:

The next regularly scheduled Agricultural Advisory Committee meeting will be held on September 14, 2020.

AGENDA
7:00 p.m.

1. **Call to Order**
2. **Member Roll Call**
3. **Oral Communications** to allow the public to address the Committee on any matter not on the agenda. If your subject is not on the agenda, the Chair will recognize you at this time.
4. **Committee Member Update(s) and/or Questions** to allow Committee Members to share news and/or concerns for items not on the agenda.

REGULAR AGENDA

5. **Committee Discussion** on the San Mateo Resource Conservation District (SMRCD) Municipal Service Review Circulation Draft. The draft report focuses on the availability, need, and performance of public services provided by the SMRCD. Presentation to be given by the SMRCD as a lead-in to the discussion.

The draft report can be found at the link below and is a document generated by the San Mateo County Local Agency Formation Commission (LAFCo). Comments on the draft should be directed to Martha Poyatos at mpoyatos@smcgov.org or Rob Bartoli at rbartoli@smcgov.org of LAFCo no later than Friday, August 21, 2020. Written comments received by this date will be incorporated into a final report and presented for action at a noticed public hearing on September 16, 2020.

Draft Link:

<https://lafco.smcgov.org/sites/lafco.smcgov.org/files/RCD%20Municipal%20Service%20Review.pdf>

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6. **Owner/Applicant:** **Omar Smith, MidPeninsula Open Space Trust**
File Number: PLN 2019-00385
Location: 20080 Cabrillo Highway
Assessor's Parcel No. 081-060-100

Consideration of Coastal Development Permit and Planned Agricultural Permit to drill a domestic water well to replace domestic water drawn from a natural spring and spring water box. No vegetation, tree removal, or grading is proposed. The property is located at 2080 Cabrillo Highway in the unincorporated San Geronimo area of San Mateo County. The project is appealable to the Coastal Commission. Please direct any questions to Project Planner Olivia Boo at OBoo@smcgov.org.

7.

**WILLIAMSON ACT EXCEPTIONS AND NON-RENEWALS
MULTI-PROJECT NUMBER CONSIDERATION**

ITEM 1

Owner: Lobitos Land Company CA LTD
File Number: PLN 2020-00193
Location: Martins Beach area- west side of HWY 1 near Verde Rd.
intersection
Assessor's Parcel No. 066-310-020

Consideration of a Williamson Act Contract exception to the minimum parcel size requirements (11 acres where 40 is required) on the basis that the land is highly productive and is unable to be merged with adjacent properties to meet minimum parcel size.

ITEM 2

Owner: Baird Robinson & Lois E. Trust
File Number: PLN 2020-00223
Location: 510 Bear Gulch Road, San Gregorio
Assessor's Parcel No. 081-310-190

Consideration of a Williamson Act Contract exception to the minimum income eligibility requirements for cattle sales as income from agriculture on the parcel was demonstrated and as the land is highly productive.

ITEM 3

Owner: William Sorich Trust
File Number: PLN 2020-00224
Location: 22330 Skyline Boulevard, La Honda
Assessor's Parcel No. 080-400-030

Consideration of a County initiated Williamson Act Contract non-renewal as staff is unable to determine if ongoing commercial agriculture is present on the property due to a lack of documentation provided by the property owner.

ITEM 4

Owner: Harold Segelstad
File Number: PLN 2020-00225
Location: 3300 Bear Gulch Road, Woodside
Assessor's Parcel No. 081-360-010

Consideration of a County initiated Williamson Act Contract non-renewal as the land owner has stated that the land is not being used to graze cattle but for silviculture which is not a qualifying land use under the Williamson Act regulations.

Please direct any questions to Project Planner Kelsey Lang at KLang@smcgov.org.

8. **Committee Discussion and Update** on current COVID-19 pandemic, potential policies needed to protect local agricultural and water from contamination, how the pandemic may affect local food supply, and access to farm labor and resources available to producers and farm workers.
9. **Committee to Draft a Motion** requesting Planning staff to provide further information regarding educational events for agritourism.
10. **Consideration of the Action Minutes** for the July 13, 2020 regular meeting will occur at the September 14, 2020 AAC Meeting.
11. **Community Development Director's Report**
12. **Adjournment**

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) 363-1829, or by fax at (650) 363-4849, or e-mail LRichstone@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 – February 2020
 Agricultural Advisory Committee Attendance 2019-2020

	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	May*	June	Jul	Aug
VOTING MEMBERS														
Judith Humburg** Public Member		X		X		X		X	X	X	X	X	X	
BJ Burns Farmer, Vice Chair		X		X		X		X	X	X	X	X	X	
Natalie Sare* Farmer		X		X	X	X	X	X	X		X	X	X	
Louie Figone Farmer		X		X	X		X	X		X	X			
Cynthia Duenas** Public Member		X		X	X		X	X	X	X		X	X	
John Vars Farmer		X				X	X	X	X	X	X	X	X	
William Cook Farmer		X		X	X	X			X	X	X	X	X	
Peter Marchi** Farmer		X		X	X	X	X	X	X	X		X		
Robert Marsh Farmer, Chair		X		X	X	X	X	X			X			
Ron Sturgeon Conservationist		X		X		X	X	X	X	X		X	X	
Lauren Silberman Ag Business				X	X	X	X	X	X	X	X	X	X	
Natural Resource Conservation Staff Jim Howard														
San Mateo County Agricultural Commissioner Koren Widdel		X		X	X	X		X		X	X	X	X	
Farm Bureau Executive Director Jess Brown		X		X			X	X	X	X	X	X	X	
San Mateo County Planning Staff Laura Richstone									X	X		X	X	
UC Co-Op Extension Representative Frank McPherson						X			X	X	X			

X: Present
Blank Space: Absent or Excused
Grey Color: No Meeting
*** Special Meeting**
**** As of 06/25/2019**



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ITEM

6

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

DATE: August 10, 2020

TO: Agricultural Advisory Committee

FROM: Olivia Boo, Planning Staff, 650/363-1818

SUBJECT: Coastal Development Permit and a Planned Agricultural Permit pursuant to Sections 6328.4 and 6353 of the County Zoning Regulations to drill a domestic water well to replace domestic water drawn from a natural spring and spring water box. There is no grading, no tree removal and minimal vegetation removal. The property is located at 20080 Cabrillo Highway in the unincorporated San Gregorio area of San Mateo County. The project is appealable to the California Coastal Commission.

County File Number: PLN 2019-00385 (Midpeninsula Regional Open Space District)

PROPOSAL

The applicant is proposing to construct a new domestic well, water storage tank, and new water line to supply domestic water line to Toto Ranch. A minimal amount of vegetation will be removed for the new domestic well. The existing domestic water source is currently provided by a natural spring and spring box. The spring is seasonal and now fails to provide enough water for the residence and property. Agricultural uses on the property include cattle grazing rotated throughout the property based on the amount of available feed.

DECISION MAKER

Planning Commission

QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE

1. Will the development 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 Planning staff take with respect to the application for this project?

3. Based on the Williamson Act Determination of Compatibility calculation and criteria, the Agricultural Advisory Committee issues/does not issue a Determination of Compatibility.

BACKGROUND

Report Prepared By: Olivia Boo, Project Planner, 650/363-1818

Applicant: Omar Smith, Midpeninsula Regional Open Space District (MROSD)

Owner: Midpeninsula Regional Open Space District

Location: 20080 Cabrillo Highway

APNs: 081-060-100 and 081-060-110

Parcel Size: Total combined 465 acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Williamson Act: The contract was initiated under (County File Number AP84-4). The Non -Renewal was initiated under County File Number PLN 2012-00216 and is set to expire December 21, 2021.

Existing Land Use: The parcel is improved with an existing ranch house, an improved main road off of Cabrillo Highway, seasonal ponds, storage tanks and a barn. All structures are located approximately 3,600 feet east of Cabrillo Highway. The proposed replacement domestic well is located near the ranch road, approximately 2,400 feet further east from the main ranch house. The property is used for cattle grazing.

Water Supply: The property is currently served by a natural spring and spring box on site. The spring box is failing to provide enough water service for the residence, and water is trucked in occasionally throughout the year. The spring box will be abandoned once the new domestic well is installed. A 3,500-foot water line will be installed to connect the house and domestic well.

Sewage Disposal: An existing septic system supports the onsite structures.

Flood Zone: Flood zone X (area of minimal flood); Community Panel Number 06081C0357F, effective August 2, 2017.

Environmental Evaluation: Categorically exempt pursuant to Section 15302, Class 2 (c): Replacement or reconstruction of an existing utility system and/or facility involving negligible or no expansion of capacity.

Setting: The parcel is improved with an existing ranch house, an improved main road off of Cabrillo Highway, seasonal ponds, water storage tanks and a barn.

Will the project be visible from a public road?

The proposed replacement domestic well will be located 2,400 feet southeast of the ranch house, near the ranch road. The ranch house is 3,600 feet east of Cabrillo Highway. Due to the topography, distance, some low hills, and existing vegetation the domestic well will not be visible from Cabrillo Highway.

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

Minor vegetation is proposed to be removed to drill the domestic well. The propose well location is near the existing ranch road, in a disturbed area, and the property is used for on-site grazing. The County Geographic Information System (GIS) indicates no Federal or State plant endangered species noted on the parcel, no habitat is expected to be impacted.

Is there prime soil on the project site?

The project site does not contain prime soils.

DISCUSSION

A. KEY ISSUES

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

1. Planned Agricultural District (PAD) Requirements:

The project conforms to the substantive criteria for the issuance of a PAD permit, as applicable and outlined in Section 6355 of the Zoning Regulations. As proposed and conditioned the project conforms to the following policies:

a. General Criteria

- (1) *The encroachment of all development upon land which is suitable for agricultural uses shall be minimized.***

The San Mateo County Geographic Information System (GIS), shows there are no prime soils, only other land suitable for

agricultural are present on the property. Construction of the well will convert a small area of other lands suitable for agriculture, but the majority of the remaining land will be undisturbed.

- (2) *All development permitted on a site shall be clustered.*

The proposed domestic well, water storage tank, and new water line will be located approximately 2,400 feet northeast of the existing ranch house and other structures and will not be clustered with the existing single-family residence or barn. That said, well locations are determined on where water can be found thus the proposed well location cannot be clustered with existing development. The applicant's well driller determined that a better chance of finding a domestic water source would be north of the residence given the geology of the ridge and the two existing agricultural wells along the southern property line.

- (3) *Every project shall conform to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code.*

The project, as proposed and conditioned, conforms to the following applicable Development Review Criteria of Chapter 20A.2 of the San Mateo County Ordinance Code.

Section 6324.1 (*Environmental Quality Criteria*), Section 6324.2 (*Site Design Criteria*) and Section 6325.2 (*Primary Fish and Wildlife Habitat Areas Criteria*) seek to cluster development, minimize grading and changes in vegetative cover, locate development so that it is subordinate to the pre-existing character of the area and protect primary wildlife habitat areas. The domestic well will be screened by surrounding low hills. No grading is proposed for the well, and no tree removal is proposed. The wetland and riparian areas are located more than 4,000 feet from the proposed area to be disturbed, the domestic water line, the well location, and water tank. The County's Geographic Information System (GIS) indicates there are no Federal or State endangered plant species located in the property. As mentioned under General Criteria (b), the domestic well is not clustered with the existing structures but is located in an area where water is likely to be found.

