



County of San Mateo Planning & Building Department

Agricultural Advisory Committee

BJ Burns
Jess Brown
Judith Humburg
Louie Figone
William Cook
Cynthia Duenas

Fred Crowder
Jim Howard
Laura Richstone
Robert Marsh
Peter Marchi

Margaret Gunn
John Vars
Lauren Silberman
Ron Sturgeon
Natalie Sare

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

REGULAR MEETING PACKET

Date: Monday, September 09, 2019
Time: 7:30 p.m.
Place: Ted Adcock Community Center- South Day Room
535 Kelly Avenue Half Moon Bay, California

AGENDA

1. Call to Order
2. Member Roll Call
3. Oath of Office for Judith Humburg, Peter Marchi, Natalie Sare, and Cynthia Duenas
4. Public Comments for Items Not on the Agenda
5. Consideration of an Agricultural Preserve and California Land Conservation (Williamson) Act Farmland Security Zone Contract on a 73.87-acre parcel. The parcel is developed with a barn, greenhouses, two sheds, farm stand, four farm labor housing units, and irrigation pond. Approximately 48 acres of the parcel are currently in agricultural production and include 34 acres of mixed row crops and 14 acres of sheep pasture. The parcel is bordered by La Honda Road to the north and San Gregorio Creek to the south and contains 71 acres of prime agricultural land and 3 acres of non-prime agricultural land. County File Number: PLN2019-00209. Location: 950 La Honda Road, San Gregorio; APN: 081-250-020; Applicant: Peninsula Open Space Trust (POST).
6. Consideration of the Action Minutes for the June 10, 2019 regular meeting.
7. Community Development Director's Report.
8. Adjournment – Next Meeting August 12, 2019.

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 – July, 2019

Agricultural Advisory Committee Attendance 2018-2019

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

X: Present

Blank Space: Absent or Excused

Grey Color: No Meeting

*** As of 06/25/2019**

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

DATE: September 9, 2019

TO: Agricultural Advisory Committee

FROM: Melissa Ross, Planning Staff, 650/599-1559

SUBJECT: Consideration of an Agricultural Preserve and California Land Conservation (Williamson) Act Farmland Security Zone Contract

County File Number: PLN 2019-00209 (POST)

PROPOSAL

The applicant, Peninsula Open Space Trust (POST), is requesting to establish an Agricultural Preserve and the execution of a California Land Conservation (Williamson) Act Farmland Security Zone contract on a 73.87-acre parcel. The parcel is developed with a barn, greenhouses, two sheds, farm stand, four farm labor housing units, and irrigation pond. Approximately 48 acres of the parcel are currently in agricultural production and include 34 acres of mixed row crops and 14 acres of sheep pasture. The parcel is bordered by La Honda Road to the north and San Gregorio Creek to the south and contains 71 acres of prime agricultural land and 3 acres of non-prime agricultural land.

DECISION MAKER

Board of Supervisors

QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE

1. Does the Agricultural Advisory Committee recommend to the Planning Commission and Board of Supervisors that the establishment of the Agricultural Preserve is consistent with the General Plan, Planned Agricultural District/Coastal Development District, California Land Conservation Act, and San Mateo County Land Conservation Act Uniform Rules and Procedures?
2. Does the Agricultural Advisory Committee recommend to the Planning Commission and Board of Supervisors that the County enter into a Farmland Security Zone contract with the landowner?

BACKGROUND

Report Prepared By: Melissa Ross, Senior Planner

Applicant/Owner: Peninsula Open Space Trust

Location: 950 La Honda Road, San Gregorio

APN: 081-250-020

Parcel Size: 73.87 acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Williamson Act: Not contracted; not within Agricultural Preserve. Parcel is identified on San Mateo County Important Farmland Map (2016) as containing approximately 56.6 acres of Prime Farmland and 3.3 acres of Farmland of Statewide Importance.

Existing Land Use: Row crops, sheep pasture, farm labor housing, barn, greenhouse, other ancillary agricultural buildings and structures.

Water Supply: Existing domestic well and irrigation pond.

Sewage Disposal: Existing Septic system.

Flood Zone: Multiple. Zone X (area of minimal flooding) for majority of parcel and Zone A (floodplain; no base flood elevations established) along property line adjacent to San Gregorio Creek. FEMA FIRM panel 06081C0359F; effective August 2, 2017.

