

Practices in San Mateo County that Support Keeping Land in Agriculture

Affirmative Agricultural Easements

Agricultural easements are a type of conservation easement. Traditional agricultural easements restrict future development in agricultural areas so that land is available to be farmed. Affirmative agricultural easements include additional provisions that “affirmatively require” the land to be in active agricultural production. They can be required by regulatory agencies as conditions of development, can be voluntary agreements with landowners who want to maintain the agricultural viability of their land and lower tax burdens, or be a condition of purchase to make a farm affordable to acquire if the property value is reduced due to lost development potential. Affirmative agricultural easements exist in San Mateo County, but on a limited number of properties and are currently held by the California Coastal Commission and by the Peninsula Open Space Trust.

Agricultural Ombudsman

As a result of requests for support from farmers in navigating the County’s permitting processes, the County developed and funded the Agricultural Ombudsman as a consultant to the County. The Agricultural Ombudsman’s primary role is to assist agricultural producers with the County’s permitting process. In addition to this primary role, the Agricultural Ombudsman also works with the County planning department to review and assesses County programs and policies, to recommend improvements, and to facilitate improved communication related to County programs and policies affecting the agricultural community.

Conservation Easements

Conservation easements have emerged as an important tool in land conservation nationally. A conservation easement is a legal agreement between a landowner and a land trust or government agency that limits uses of the land to protect its conservation values, such as wildlife and habitats, scenic open space, or agriculture. The easements are typically permanent (part of the chain of title for the property) and voluntary. Landowners may donate easements or agree to limit land use in exchange for direct payment. They continue to own and use their land, and can sell it or pass it on to heirs. Landowners who give up these development rights may receive significant state and federal tax advantages when removing the land’s potential development lowers the property’s market value, also resulting in lower potential estate tax for heirs.

Conservation easements have been used since the 1970’s both to protect land from development and to support continued agricultural use of the land. Conservation easements in San Mateo County are held and monitored by Peninsula Open Space Trust, the California State Coastal Conservancy, and the Ag Land Trust. Private individuals have also included terms in family trusts that require continued use of the land for agricultural production.

Grading Permit Exemptions (GRX)

In order to minimize permit requirements which can be barriers to conducting grading activities that benefit agriculture and protect natural resources, the County refers Grading Permit Exemptions (GRX) to the San Mateo County Resource Conservation District (RCD) when such projects provides for the installation of NRCS Best Management Practices as confirmed by the RCD. This process is managed by the RCD. The RCD submits the GRX to County Planning, once approved by the RCD board. (Adria, Mike Schaller)

MidPeninsula Regional Open Space District (MROSD) MOU with Farm Bureau

Preservation of economically viable agriculture was a key component of the MROSD Coastside Protection Program and annexation application. The Program Environmental Impact Report (EIR) concluded that there would be no significant impact to agricultural resources and the Service Plan contained a number of policies to protect agriculture, including all the mitigation measures recommended for adoption in the EIR. As a condition of LAFCo approval and based on EIR mitigation measures, MROSD and the San Mateo County Farm Bureau executed a memorandum of understanding that included a process for input from the Farm Bureau in MROSD agricultural related activities to further protect the physical and economic integrity of agriculture in the County.

Restrictions on the Use and Development of Agricultural Lands

General Plan and Local Coastal Program Policies, along with the Zoning Regulations that implement these policies, establish development standards that seek to keep lands that are suitable for agricultural uses in agricultural production, and avoid conflicts between agricultural and non-agricultural uses. This is achieved by limiting the type and extent of non-agricultural uses allowed, particularly on prime agricultural land; and establishing criteria for non-agricultural development that preserves that agricultural productivity of existing and potential future agricultural operations, both on and adjacent to the project site.

Right to Farm Notice / San Mateo County on Agricultural Awareness

Zoning Regulations require subdivisions of parcels on or adjacent to agricultural lands to include a statement on the deed of all resulting parcels notifying future residents that they may be subject to inconvenience or discomfort from agricultural operations, and should be prepared to accept such impacts. This requirement is also often applied to residential development or other non-agricultural development within or adjacent to agricultural land.

Role of the Agricultural Advisory Committee

The Board of Supervisors has established an Agricultural Advisory Committee composed of local farmers, agricultural experts, and representatives of the general public interest, who provide advice and make recommendations to the Planning Commission and Board of Supervisors regarding implementation of Planned Agricultural District regulations. The Agricultural Advisory

Committee also plays an important role in County's Williamson Act Program, and in the review of proposed agritourism events and activities.