Section 6325.3 (*Primary Agriculture Resources Area Criteria*) allows only agricultural and compatible uses on primary agricultural land and agricultural preserve land, and encourages structural uses be located away from prime agricultural soils

whenever possible. The property does not contain prime soils, thus the proposed domestic well, new water line and new water storage tank will not have an impact on prime soils.

b. Water Supply Criteria

Adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished.

The property receives domestic water from a natural spring and spring box. The spring box now fails to provide enough water for the residence and water is trucked in occasionally. The proposed domestic well, will restore the domestic water source for the property and the existing spring and spring box will be abandoned once the domestic well is in place thus removing the draw from the nearby sensitive habitat (creek). The proposed domestic well will be located over 2,000 feet from the existing pond and 1,500 feet from the nearest wetland area thus there is no impact expected to those areas. The existing pond is an agricultural pond and used to provide water for the cattle.

2. Compliance with Local Coastal Program (LCP) Policies:

The project complies with the following applicable LCP Policies:

a. Land Use Component

Policy 1.8 (*Land Uses and Development Densities in Rural Areas*) new development in rural areas shall not: (1) have significant adverse impacts, either individually or cumulatively, on coastal resources and (2) diminish the ability to keep all prime agricultural land and other land suitable for agriculture (as defined in the Agriculture Component) in agricultural production.

The proposed domestic well would have minimal impact on coastal resources, including sensitive habitat, wetland, riparian corridor and scenic views. The well will be located in a disturbed area where visual impacts are minimized and impacts to water resources and sensitive habitats are avoided. Although the domestic well will not be clustered with the existing structures, it is minor in nature and thus will not significantly diminish other lands suitable for agriculture. The remainder of the property remains available for on-site grazing; the property does not have prime soils.

b. Agricultural Component

Policy 5.6 (*Permitted Uses on Lands Suitable for Agriculture Designated as Agriculture*) allows domestic wells for residential use, Policy 5.10 (*Conversion of Land Suitable for Agriculture Designated as Agriculture*) are met. These policies allow for conditionally permitted uses, including domestic wells, provided the following can be met as discussed below:

All lands suitable for agriculture and other lands within a parcel shall not be converted to uses permitted by a Planned Agricultural Permit unless all of the following criteria are met:

- (1) *All agriculturally unsuitable lands on the parcel have been developed or determined to be undevelopable.*

The domestic well location is located in a low grazing area and should have no impact on grazing. The well location was chosen due to the riparian area existing hundreds of feet north of the residence, the geology of the ridge, and the two existing agriculture wells along the southern property line (located closer to Cabrillo Highway). The domestic well will be located in the grazing area but will be a very small footprint of area.

- (2) *Continued or renewed agricultural use of the soils is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors (Section 30108 of the Coastal Act).*

The property does not contain prime soils, only Other Lands, specifically Class III soils thus no prime soils will be converted. The proposed domestic well, water storage tank and water line will not have a significant impact to the on-site grazing.

- (3) *Clearly defined buffer areas are provided between agricultural and non-agricultural uses.*

Other than the proposed domestic well, proposed water tank and water line, the property will continue to maintain a clear buffer by existing fences that separate structures from range land. The ranch is divided into several pastures that are fenced. The ranch house is the only non-agricultural use on the property.

- (4) *Public services and facility expansions and permitted uses will not impair agricultural viability, either through increased assessment costs or degraded air and water quality.*

The proposed development does not require public service or facility expansion and does not limit the agricultural viability of the parcel. The proposed project does not include aspects that would result in degraded air or water quality since the well will require certification by Environmental Health Services (well drilling permit).

Policy 5.22(b) (*Protection of Agricultural Water Supplies*) seeks to ensure adequate and sufficient water supplies needed for agricultural production and that sensitive habitat protections are not diminished, as discussed under (*Agricultural Component*) Policy 5.6(b) and Water Supply Criteria above.

A review of the California Natural Diversity Database on the County's Geographic Information System (GIS) determined that there is no mapped State or Federal protected species located within the project area. Construction of the domestic well and removal of the spring box will remove the draw from the creek thereby removing any potential impacts on sensitive habitats in the creek.

c. Sensitive Habitats Component

Policy 7.3 (*Protection of Sensitive Habitats*) seeks to protect sensitive habitats from adverse impacts caused by development.

The proposed domestic well and water storage tank are over 4,000 feet from the nearest wetland and riparian area, the riparian area is located near the far northern part of the property, close to Tunitas Creek, which is over 2,000 feet away from the proposed well location outside of the riparian corridor buffer. Due to distance, the development will not impact wetland or riparian areas and no mapped sensitive habitats are located in the area of development.

3. Compliance with the Williamson Act

a. Williamson Act Contract Compliance

The contract was initiated under (County File Number AP84-4) and will expire on December 21, 2021. The Non-Renewal was initiated under County File Number PLN 2012-00216 and is set to expire in 2021. A review of the parcel's compliance with its Williamson Act contract is

provided below. Crop income is confidential; review of this criterion is identified only as “Completed”.

	Williamson Act Program Requirements	Planning Review	Compliance
Land Use Designation	Open Space or Agriculture	Agricultural	Yes
Parcel Size	40 acres	465 acres	Yes
Zoning ¹	PAD, RM, RM-CZ	PAD	Yes
Prime Soils ²	None	None	N/A
Non-Prime Soils	None	465 acres	Yes
Grazing Utilization ⁴	348.75 acres (75% of parcel)	300	
1. Zoning designations: “PAD” (Planned Agricultural District), “RM” (Resource Management), and “RM-CZ” (Resource Management-Coastal Zone).			
2. Parcel size taken from the San Mateo County Assessor’s Office records.			
3. Prime soils: Class I or Class II (U.S. Department of Agriculture Soil Conservation Service Land Use capability Classification), Class III lands capable of growing artichokes or Brussels sprouts, and lands qualifying for an 80-100 Storie Index Rating taken from the Planning and Building Department GIS data.			
4. Grazing land utilization is 75% of parcel acreage (Uniform Rule 2.A.7).			

Agricultural Uses

Commercial agriculture includes 300 acres of grazing. The property is leased by the Markegard family. The ranch is currently used for grass-fed cattle production on the productive and accessible grasslands. The tenant also produces other agricultural commodities, pasture pork, chickens, goats, lambs and turkeys that are marketed through a Community Supported Agriculture purchasing program, at local farmers markets, restaurants and through their website. A small number of dairy cows are maintained for milk production as part of a cooperative Herd Share arrangement. Cattle, horse, sheep, donkeys, llamas/alpacas/emus are also on the property and graze the grasslands outside of the Agricultural Lease area, which is leased by a tenant from the owner (the lease is between the tenant and MidPeninsula Open Space Trust). There are two livestock corrals located near the ranch house and barn. There are three water troughs, one located midway between Cabrillo Highway and the ranch house, a second trough is located near the barn and a third trough is located between the ranch house and the proposed well site.

Existing Development

Other existing development on the property includes a 4,390 sq. ft. barn/shop, a 3,264 sq. ft. single-family residence, a 1,325 sq. ft. barn, and a natural spring and spring water box.

b. Determination of Compatibility

The barn and shed structures are considered compatible uses as they support the on-site grazing on the property. For purposes of calculating the maximum allowance of compatible uses, buildings and structures used to support agricultural uses are excluded.

The percentage of a parcel's total area used for compatible uses on contracted lands cannot exceed the percentage used for agricultural uses and the portion of the parcel used for compatible uses cannot exceed 25 percent of the parcel size.

Maximum Allowance of Compatible Uses

Maximum Allowed Compatible Uses: 116.25 acres.

Compatible uses: 0.09 acres of 465 acres (parcel size):

- 3,264 sq. ft. single-family residence
- 3,600 sq. ft. barn (not included in calculation)
- 1,200 sq. ft. shed (not included in calculation)

The barn and shed are structures not included under Compatible Uses because they are necessary to support the agriculture use.

Determination of Compatibility Criteria

In order to issue a Determination of Compatibility, the Agricultural Advisory Committee must make the following findings:

- The primary use of the parcel would continue to be existing commercial agriculture.*
- The proposed compatible use would not substantially interfere with the existing agricultural use on the subject parcel or any other property within the Agricultural Preserve.*
- The proposed compatible use would not hinder or impair agricultural operations in the area by significantly increasing the permanent or temporary human population of the area.*

- d. *The proposed compatible use would not significantly displace or impair current or reasonably foreseeable agricultural operations on the parcel, or any other property within the Agricultural Preserve.*
- e. *The remaining portion of the parcel not subject to the proposed compatible use would be able to sustain the agricultural use.*

Staff Evaluation

The existing compatible uses are compliant even though the contract has been nonrenewed and will terminate in 2021. The landowner at a future date may choose to establish a new contract subject to Agricultural Advisory Committee review and Board of Supervisors approval. The existing compatible uses do not significantly displace or impair the ongoing agricultural operations on the parcels.

ATTACHMENTS

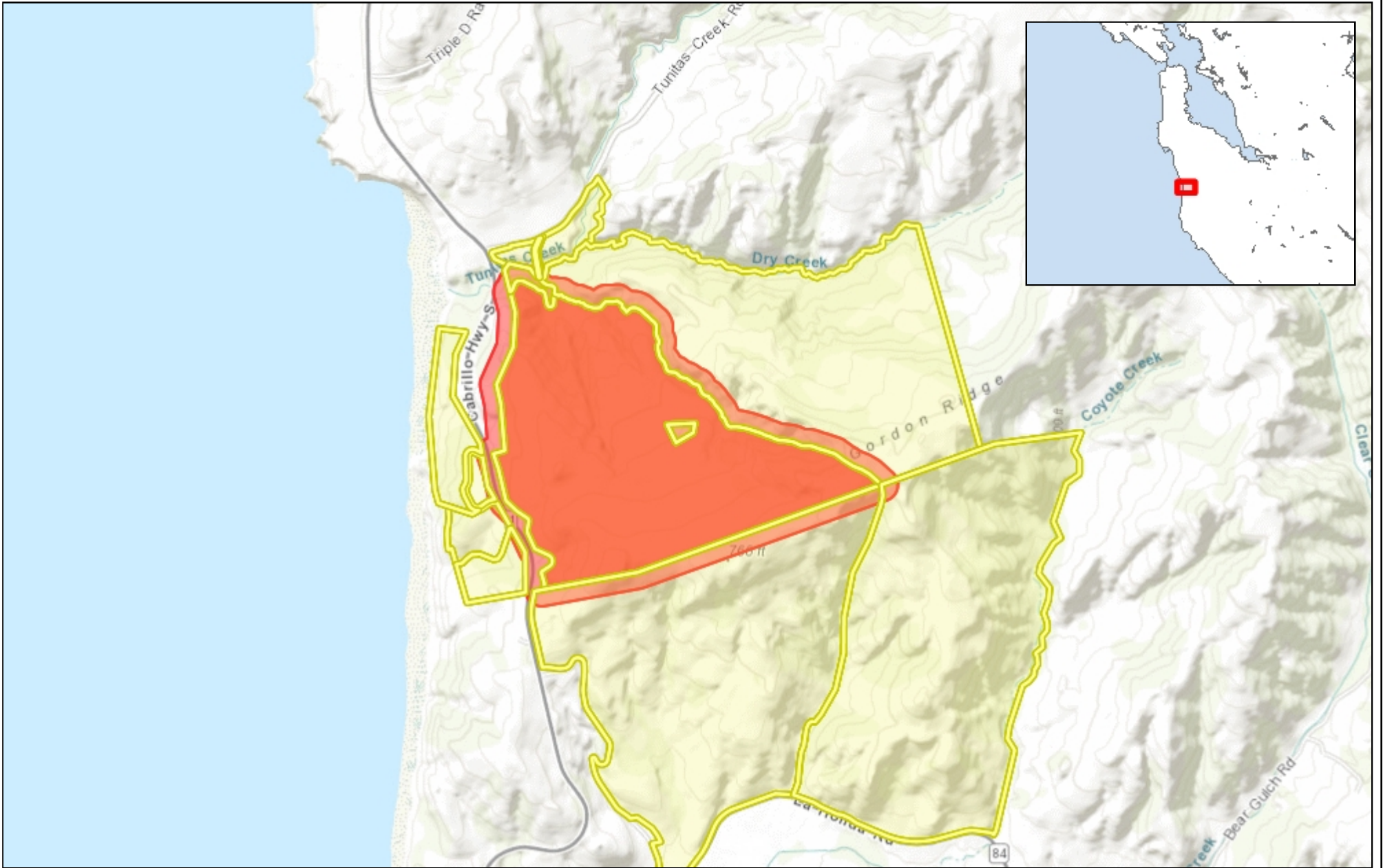
- A. Vicinity Map
- B. Plans
- C. Photo Location Map
- D. Site Photos