Environmental Evaluation: Categorically exempt pursuant to California Environmental Quality Act Section 15317, Class 17 *Open Space Contracts or Easements* which exempts the establishment of agricultural preserves.

Setting: The parcel is located approximately 400 feet from the intersection of Stage Road and La Honda Road and bordered by La Honda Road and San Gregorio Creek. Adjacent lands are similarly used for agricultural and rural development. Adjacent lands to the north and southwest of the subject property are currently contracted or had been contracted in the past (non-renewed contracts).

Will the project be visible from a public road?

No development is proposed with this application for a Williamson Act contract. Building permits have been issued for construction of a tractor shed, agriculture barn, and four farm labor housing units.

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

No.

Is there prime soil on the project site?

Yes, 71 acres.

DISCUSSION

A. KEY ISSUES

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

1. Compliance with General Plan

The proposed agricultural preserve is consistent with the parcel's General Plan Land Use Designation of "Agriculture."

Policy 9.28 (*Encourage Existing and Potential Agricultural Activities*) seeks to encourage the continuance of existing agricultural and agriculturally-related activities and Policy 9.31 (*Protection of Agricultural Lands*) seeks to apply methods which assist in the retention and expansion of lands with agricultural activities such as density bonuses, enforceable restrictions (e.g., easements, contracts or deed restrictions, or other appropriate methods).

Designating the parcel as an Agricultural Preserve and executing a Farmland Security Zone (FSZ) contract in conformance with the California Land Conservation Act and San Mateo County Williamson Act Program for this property is consistent with these policies. The contract will enforceably restrict the use of the land to ongoing commercial agriculture, agriculturally related uses, and compatible uses in exchange for a property tax benefit that encourages retaining the property in agricultural production.

2. Compliance with Local Coastal Program Policies

The establishment of Agricultural Preserves and execution of Land Conservation Act contracts is not defined as development in the County's Local Coastal Program. Thus, these actions are not subject to the issuance of a Coastal Development Permit, though this request is consistent with Local Coastal Program policies.

3. Compliance with Zoning Regulations

The agricultural preserve and contract request is consistent with the Planned Agricultural District and Coastal Development District regulations which seek to preserve and foster existing agricultural operations in order to keep the maximum amount of prime agricultural land and all other lands suitable for agriculture in agricultural production. As defined in the zoning and Local Coastal Program regulations, the property contains approximately 71 acres of prime agricultural land that will continue in agricultural operation for the foreseeable future.

4. Compliance with the Williamson Act

a. Agricultural Preserve Requirements

Landowners who desire to enter into Williamson Act contracts with the County must first have their parcel included in an Agricultural Preserve. Agricultural Preserves must be no less than 100 acres unless a smaller preserve is necessary due to the unique characteristics of the agricultural enterprises in the area and that the smaller preserve is consistent with the General Plan (GOV § 51230).

Once included in the Agricultural Preserve, a landowner and the County may enter into a contract processed concurrently with the Agricultural Preserve application.

POST has requested establishment of the Agricultural Preserve and contract. Adjacent lands within existing Agricultural Preserves consist of grazing lands north of La Honda Road and south of Seaside School Road, but these lands do not contain prime soils and no other contracted crop growing lands are adjacent to the subject parcel nor are other lands under common ownership. Establishing an agricultural preserve of less than 100 acres on this property is consistent with the County's Uniform Rules and General Plan ("Agricultural" land use designation) since no other lands are of similar agricultural operations or under common ownership.

b. Farmland Security Zone

Pursuant to Article 7 of the California Land Conservation Act and Uniform Rule 2.B of the San Mateo County Williamson Act Program, a landowner may request a FSZ designation and contract instead of a standard Williamson Act contract in order to further protect farmland with a longer duration contract provided the land is placed in an Agricultural Preserve and predominately one or more of the following as identified on the State of California Important Farmland Series map

for San Mateo County: Prime Farmland, Farmland of Statewide Significance, Unique Farmland, or Farmland of Local Importance. Approximately 56.6 acres of Prime Farmland and 3.3 acres of Farmland of Statewide Importance are mapped within the property.