San Mateo County Local Agency Formation Commission (LAFCo)

LAFCos were created by the California Legislature in 1963 to discourage urban sprawl, preserve agricultural and open space lands and encourage the orderly formation and development of local government agencies. LAFCo law includes policies to prevent conversion of prime agricultural lands to non-agricultural uses. In adopting spheres of influence (plans for future boundaries) of cities and special districts and annexation proposals, LAFCo decisions must be consistent with the County General Plan and Local Coastal Plan. LAFCo adopted spheres of influence for cities and special districts in San Mateo County are coterminous with the Urban/Rural boundary restricting municipal water and sewer service to urban areas.

Secure Urban/Rural Boundary

Local Coastal Program (LCP) maps and policies establish a secure urban/rural boundary that prevents urban uses from encroaching onto agricultural lands by prohibiting the extension of urban services (i.e., water and sewer service) into rural areas. A citizen's initiative approved in 1986 prohibits any expansion of the areas eligible for urban services without a voter approved amendment to the LCP.

Williamson Act

Williamson Act contracts between San Mateo County and agricultural producers provide an incentive for agricultural land owners to keep those lands agriculturally productive by reducing property taxes and thereby increasing the economic viability of farming. The County has updated its Williamson Act program rules and procedures to support the ongoing presence of commercially viable agricultural operations on contracted lands. The County is in the process of reviewing Williamson Act contracts and non-renewing properties that do not meet the criteria for commercial agriculture as required by the County program's policies.

Other Support for San Mateo County Agriculture

Direct Marketing

In recognition of the important role that Farmer's Markets play in connecting local growers to local consumers, the County Agricultural Department provides Certified Producer Certificates and Certified Farmers Market certificates at no charge. The County Agricultural Department also waived registration fees for testing and sealing of the Health Environment Agriculture Learning Project (The HEAL Project) scale used at the Coastside Farmers' Market.

Funding

San Mateo County's Measure A half-cent sales tax has allowed financial support for agriculture that is not available through the traditional funding mechanism. These funds have been focused on Farmworker Housing Initiatives including and Agricultural Workforce Housing Needs Assessment and a Pilot Farmworker Housing Rehab Project. Between 2014 and 2017, \$1,750,000 has been allocated for this work.

General fund monies have also been allocated to support University of California, Cooperative Extension in San Mateo County and the San Mateo County Resource Conservation District (RCD). These organizations and their work are key to the continued success of San Mateo County's agricultural community.

Grower and Field Worker Training Workshops

County Agriculture Department provides annual pesticide safety trainings for agricultural producers and field workers free of charge. Field Worker safety training workshops are provided both in Half Moon Bay and Pescadero and in English and Spanish. The department provides these workshops to ensure that pesticides are used lawfully, safely and appropriately and that local farmworkers have the knowledge to protect themselves from associated risks.

Inventorizing and mapping

Understanding the availability, type, quantity, and quality of agricultural lands within San Mateo County is a basic tool for supporting and keeping land in agriculture. Since a primary component of this analysis is based upon understanding the location of these agricultural resources GIS is an identified as an ideal tool for such analysis.

County GIS analyzed a variety of data points to develop point-in-time maps. Sources included but were not limited to:

- County GIS Mapping Features – Imagery, parcels, jurisdictional boundaries
- San Mateo County Agriculture Dept. Agricultural Production Sites
- San Mateo County Planning Dept. – Land use and soils classifications
- Natural Resources Conservation Service Farmland Mapping and Monitoring Program
- California Protected Areas Database (CPAD)

Permit Fees Waived for Farm Labor Housing

- It has been a long-standing policy of the Planning and Building Department to waive its permitting fees for farm labor housing projects. The intent of this policy is to increase quantity and affordability of housing units available to farm laborers. As of July 1, 2014 Environmental Health fees related to Water and Septic for farm labor housing were similarly waived.

San Mateo County Food System Alliance

- The San Mateo County Food System Alliance (SMFSA) is a collaboration of community leaders focusing on creating a better future for farms, people and the environment in San Mateo County. Since its founding in 2006 the group has shifted the dialogue about, and the policy around, food system issues. The SMFSA is first and foremost a place to support collaboration. SMFSA includes a variety of stakeholders including the San Mateo County Agricultural Commissioner, the San Mateo County Public Health Director, farmers, agricultural support organizations, public health professionals, food related nonprofits, and environmental advocates.