OSB:cmc – OSBEE0277_WCU.DOCX



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT



1.14 0 0.57 1.14 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

1:36,112



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

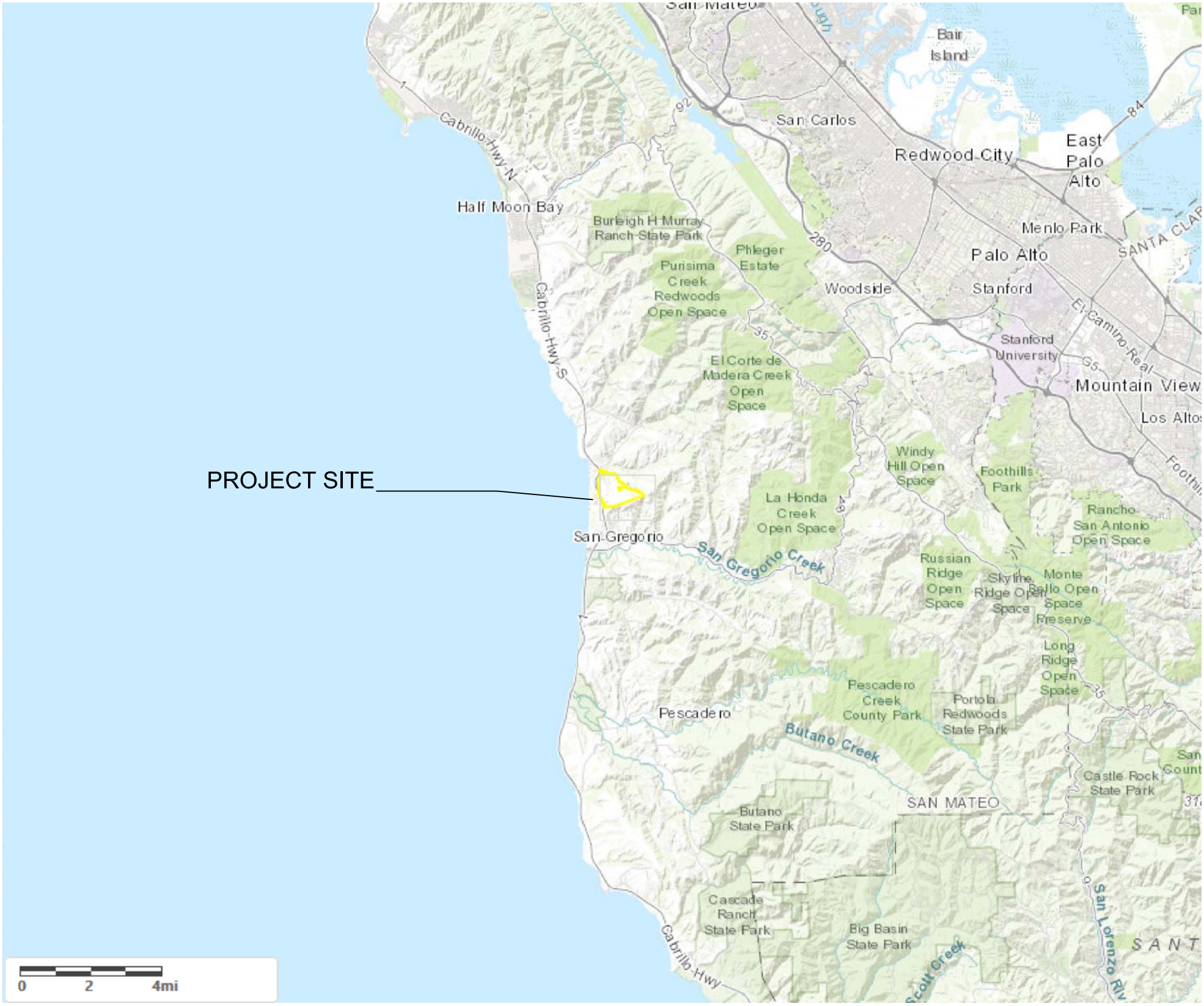
ATTACHMENT

MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

TUNITAS CREEK OPEN SPACE PERSERVE

SAN MATEO COUNTY, CA

TOTO RANCH DOMESTIC WATER WELL INSTALL



VICINITY MAP

SPECIAL NOTE:
WHERE UNDERGROUND AND SURFACE STRUCTURES ARE SHOWN ON THE PLANS, THE LOCATIONS, DEPTHS AND DIMENSIONS OF STRUCTURES ARE BELIEVED TO BE REASONABLY CORRECT, BUT ARE NOT GUARANTEED. SUCH STRUCTURES ARE SHOWN FOR THE INFORMATION OF THE ONTRACTOR, BUT INFORMATION SO GIVEN IS NOT TO BE CONSTRUED AS A REPRESENTATION THAT SUCH STRUCTURES WILL, IN ALL CASES, BE FOUND WHERE SHOWN, OR THAT THEY REPRESENT ALL STRUCTURES WHICH MAY BE ENCOUNTERED.

SITE SAFETY AND PROTECTION NOTES:
THE DUTY OF THE OWNER OR ITS AGENTS TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE AND THE UNDERTAKING OF INSPECTIONS OR THE GIVING OF INSTRUCTIONS AS AUTHORIZED HEREIN IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTORS SAFETY MEASURES IN, ON, OR NEAR THE CONSTRUCTION SITE AND SHALL NOT BE CONSTRUED AS SUPERVISION OF THE ACTUAL CONSTRUCTION NOR MAKE THE OWNER OR ITS AGENTS RESPONSIBLE FOR PROVIDING A SAFE PLACE FOR THE PERFORMANCE OF WORK BY THE CONTRACTOR, SUBCONTRACTORS, OR SUPPLERS, OR FOR ACCESS, VISITS, USE, WORK, TRAVEL OR OCCUPANCY BY ANY PERSON.

THE CONTRACTOR SHALL HAVE AT THE WORK SITE, COPIES OR SUITABLE EXTRACTS OF THE CONSTRUCTION SAFETY ORDERS ISSUED BY CAL-OSHA. CONTRACTOR SHALL COMPLY WITH PROVISIONS OF THESE AND ALL OTHER APPLICABLE LAWS, ORDINANCES AND REGULATIONS. THE CONTRACTOR MUST COMPLY WITH PROVISIONS OF THE SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION PROMULGATED BY THE SECRETARY OF LABOR UNDER SECTION 107 OF THE CONTRACT WORK HOURS AND SAFETY STANDARDS ACT, AS SET FORTH IN TITLE 29 C.F.R.

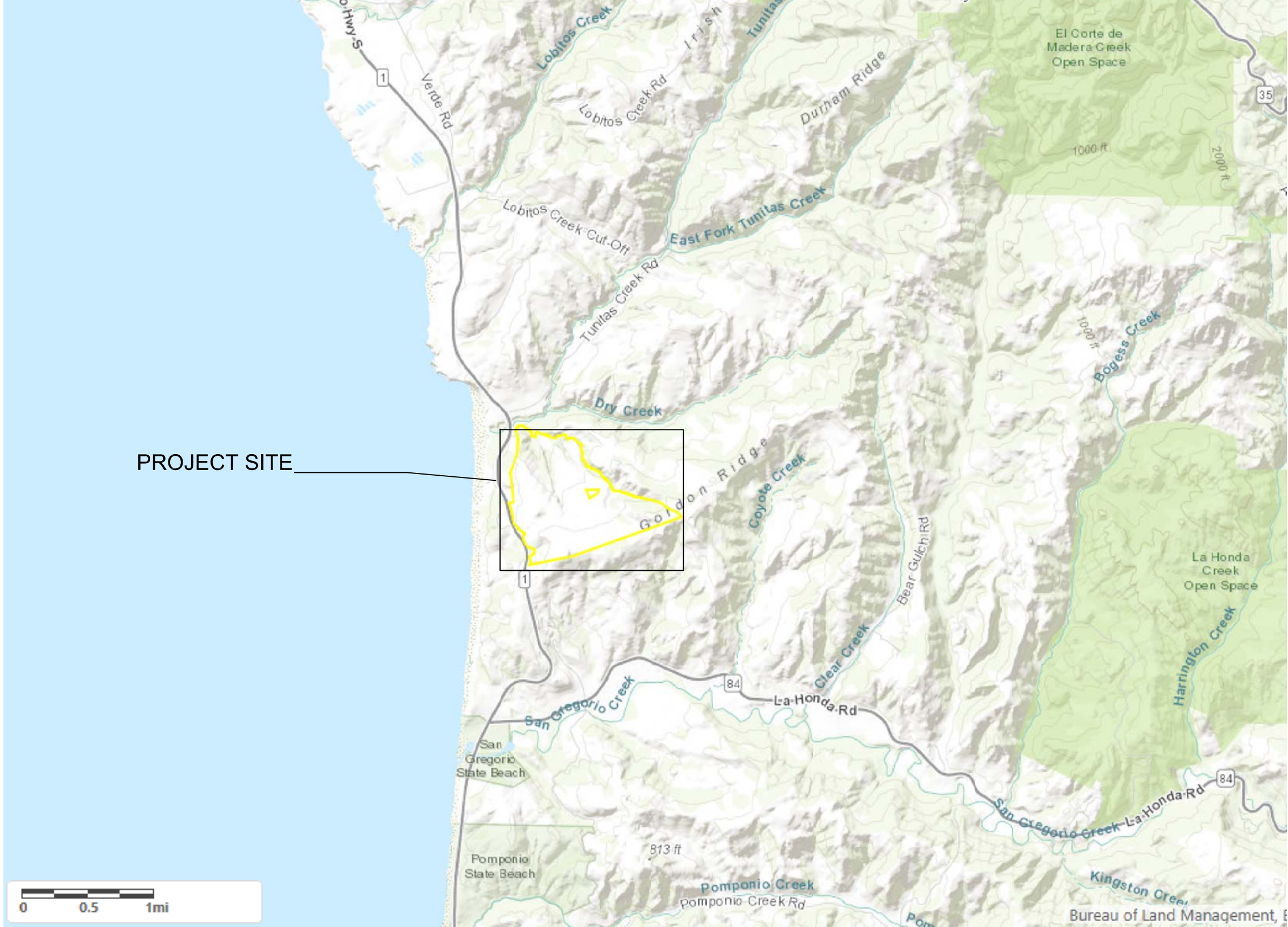
TO PROTECT THE LIVES AND HEALTH OF CONTRACTOR'S EMPLOYEES UNDER THE CONTRACT, THE CONTRACTOR SHALL COMPLY WITH ALL PERTINENT PROVISIONS OF THE MANUAL OF ACCIDENT PREVENTION IN CONSTRUCTION ISSUED BY THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC., AND SHALL MAINTAIN AN ACCURATE RECORD OF ALL CASES OF DEATH, OCCUPATIONAL DISEASE, AND INJURY REQUIRING MEDICAL ATTENTION OR CAUSING LOSS OF TIME FROM WORK, ARISING OUT OF AND IN THE COURSE OF EMPLOYMENT OR WORK UNDER THE CONTRACT.