Farmland Security Zone contracts have an initial term of 20 years as opposed to the standard 10-year Williamson Act contract. FSZ contracts may be non-renewed pursuant to the same process as a standard Williamson Act contract. Cancellation of FSZ contracts are also processed similar to cancellation of standard contracts. However, the cancellation fee is greater, at 25% of property valuation as determined by the Assessor’s Office, and approval of the cancellation rests with the Director of the California Department of Conservation.

c. Contract Application and Minimum Eligibility Requirements

As required by Uniform Rule 3 *Application Procedure*, the applicant has submitted a legal parcel description; site plan identifying parcel boundaries, agricultural uses; location and uses of all existing buildings; existing utilities; and watercourses and water impoundments. The parcel is legal with development occurring on the parcel in the early 1900s, prior to the County’s authority over building permits, and in subsequent years with approved building permits. Additionally, the Statement of Agricultural Uses, including gross parcel acreage, acreage of agricultural production by operation, water source and irrigation methods, compatible use calculations, and gross agricultural income (Schedule F) were submitted or verified by staff.

Staff has reviewed the applicable documents for minimum eligibility requirements, see below. The application is compliant with these requirements and qualifies under Crop Income as the agricultural use for the contract.

	Williamson Act/Farmland Security Zone Program Requirements	Planning Review	Compliance
Important Farmland Series Map	Mapped: Prime, Statewide Importance, Unique, or Local Importance.	Prime Farmland and Statewide Importance	Yes
Land Use Designation	Open Space or Agriculture	Agriculture	Yes
Zoning ¹	PAD, RM, or RM-CZ	PAD	Yes
Parcel Size ²	40	73.87 acres	Yes
Prime Soils ³	--	71 acres	--
Non-Prime Soils	--	3 acres	--
Crop Income ^{4,5}	\$17,862.50	Completed	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. Required income calculated per Income Requirements for Crops (Uniform Rule 2.A.6).
5. Crop income and grazing data taken from Assessor's Office Agricultural Preserve Questionnaire response using the highest income and grazing acreage of the previous three years for purposes of this review.

The parcel is compliant with the minimum income for the commercial agricultural operation and meets the mapping requirements to qualify for a Farmland Security Zone contract.

Agricultural Uses

Existing commercial agricultural operations include five fields on a total of 48.12 acres (Attachment C):

Field No.	Acres	Agricultural Commodity
Field 1	12.48	Squash, Beans, Onions
Field 2	21.61	Brussels Sprouts, Artichokes, Strawberries
Field 3	7.21	Sheep Pasture (100 Sheep)
Field 4	2.88	Sheep Pasture (100 Sheep)
Field 5	3.94	Sheep Pasture (100 Sheep)

Compatible Uses

All development on the parcel (barns, greenhouses, farm stand, farm labor housing, sheds, and irrigation pond) are compatible uses under the Williamson Act Program and are not included in the Maximum Allowance of Compatible Uses calculation (Uniform Rule 2.A.5.b.3.). As such, the Agricultural Advisory Committee is not required to make a Determination of Compatibility.

All Compatible Uses are compliant with the Williamson Act Program.

B. STAFF EVALUATION

Based on the information submitted by the landowner, staff recommends the parcel be placed within an Agricultural Preserve and encumbered by a Farmland Security Zone contract.

ATTACHMENTS

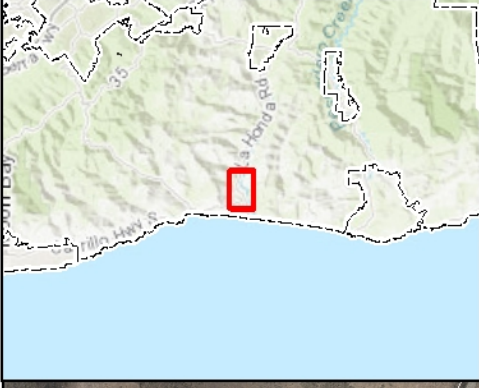
- A. Vicinity Map
- B. Statement of Agricultural Uses
- C. Statement of Agricultural Uses Map
- D. Resolutions Establishing Agricultural Preserve and Execution of Contract

MR:pac - MARDD0390_WPU.DOCX



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT A



VICINITY MAP

Project Site

PAD/CD

081250020

STAGE RD

C-1/S-7/DR/CD

R-1/S-10/DR/CD

STATE HIGHWAY 1



San Mateo County

Owner/Applicant:

File Numbers:

Attachment:



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT B

Williamson Act Application Supporting Statement

Calculations and supporting compliance with Uniform Rule 2, Section A.5.b.2 (Maximum Allowance of Compatible Uses).

1. Agricultural Uses – See Statement of Agricultural Uses Map for approximate acreage of agricultural uses.
2. Compatible Uses -- the following uses are listed as per se compatible uses. The existing structures are approximately 17,400 square feet and the proposed structures are approximately 3,640 square feet (see site plans for additional detail). These square footage calculations exclude the fences
 - a. 4 Units of Farm Labor Housing
 - b. Packing Shed for agricultural processing and storage
 - c. Farm Stand
 - d. 3 Greenhouses
 - e. Underground utilities
 - f. Domestic well for Farm Labor Housing
 - g. Deer fencing around perimeter of property and building center
 - h. Barn (proposed)
 - i. Tractor Shed (proposed)
3. The remaining uses of the property include an irrigation reservoir and a riparian buffer which separates the farm fields from San Gregorio Creek.

Gross Agricultural Income documentation (e.g., Federal Tax Return Schedule F) substantiating compliance with Uniform Rule 2, Section A.6 (Income Requirements for Crops).

The property has 71 acres of prime soil and 3 acres of non-prime soil. According to Uniform Rule 2, Section A.6 (Income Requirements for Crops), the minimum annual gross income shall equal or exceed \$250.00 per acre for prime soils and \$37.50 per acre for non-prime soils.

Prime Soils: $71 \times \$250 = \$17,750$

Nonprime soils: $3 \text{ acres} \times \$37.50 = \112.50

Total Income Threshold for the property = \$17,862.50

Owner/Applicant and tenant farmer meet the required thresholds for 3 of the past 5 years (2016, 2017, and 2018) and respectfully request a meeting with the project

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San Mateo County
Planning and Building Department

PLN2019-00209

planner and Agricultural Commissioner in order to substantiate these requirements without releasing personal income information to the public.

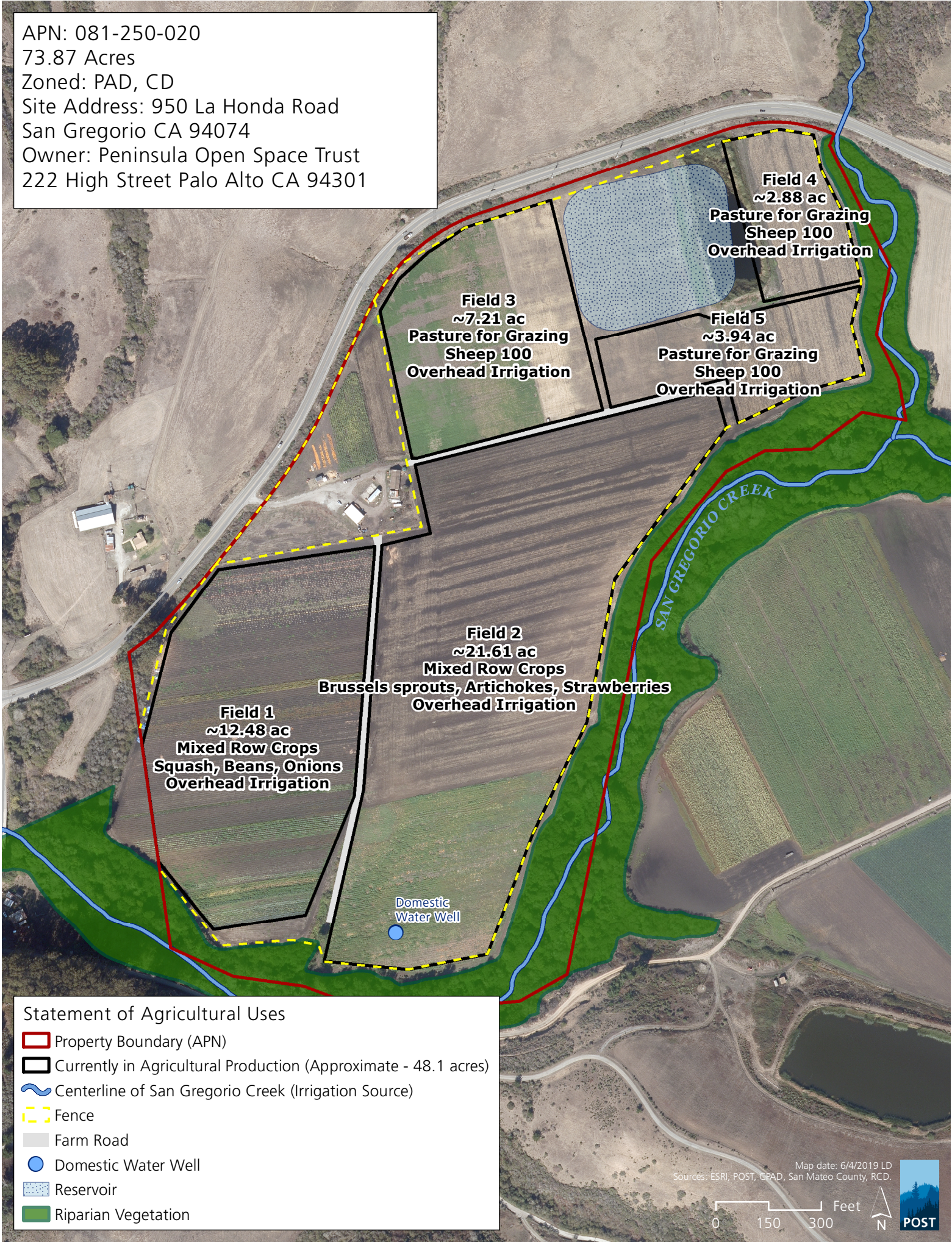
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COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT C