THE CONTRACTOR ALONE SHALL BE RESPONSIBLE FOR THE SAFETY, EFFICIENCY AND ADEQUACY OF THE CONTRACTORS FACILITIES, APPLIANCES, AND METHODS AND FOR ANY DAMAGE, WHICH MAY RESULT FROM THEIR FAILURE OR THEIR IMPROPER CONSTRUCTION, MAINTENANCE OR OPERATION.

THE CONTRACTOR AGREES THAT IT SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY: THAT THE REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS: AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THEIR RESPECTIVE AGENTS HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR THE LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THEIR RESPECTIVE AGENTS.

THE OWNER AND ITS AGENTS' SITE REPSONSIBILITIES ARE LIMITED SOLEY TO ACTIVITIES OF THIER EMPLOYEES ON SITE. THESE RESPONSIBILITIES SHALL NOT BE INFERRED BY ANY PARTY TO MEAN THAT THE OWNER OR ITS AGENTS HAVE RESPONSIBILITY FOR THE SITE SAFETY. SAFETY IN, ON, OR ABOUT THE SITE IS THE SOLE AND EXCLUSIVE RESPONSIBILITY OF THE CONTRACTOR ALONE. THE CONTRACTORS METHODS OF WORK PERFORMANCE, SUPERINTENDENCE AND THE ONTRACTOR'S EMPLOYEES, AND SEQUENCING OF CONSTRUCTION ARE ALSO THE SOLE AND EXCLUSIVE RESPONSIBILITIES OF THE CONTRACTOR ALONE.

- GENERAL NOTES:**
1. MIDPENINSULA REGIONAL OPEN SPACE DISTRICT (OWNER OR DISTRICT SHALL BE CONTACT AT LEASE 48 HOURS PRIOR TO COMMENCEMENT OF WORK ON OR NEAR EXISTING DISTRICT FACILITIES, PHOE: 650-691-1200
 2. USED MATERIALS, REJECTS, MISFITS, OR SECONDS, ETC. ARE NOT ACCEPTABLE FOR USE ON MIDPENINSULA REGIONAL OPEN SPACE DISTRICT FACILITIES.
 3. ALL CONSTRUCTION SHALL BE IN CONFORMANCE WITH THESE PLANS, PROJECT SPECIFICATIONS AND MIDPENINSULA REGIONAL OPEN SPACE DISTRICT SPECIFICATIONS.
 4. CONTRACTOR SHALL FIELD VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING FACILITIES PRIOR TO COMMENCING WORK. CALL UNDERGROUND SERVICE ALERT (USA) AT 8-1-1. CONTRACTOR SHALL MAKE DISTRICT AWARE OF ANY DISCREPANCIES.
 5. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH APPLICABLE HEALTH AND SAFETY LAWS OF THE STATE OF CALIFORNIA AND CAL/OSHA STANDARDS.
 6. CONTRACTOR WILL BE RESPONSIBLE FOR THE REPAIR OF ALL PIPELINE CRACKS, WHICH DEVELOP DURING CONSTRUCTION OF IMPROVEMENTS AFFECTING EXISTING FACILITIES.
 7. ALL EXCESS MATERIALS AND/OR DEBRIS SHALL BE REMOVED UPON COMPLETION OF INSTALLATION.
 8. CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE DUST CONTROL AT ALL TIMES.



SITE MAP

Midpeninsula Regional Open Space District
330 Distel Circle Los Altos CA 94022
office: 650.691.1200

Tunitas Creek Open Space Perserve
Domestic Well Installation
20080 Cabrillo HWY South Half Moon Bay, CA 94019
SAN MATEO COUNTY, CA

Date: 09/01/2019
Drafted: OKS III
Project contact: Aaron Peth
APeth@openspace.org
OSmith@openspace.org
Revision Date:

APN: 081060100
ZONING: PAD/CD

General
Cover
1

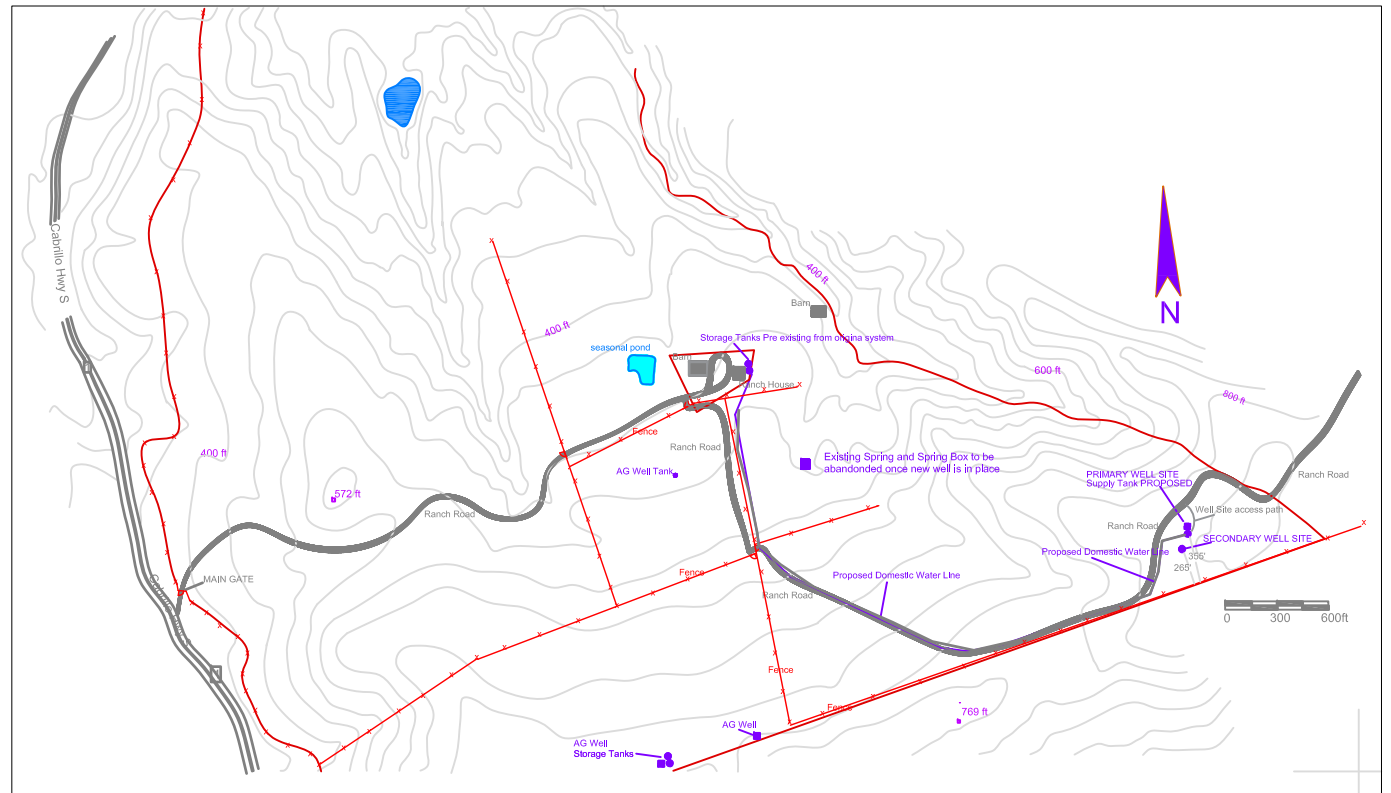


GENERAL STRUCTURE NOTES: THREE STRUCTURES ON SITE

1. DOMESTIC RESIDENCE: FARM HOUSE 3264 SQFT 4 BEDROOM, 1 BATH, 2 STORY
2. MAIN BARN: BUTLER STEEL BUILDING 3600 SQFT ONE STORY. USED FOR STORAGE OF AGRICULTURE EQUIPMENT, SUPPLIES AND PRODUCTS. BUILDING HAS SMALL OFFICE WITHIN BUILDING.
3. SECONDARY SHED 1200 SQFT EQUIPMENT STORAGE.

GENERAL WATER SYSTEM NOTES:

1. WIND POWERED AG WELL WITH STORAGE TANK
2. SOLAR POWERED AG WELL
3. AG WELL STORAGE TANK FOR BARNYARD AREA AND USE.
4. EXISTING DOMESTIC WATER STORAGE TANKS FED BY SEASONAL SPRING
5. NATURAL SPRING AND SPRING BOX. WATER FLOW CURRENTLY SEASONAL. SPRING BOX FAILS TO PROVIDE ENOUGH WATER FOR RESIDENCE AND WATER IS TRUCKED IN AT TIMES THROUGHOUT THE YEAR. SPRING BOX IS TO BE ABANDONDED WITH CONNECTION OF PROPOSED DOMESTIC WELL.



- GENERAL WATER SYSTEM NOTES:**
- MAIN ENTRY GATE IS 150 OFF OF CARBILLO HWY SOUTH
 - GATE IS KEY OR CODE ACCESS WITH 24HR NOTICE.