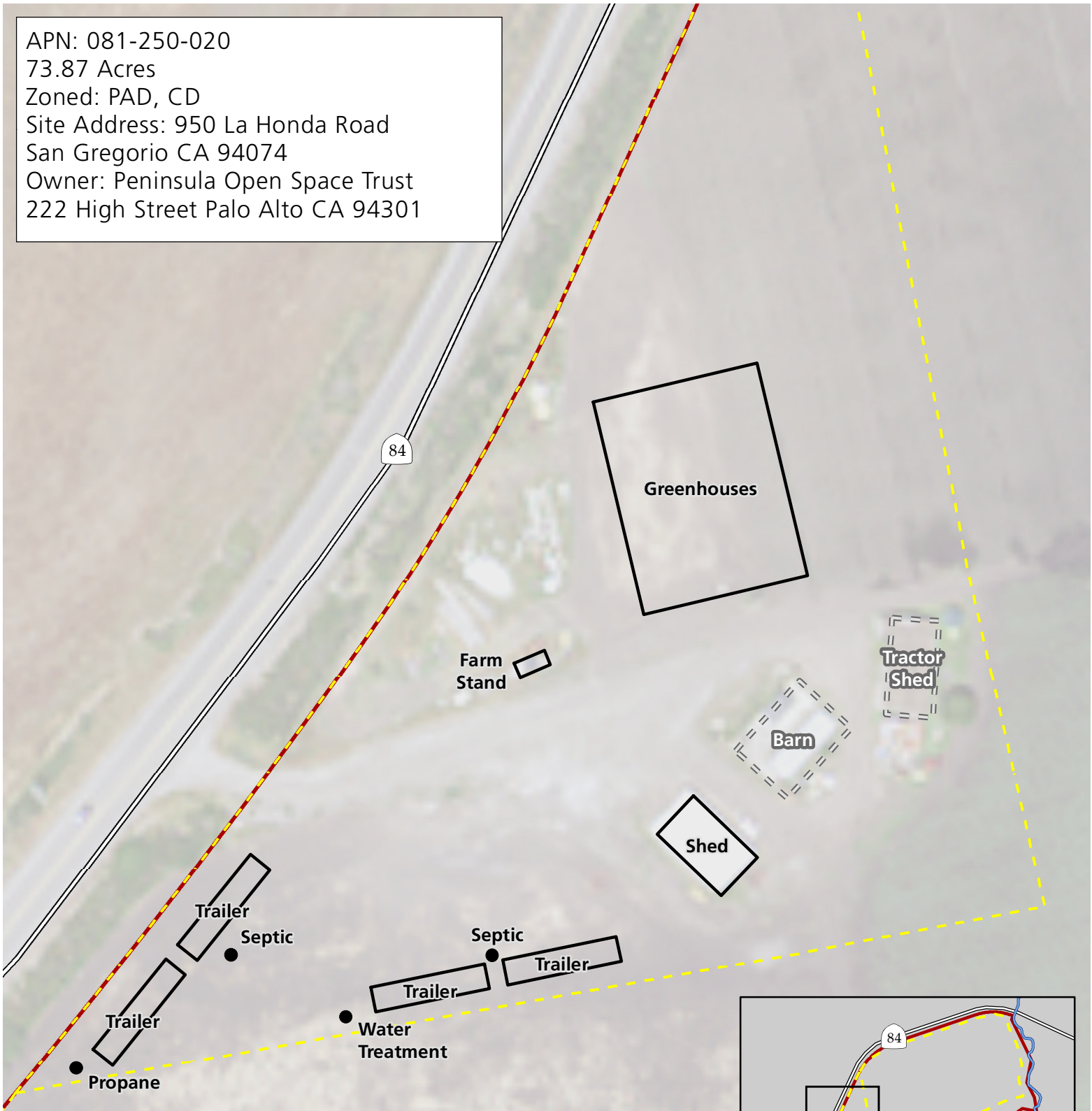
APN: 081-250-020
 73.87 Acres
 Zoned: PAD, CD
 Site Address: 950 La Honda Road
 San Gregorio CA 94074
 Owner: Peninsula Open Space Trust
 222 High Street Palo Alto CA 94301



Statement of Agricultural Uses

- Property Boundary (APN)
- Currently in Agricultural Production (Approximate - 48.1 acres)
- Centerline of San Gregorio Creek (Irrigation Source)
- Fence
- Farm Road
- Domestic Water Well
- Reservoir
- Riparian Vegetation

APN: 081-250-020
 73.87 Acres
 Zoned: PAD, CD
 Site Address: 950 La Honda Road
 San Gregorio CA 94074
 Owner: Peninsula Open Space Trust
 222 High Street Palo Alto CA 94301



Existing and Proposed Structures

- Property Boundary (APN)
- Existing Structures (~17,400 sf)
- Proposed Structures (~3,640 sf)
- Fence

0 125 250 Feet



Map date: 6/4/2019 LD
 Sources: ESRI, POST, CPAD, San Mateo County, RCD.



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT D

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

**RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE
AND TO AUTHORIZE EXECUTION OF FARMLAND SECURITY ZONE CONTRACT**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Peninsula Open Space District (POST) is the owner of certain land in the County of San Mateo used for agricultural purposes within the concept of the California Land Conservation Act of 1965, and has requested to have said land designated as an Agricultural Preserve, and has submitted such request with a properly executed contract form heretofore approved by this Board, for execution by this Board; and

WHEREAS, the County of San Mateo is authorized to establish Agricultural Preserves by the California Land Conservation Act; and

WHEREAS, all procedural requirements of the Land Conservation Act and Board of Supervisors of San Mateo County Resolution No. 071565 have been followed; and

WHEREAS, this Board of Supervisors, having received and reviewed the report of the Planning Commission as to the request to establish that this Preserve is consistent with the General Plan of San Mateo County; and

WHEREAS, this Board deems it desirable to enter into land conservation contracts, under the provisions of the California Land conservation Act on 1965, with owners of land which is appropriately used for agriculture or other purposes authorized by said Act, or purposes left within the discretion of the Board of Supervisors under the terms of the Act; and

WHEREAS, the Board of Supervisors does hereby establish the policy and rules which will govern the administration of this Preserve, to wit:

1. Establishment, Disestablishment, Alterations. The procedures set forth in Resolution No. 071565 of the Board of Supervisors of San Mateo County shall govern the establishment, disestablishment and alteration of the boundaries of this Preserve. The procedures in said Resolution are incorporated herein and made a part hereof as it fully set forth.
2. Policy. This Board recognizes that:
 - a. The preservation of a maximum amount of the limited supply of agricultural land is necessary for the conservation of the State's economic resources, and is necessary not only for the maintenance of the agricultural economy of the State, but also for the assurance of adequate, healthful and nutritious food for future residents of this State and Nation.