Midpeninsula Regional Open Space District

330 Distel Circle Los Altos CA 94022
office: 650.691.1200

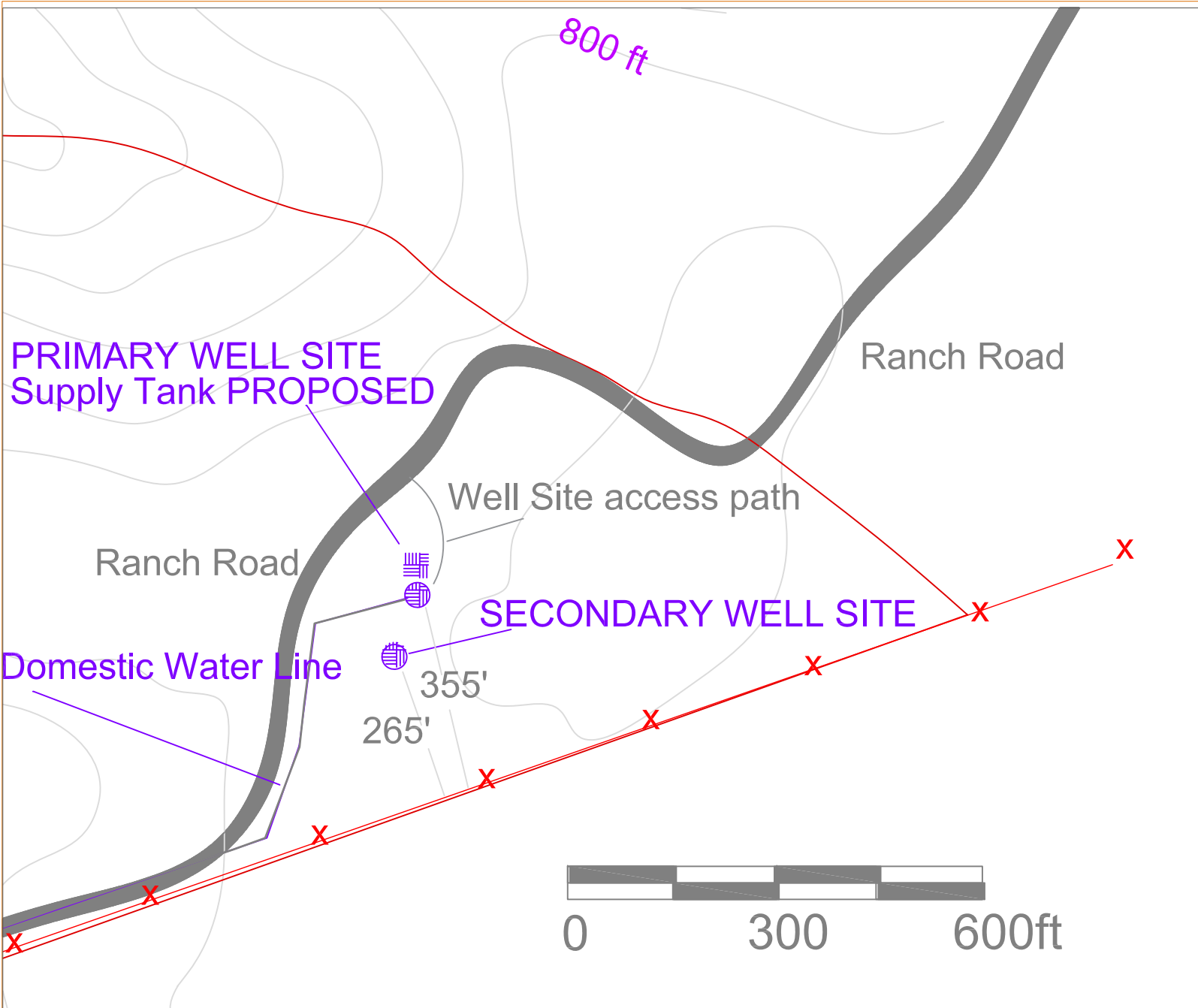
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Revision Date:

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ZONING: PAD/CD

INDEX
SITE
2



GPS COORDINATES	
ACCESS PATH	
LAT	37.34882754
LONG	-122.37422165
PRIME WELL SITE	
LAT	37.34768333
LONG	-122.37402351
SECONDARY WELL SITE	
LAT	37.34744977
LONG	-122.37424185

WELL NOTES:

New supply tank low profile 1500 gallon at well site.

Well powered by solar pump with battery back up.

New well line to be connected from new well site to existing Domestic storage tanks near house.

Estimated new water pipe line 1.5"-2" diameter 4000 ft in length.

Well site is approximately 860 feet in elevation, existing storage tanks are approximately 500 feet in elevation.

Drill tailings to be spread around current proposed well site in an area less than 200 square feet.

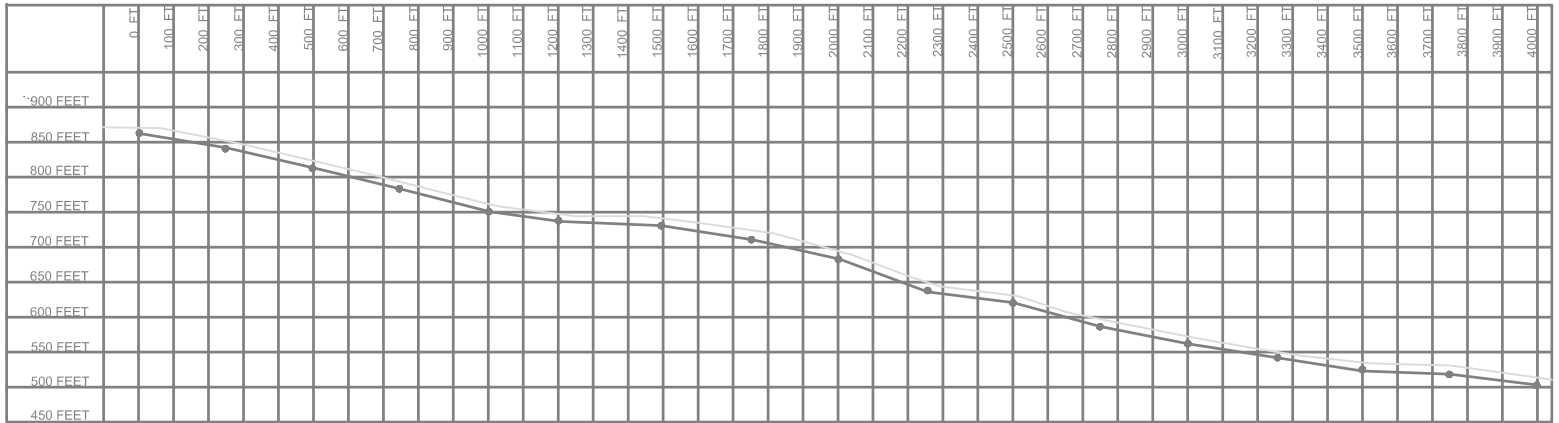
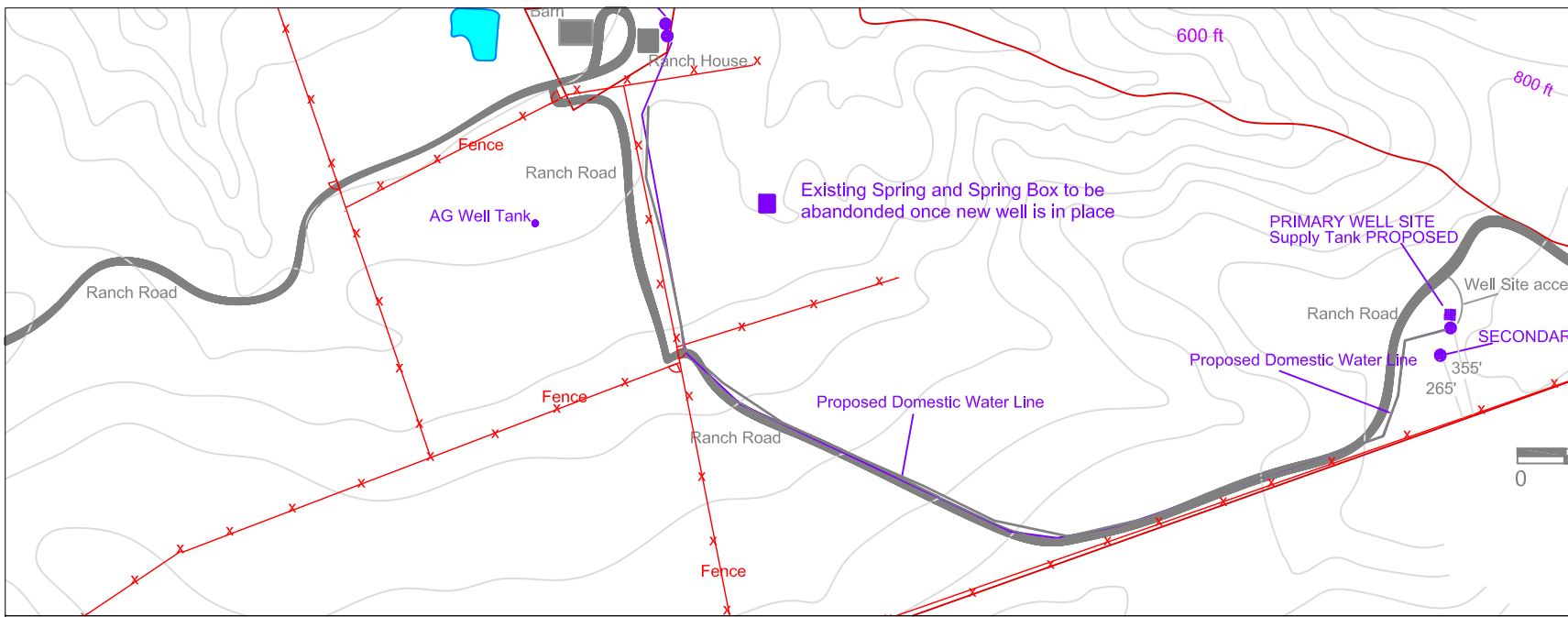
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DETAL
SITE
 3



Midpeninsula Regional Open Space District

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Tunitas Creek Open Space Preserve
Domestic Well Installation

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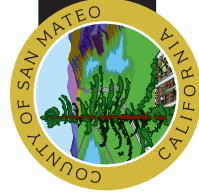
Revision Date:

APN: 081060100
ZONING: PAD/CD

Pipeline

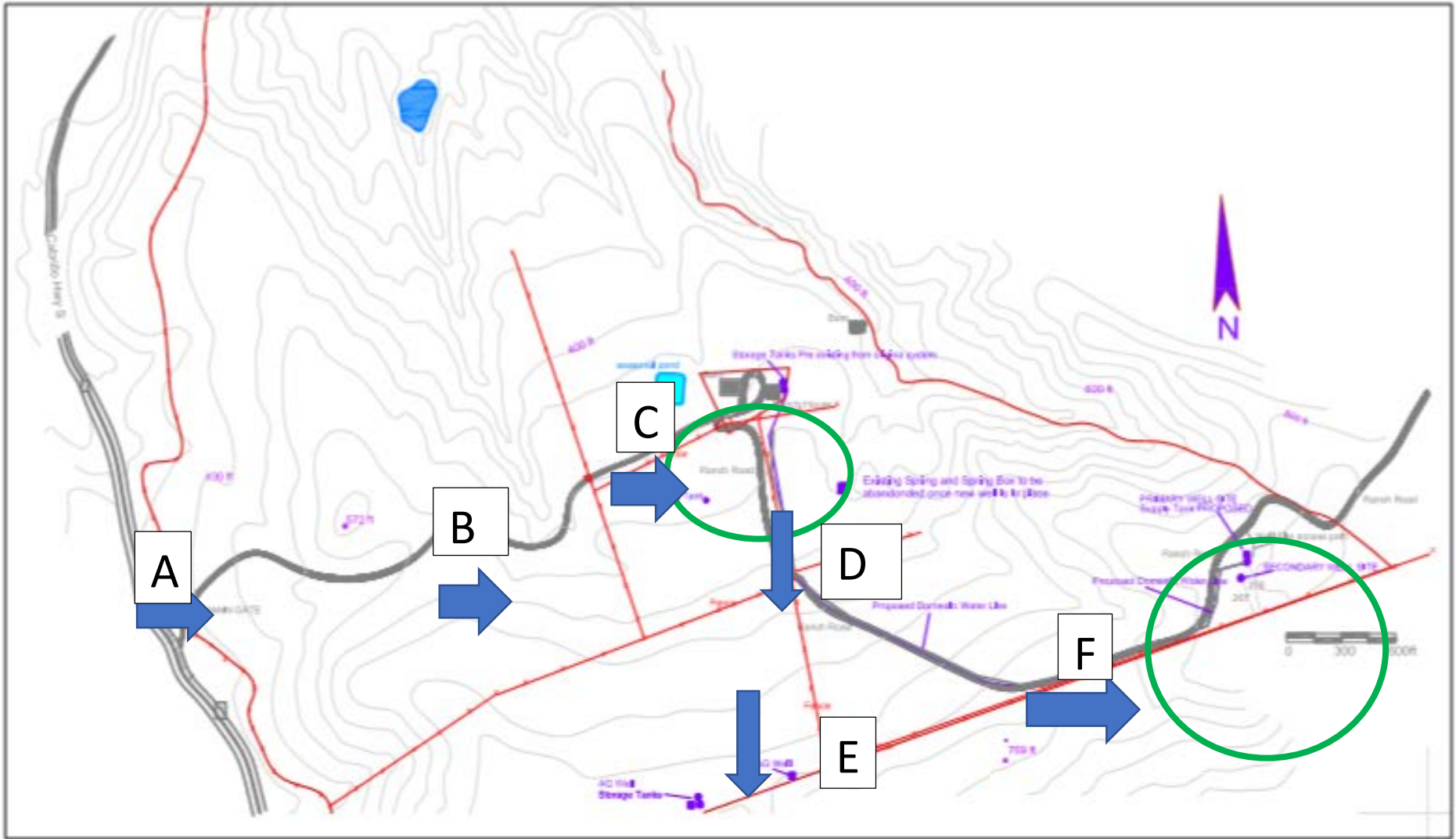
Detail

4



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT





COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT



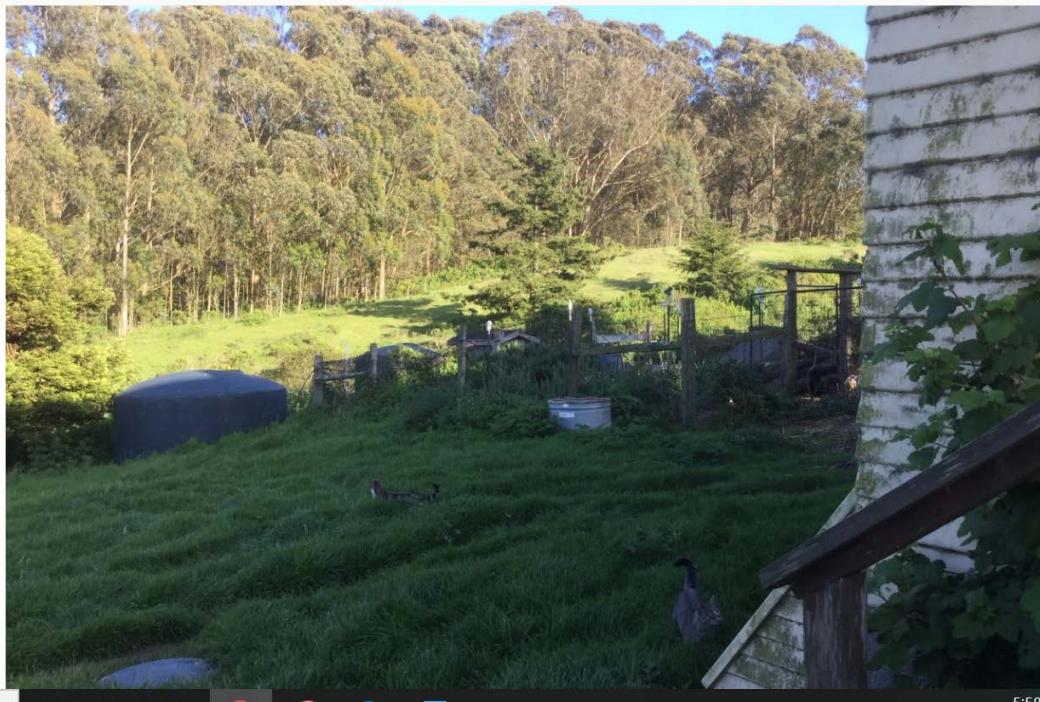
Location A- View from cabrillo highway



Location B- mid point on ranch road



Location C-Existing single family house



Location C-storage tanks near ranch house



Location D



Location E



Location F



staked drill point location



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ITEM

7

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

DATE: August 10, 2020

TO: Agricultural Advisory Committee
FROM: Planning Staff
SUBJECT: Consideration of County-Initiated Williamson Act Contract Non-Renewals

County File Numbers:

Item 1 - PLN2020-00193 - Lobitos Land Company CA LTD
Item 2 - PLN2020-00223 - Baird Robinson & Lois E Trs
Item 3 - PLN2020-00224 - William Sorich Trust
Item 4 - PLN2020-00225 - Harold Segelstad

HISTORY

As part of the Planning and Building Department's (Department) annual compliance review of Williamson Act contract lands under the 2013 Williamson Act Program (Program), the Department has sorted and reviewed the Assessor's Office Agricultural Questionnaires for commercial grazing operations, which is the focus of the 2019-2020 compliance review. As part of the compliance review, the Department mailed letters to 12 landowners with grazing operations who had previously been identified for review, but where review was unable to be completed. Letters were mailed in February 2020 requesting supporting documentation for the commercial agricultural operation(s) as well as to provide the opportunity for landowners to voluntarily request non-renewal and to request exceptions to minimum Program requirements (e.g., minimum land utilization, etc.), if needed.

Responses were requested within 30 days. Where landowners needed additional time to respond, additional time was given. In instances where landowners did not respond to the February letters, a subsequent letter was sent in May to provide another opportunity to submit documents.

As adopted, the Program identifies minimum eligibility criteria (e.g., land use designation, income requirements, etc.) for contracts, exceptions for certain criteria and limitations of compatible uses as they relate to agricultural uses on the property. Through this Program, the Agricultural Advisory Committee (AAC) is charged with reviewing contract Program compliance for recommendation to the Board of Supervisors (Board). Four parcels have been identified for AAC review and recommendation to the Board.

Agricultural Advisory Committee Required Review and Recommendation

A review of each of the identified parcels must be made by the AAC for minimum eligibility requirements, Determination of Compatibility, and exceptions to minimum eligibility requirements if requested by the landowner. Additionally, the AAC must recommend to the Board that the contracted parcel either be allowed to remain contracted or that a non-renewal is filed allowing the contract to expire in 2029.

Should the Board take action to non-renew the contracted parcels identified, a landowner may file a written appeal. If a landowner files an appeal (completion of the appeal form and payment of the appeal fee), the landowner will have up to three years to comply with the Program. If compliance is achieved, the parcel may remain under contract, subject to Department and AAC review and at the determination of the Board. If compliance is not achieved, the Board may continue the non-renewal. Filing of an appeal will stay the property tax increase for up to three years during the appeal period.

Each agenda item outlines the criteria and recommendations that the AAC must address as they relate to the circumstances of each parcel.

DECISION MAKER

Board of Supervisors

QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE

What does the Agricultural Advisory Committee recommend to the Board of Supervisors for the identified parcels in Item 1, 2, 3, & 4?

BACKGROUND

Report Prepared By: Kelsey Lang, klang@smcgov.org

Please refer to each item for location criteria.

Environmental Evaluation: Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3); no potential for causing a significant effect on the environment, therefore, not subject to CEQA.

Chronology:

<u>Date</u>		<u>Action</u>
Annually (December)	-	Assessor's Office Agricultural Questionnaire mailings.
January 16, 2020	-	Assessor's Office Agricultural Questionnaire data

transmitted to the Planning and Building Department.

- February 4, 2020 - Letter to landowners of identified grazing operations requesting supporting documents as outlined in the Williamson Act Program (e.g., site plan, tenant lease agreements).
- May 8, 2020 - Letter to landowners who did not respond to previous letters providing a second opportunity to submit supporting agricultural documents.
- August 10, 2020 - Agricultural Advisory Committee public hearing

Williamson Act Program

In 2013, the Board adopted the Williamson Act Uniform Rules and Procedures. As adopted, the Program identifies two types of land uses allowed on contracted property: agricultural uses and compatible uses. As stated in the Program, all contracted lands must be dedicated to at least one of the following commercial agricultural uses.

Uniform Rule 2.A.5.a. <i>Agricultural Uses</i>	
Agricultural Commodities	Commercial production of the unprocessed product of farms, ranches, production nurseries including, but not limited to, vegetables, hay, nursery stock, cut flowers, trees grown for wood products, livestock (cattle, sheep, etc.), and poultry. Commercial Agricultural Commodities must meet a minimum annual income.
Grazing	Commercial purpose of pasturing livestock. Commercial grazing must meet a land utilization requirement and provide water and fencing.
Horse Breeding	Commercial horse breeding provided the annual breeding operation consists of a minimum of 15 broodmares.

Compatible Uses (Uniform Rule 2.A.5.b.) are all other uses not identified as Agricultural Uses, including but not limited to single-family residences, provided the use can be accommodated on a contracted parcel without significantly reducing the amount of land being used for agricultural purposes or interfering with existing agricultural activities.

The current compliance review focuses on commercial grazing operations for compliance with the adopted 2013 Program.

ITEM 1

File No.: PLN2020-00193

Owner: Lobitos Land Company CA LTD

Location: Martins Beach area - on the west side of Hwy 1, across from the Verde Rd intersection.

APN: 066-310-020

DISCUSSION

A. **KEY ISSUES**

Williamson Act Program Minimum Eligibility Review

Review of compliance with minimum eligibility requirements included reviewing a map indicating the locations of fencing and water sources for cattle, and a lease agreement with Seahawk Ranch Corp. The documents provided indicated that that parcel and use satisfied these aspects of the Program minimum standards. However, this parcel is 11 acres, whereas the minimum parcel standard is 40 acres for commercial grazing operations, unless the parcel is combined for the purposes of the Program with contiguous parcels under the same contract and ownership or the landowner requests and exception to the minimum parcel size.

The applicant indicates that their family owns all of the contiguous parcels to the subject parcel, however these parcels are owned under separate corporations and as such cannot be considered common ownership for this purpose. The contiguous parcels are also not under any Williamson Act Contract, and the adjacent 200 acre parcel is under the property tax jurisdiction of the State Board of Equalization. As such, this property is not eligible for the County's Williamson Act Program.

As a result, the applicant is requesting an exception to the minimum parcel size requirements, on the basis that the land is highly productive and is unable to be merged with adjacent parcels to meet the minimum parcel size.

APN 066-310-020 (11 acres)	Williamson Act Program Requirements	Planning Review	Compliance
Land Use Designation	Open Space or Agriculture	Agriculture	Yes
Zoning ¹	PAD, RM, or RM-CZ	PAD/CD	Yes
Parcel Size ²	40 acres	11 acres	No
Prime Soils ³	--	2.8 acres	--

APN 066-310-020 (11 acres)	Williamson Act Program Requirements	Planning Review	Compliance
Non-Prime Soils	--	8.2 acres	--
Grazing Utilization ^{4,5}	8.25 acres (75% of parcel size)	11 acres	Yes
1. Zoning designations: "PAD" (Planned Agricultural District), "RM" (Resource Management), and "RM-CZ" (Resource Management-Coastal Zone).			
2. Parcel size taken from the San Mateo County Assessor's Office records.			
3. Prime soils: Class I or Class II (U.S. Department of Agriculture Soil Conservation Service Land Use Capability Classification), Class III (lands capable of growing artichokes or Brussels sprouts, and lands qualifying for an 80-100 Storie Index Rating taken from the Planning and Building Department GIS data).			
4. Grazing land utilization is 75% of parcel acreage (Uniform Rule 2.A.7).			
5. Cattle income taken from submitted Schedule F and receipts for the 2011-2017 tax years.			

Agricultural Uses

Commercial cattle grazing is the qualifying agricultural use for this parcel, and the property owner has stated that they also use the area for hay production.

Existing Development and Compatible Uses

There is no structural existing development on this parcel. The applicant notes that the parcel is fenced, and numerous water sources exist. Since no other compatible structures or uses are present, a Determination of Compatibility calculation is not required.

B. STAFF EVALUATION

Staff recommends that the minimum lot size exception be granted, as the parcel is part of a larger agricultural operation, the land is highly productive, and that maintaining the property in agricultural production has a significant public benefit. If the exception is not granted, Staff recommends that the contract be non-renewed, as the parcel would be unable to meet the regulations of the Williamson Act.

C. AAC RECOMMENDATION

Regarding the Williamson Act Contract for APN 066-310-020, Item 1, does the AAC recommend to the Board of Supervisors that the Notice of Non-renewal be filed for the parcel or that the exception be granted, and the contract be allowed to continue?

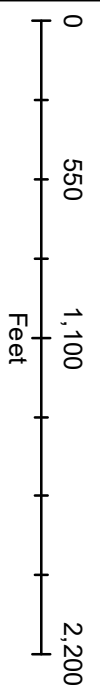
ATTACHMENT

A. Vicinity Maps



Legend

Prime Agricultural Land



VICINITY MAP

ITEM 2

File No.: PLN2020-00223

Owner: Baird Robinson & Lois E Trs

Location: 510 Bear Gulch Rd, San Gregorio

APN: 081-310-190

DISCUSSION

A. KEY ISSUES

Williamson Act Program Minimum Eligibility Review

Review of compliance with minimum eligibility requirements included reviewing a map indicating the locations of fencing and water sources for cattle, and indicating that they grazed their own cattle. The documents provided indicated that that parcel minimum requirements meet the Williamson Act Program Minimum standards but no commercial grazing operation is present since the landowners graze their own cattle. Instead, the landowners have indicated that they sell their cattle, which would qualify as the sale of an agricultural commodity under the Program. The landowners have provided income tax documents (Federal Tax Income Schedule F Form and receipts) for 2017 through 2019 years. This information is held confidential by the Planning and Building Department unless the landowners choose to waive confidentiality at the request of staff. Staff has made no such request at this time. As such, review of minimum income requirement compliance is identified in the tables below only as “Provided” and whether the minimum income is met.

The income provided was below the minimum requirement of \$10,000 annually. As a result, the applicant is requested an exception to the minimum income requirements, on the basis that the land is highly productive and is in agricultural use.

APN 081-310-190 (44.44 acres)	Williamson Act Program Requirements	Planning Review	Compliance
Land Use Designation	Open Space or Agriculture	Agriculture	Yes
Zoning ¹	PAD, RM, or RM-CZ	PAD/CD	Yes
Parcel Size ²	40 acres	44.44 acres	Yes
Prime Soils ³	--	4 acres	--
Non-Prime Soils	--	40.44 acres	--

APN 081-310-190 (44.44 acres)	Williamson Act Program Requirements	Planning Review	Compliance
Cattle Sales Income ^{4,5}	\$10,000	Provided	No
1. Zoning designations: "PAD" (Planned Agricultural District), "RM" (Resource Management), and "RM-CZ" (Resource Management-Coastal Zone).			
2. Parcel size taken from the San Mateo County Assessor's Office records.			
3. Prime soils: Class I or Class II (U.S. Department of Agriculture Soil Conservation Service Land Use Capability Classification), Class III (lands capable of growing artichokes or Brussels sprouts, and lands qualifying for an 80-100 Storie Index Rating taken from the Planning and Building Department GIS data).			
4. Required income calculated per Income Requirements for Crops (Uniform Rule 2.A.6).			
5. Cattle income taken from submitted Schedule F and receipts for the 2011-2017 tax years.			

The contracted parcel has not met the minimum income requirement for the past three years.

Agricultural Uses

Commercial cattle sales are the qualifying agricultural use on the parcel. No other agricultural uses were reported.

Existing Development and Compatible Uses

Existing development on the parcel includes two residences and a barn. The applicant also notes that the entire ranch is fenced and numerous water sources exist. In addition to granting an exception to the minimum income requirements, the Agricultural Advisory Committee must review the compatible uses and issue a Determination of Compatibility if the parcel is to remain under contract.

a. Determination of Compatibility

The landowner has submitted the requested supplemental documentation in order to calculate the compatible and agricultural uses, as follows:

The percentage of a parcel's total area used for compatible uses on contracted lands cannot exceed the percentage used for agricultural uses and the portion of the parcel used for compatible uses cannot exceed 25 percent of the parcel size.

Building and structures used to support the agricultural use, unpaved roads, farm labor housing, and underground utilities are excluded from this calculation.

Maximum Allowance of Compatible Uses Calculation

The following table identifies compatible uses on the parcel.

Compatible Uses	
Contract Size	44.44 acres
Agricultural Area	40.04 acres (90% of contract area)
Compatible Uses Area	4.4 Acres (9.9% of contract area)
	2,354 sq. ft. Main House 1,248 sq. ft. Mobile Home 1,908 sq. ft. Barn (not included in calculation)

The contracted parcel is compliant.

b. Determination of Compatibility Issuance Criteria

In addition to the Determination of Compatibility calculation, the Agricultural Advisory Committee (AAC) must issue or not issue a Determination of Compatibility based on the following five criteria. No new development is proposed at this time, all “proposed” compatible uses are existing uses. All criteria must be met:

1. *That the primary use of the parcel would continue to be existing commercial agriculture.*
2. *That the proposed compatible use would not substantially interfere with the existing agricultural use on the subject parcel or any other property within the Agricultural Preserve.*
3. *That the proposed compatible use would not hinder or impair agricultural operations in the area by significantly increasing the permanent or temporary human population of the area.*
4. *That the proposed compatible use would not significantly displace or impair current or reasonably foreseeable agricultural operations on the parcel, or any other property within the Agricultural Preserve.*
5. *That the remaining portion of the parcel not subject to the proposed compatible use would be able to sustain the agricultural use.*

B. STAFF EVALUATION

Staff recommends that the exception be granted, as income from agriculture was demonstrated, the land is highly productive, and that maintaining the property in agricultural production has a significant public benefit.

C. **AAC RECOMMENDATION**

1. Based on the Determination of Compatibility calculation and criteria, the Agricultural Advisory Committee issues/does not issue a Determination of Compatibility for the parcel.
2. Regarding the Williamson Act Contract for APN 081-310-190, Item 2, does the AAC recommend to the Board of Supervisors that a Notice of Non-renewal be filed or that the exception be granted, and the contract be allowed to continue?

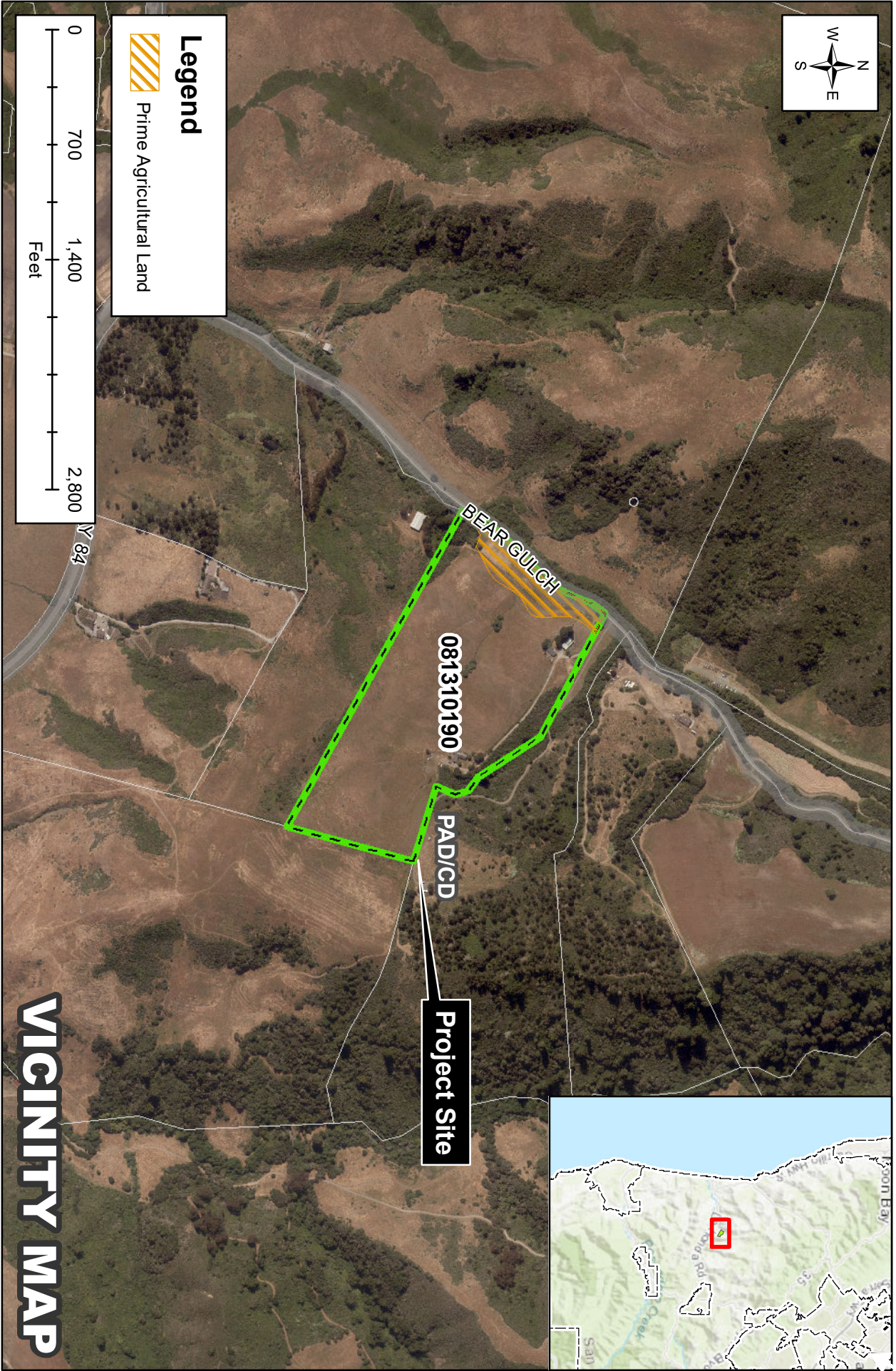
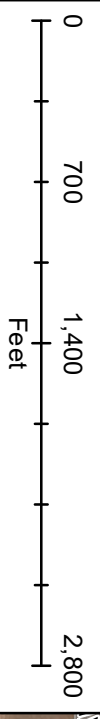
ATTACHMENT

- A. Vicinity Maps



Prime Agricultural Land

Legend



VICINITY MAP

ITEM 3

File No.: PLN2020-00224

Owner: William Sorich Trust

Location: 22330 Skyline Blvd, La Honda

APN: 080-400-030

DISCUSSION

A. **KEY ISSUES**

Review of the appeal for compliance with the Williamson Act Program could not be completed because the applicant did not submit the required documents to substantiate compliance with the Program. This landowner responded to the February 2020 letters by returning the checklist with the agricultural portions crossed out and the following statement:

“My land lies at the headwater spawning ground of Peters Creek Steelhead Trout run. I am private open space adjacent to Long Ride Open Space Preserve.”

B. **STAFF EVALUATION**

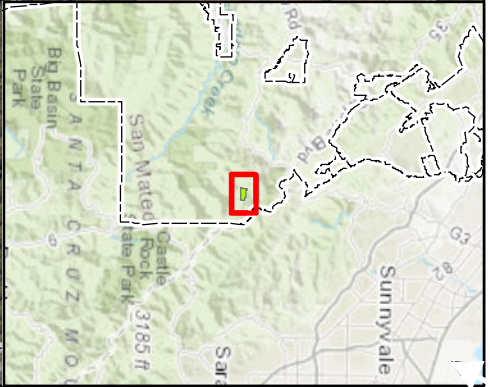
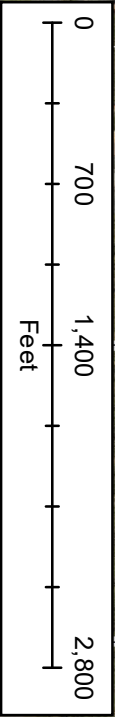
Staff recommends that the contract be non-renewed because staff is unable to determine if ongoing commercial agriculture is present on the property as required by the Williamson Act Program.

C. **AAC RECOMMENDATION**

Regarding the Williamson Act Contract for APN 056-520-030, Item 3, does the AAC recommend to the Board of Supervisors that a Notice of Non-renewal be filed for the parcel or that the contract be allowed to continue?

ATTACHMENT

A. Vicinity Maps



VICINITY MAP

ITEM 4

File No.: PLN2020-00225

Owner: Harold Segelstad

Location: 3300 Bear Gulch Rd, Unincorporated Woodside

APN: 081-360-010

DISCUSSION

A. **KEY ISSUES**

Review of the appeal for compliance with the Williamson Act Program could not be completed because the applicant did not submit the required documents to substantiate compliance with the Program. This landowner responded to the February 2020 letters by returning the checklist with the statement that the landowner is not grazing cattle. The landowner also included a letter indicating that the property is being used for silviculture. Silviculture is not a qualifying land use under the Williamson Act regulations.

B. **STAFF EVALUATION**

Staff recommends that the contract be non-renewed because the landowner has indicated no qualifying commercial agricultural is present on the property.

C. **AAC RECOMMENDATION**

Regarding the Williamson Act Contract for APN 056-520-030, Item 4, does the AAC recommend to the Board of Supervisors that a Notice of Non-renewal be filed for the parcel or that the contract be allowed to continue?

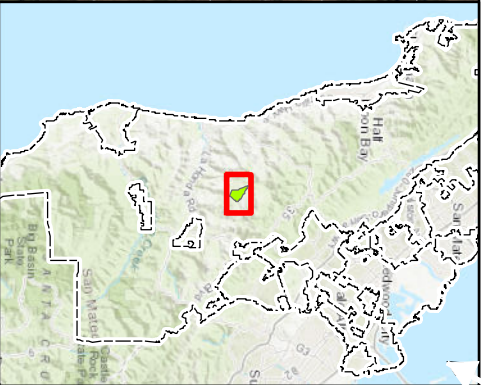
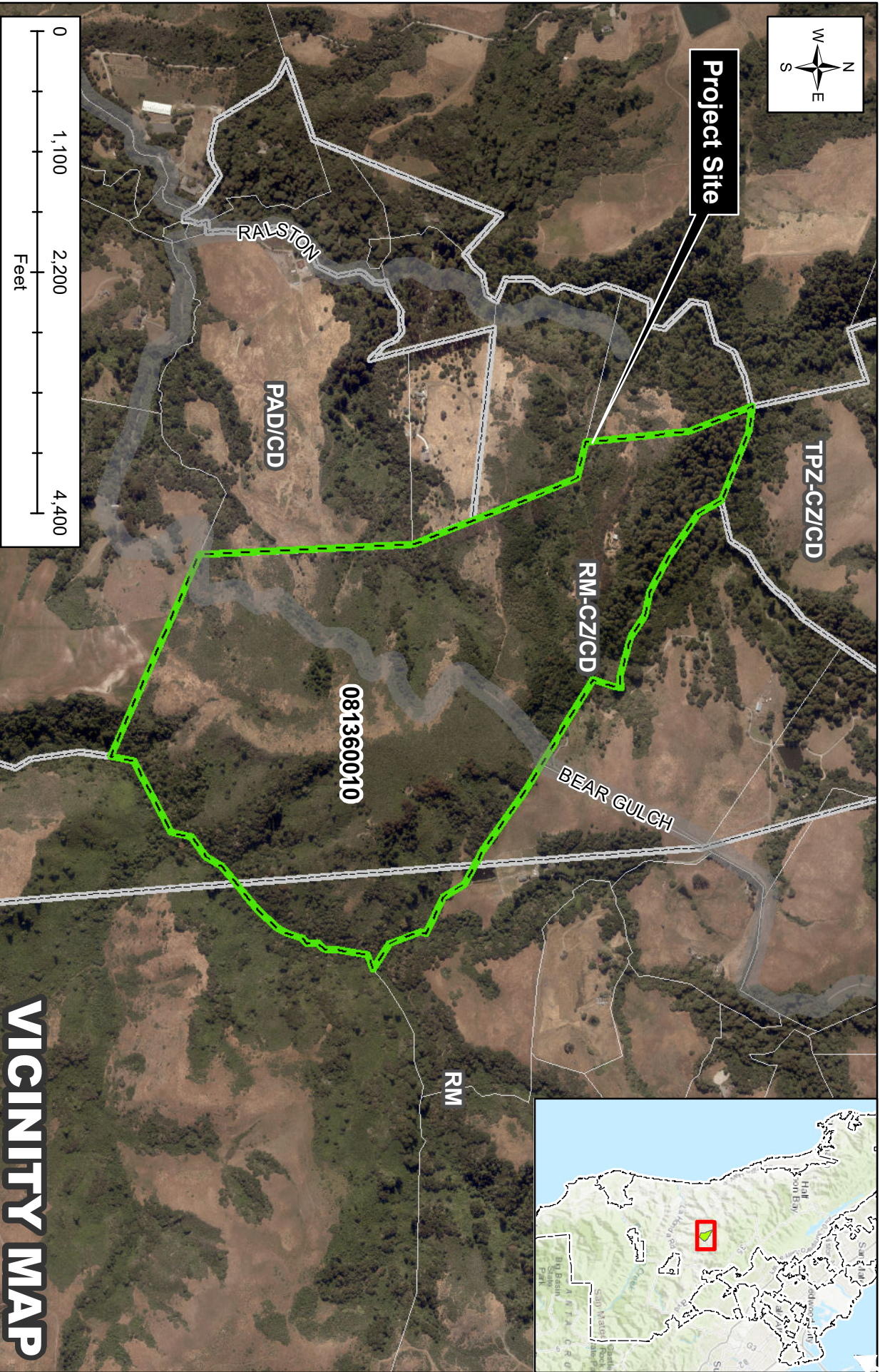
ATTACHMENT

A. Vicinity Maps

_ACC SRT (5-5-17).docx



Project Site



VICINITY MAP



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ITEM

11

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

DATE: July 28, 2020

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

CONTACT INFORMATION: Laura Richstone, Planner II, 650-363-1829, lrichstone@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 June 24, 2020 to July 28, 2020.

PLANNED AGRICULTURAL DISTRICT PERMIT OUTCOMES

No PAD permits were heard or considered by the Planning Commission during this time period.

The Board of Supervisors approved an ordinance amending the San Mateo County Local Coastal Program and adopted a resolution for staff to submit a Local Coastal Program amendment to amend the PAD, RM-CZ, and Subdivision regulations to the California Coastal Commission for review and certification.

1.

<i>Owner:</i>	<i>Various</i>
<i>Applicant:</i>	<i>MROSD & POST</i>
<i>County File Number:</i>	<i>PLN 2019-00258</i>
<i>Location:</i>	<i>PAD and RM Zoned Lands within the Coastal Zone</i>
<i>APN:</i>	<i>Various</i>

Consideration of a series of text amendments to the San Mateo County Zoning and Subdivision Ordinances for consistency with the California Coastal Act Policy 1.2 "Definition of Development" to address future public recreational facility projects on lands owned by the Midpeninsula Open Space District (MROSD) and Peninsula OpenSpace Trust (POST) in the coastal zone. The proposed text amendments would not exempt MROSD or other public agencies from compliance with the General Plan or other applicable Zoning and Subdivision regulations requirements.

This item was heard and discussed by the AAC at its January, February, March, April, and May meetings. The Committee drafted a formal correspondence dated May 18, 2020 to San Mateo County Planning Commission and Board of Supervisors regarding this item.

UPCOMING PLANNED AGRICULTURAL DISTRICT PERMIT PROJECTS

No PAD permit applications were submitted during this time period.

COASTAL DEVELOPMENT EXEMPTIONS FOR AGRICULTURAL PROJECTS

One rural CDX application was submitted during this time period. Please see the attached status report regarding the CDX application. The CDX list includes the description of the project and its status. Copies of the CDX are available for public review upon request.

ADDITIONAL ANNOUNCEMENTS

1. The next regular meeting of the AAC is scheduled for September 14, 2020. AAC meetings will be held via videoconference until further notice to adhere to social distancing guidelines.

Rural CDX List

COUNTY OF SAN MATEO

Count Distinct(RECORD ID)
1

Permit Number	RECORD NAME	DATE OPENED	DESCRIPTION	APN	ADDR FULL LINE1	RECORD STATUS
PLN2020-00202	UNDERGROUND UTILITIES	7/6/2020	CDX for undergrounding of utility lines at Tomkat Ranch.	087110020	PESCADERO RD, PESCADERO, CA null	Submitted