- b. The discouragement of premature and unnecessary conversion of agricultural and open spaces to urban uses is a matter of public interest, and will be of benefit to urban dwellers themselves in that it will discourage discontinuous urban development patterns which unnecessarily increase the costs of community services to community residents.

- c. In a rapidly urbanizing society, agricultural and other open space lands have a definite public value as open space, and the preservation in agricultural production of such lands, the use of which may be limited under the provisions of the Williamson Act, constitutes an important physical, social, aesthetic, and economic asset to existing or pending urban or metropolitan developments.

- d. Within this Preserve, the lands shall be used only for the commercial production of agricultural commodities and other compatible uses herein designated.

- e. Property owners executing a contract for property within this Preserve should understand that the Board of Supervisors intends that the contract will run for the full term provided therein.

3. Permitted Agricultural Uses. Permitted agricultural uses are defined in EXHIBIT “B” hereto, which is incorporated herein and made a part of this Resolution.
4. Compatible Uses. Compatible uses are defined in EXHIBIT “C” hereto, which is incorporated herein and made a part of this Resolution.
5. Limitation on Uses. If a contract is entered into, incorporating the agricultural and compatible uses specified in EXHIBITS “B” AND “C” hereto, the property owner shall be limited to said uses even though the Zoning Ordinance or other codes, ordinances or regulations authorize different uses. In the event other codes, ordinances or regulations are or should become more restrictive than the uses authorized by the contract, the codes, ordinances or regulations shall prevail.
6. Continuation of Preserve. Pursuant to the California Land Conservation Act, this Preserve shall continue in full effect follow annexation, incorporation or disincorporation of the land described in EXHIBIT “A”, except as provided for in Subsection 51243(b) of the Government Code.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

1. That the area of San Mateo County described in EXHIBIT "A" of this Resolution in hereby designated and established as an Agricultural Preserve within the meaning of and pursuant to the California Land Conservation Act of 1965, subject to the policy and rules specified herein.
2. That the form of the Land Conservation Contract presented to this Board be, and the same is hereby, approved.
3. That the Chair of this Board of Supervisors be, and is hereby authorized and director to execute, said contract for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest her signature hereto.
4. That a copy of this Resolution, and a Map of the property described in EXHIBIT "A" hereof, be filed with the County Recorder of San Mateo for said County Recorder and Director of Agriculture, State of California, and that said Resolution and Map be kept current by the County of San Mateo for said County Recorder and Director of Agriculture.

* * * * *

CALIFORNIA LAND CONSERVATION CONTRACT

NO. _____

* * * * *

FARMLAND SECURITY ZONE (FSZ/LCA) CONTRACT PROVIDING FOR A MINIMUM OF TWENTY (20) YEAR TERM FOR PARCEL 081-250-020

THIS CALIFORNIA LAND CONSERVATION CONTRACT, made and entered into this DATE day of MONTH, YEAR, by and between the COUNTY OF SAN MATEO, a political subdivision of the State of California, hereinafter referred to as "COUNTY" and Peninsula Open Space District (POST) or successors thereof, hereinafter referred to as "OWNER";

WHEREAS, the OWNER is the legal owner of certain real property herein referred to as the subject property situated in the County of San Mateo, State of California; and

WHEREAS, the subject property is described in EXHIBIT "A" which is made a part of this Contract; and

WHEREAS, the subject property is located in an Agricultural Preserve which has heretofore been established by the COUNTY and a map of which is on file with the Recorder of San Mateo County; and

WHEREAS, the OWNER and the COUNTY desire to limit the use of the subject property to agricultural uses and compatible uses to preserve the limited supply of agricultural land and to discourage the premature and unnecessary conversion of agricultural land to urban uses; and

WHEREAS, the OWNER and the COUNTY recognize that agricultural land has definite public value as open space, that preservation of land in agricultural production will assure an adequate food supply and that such agricultural land constitutes an important social, aesthetic and economic asset to the people of the County and the State of California; and

WHEREAS, both the OWNER and the COUNTY intend that this Contract is and shall continue to be, through its initial term and any extension thereof, an enforceable restriction within the meaning of Section 8 of Article XIII of the State Constitution, and that this Contract shall thereby qualify as an enforceable restriction under the provisions of the California Revenue and Taxation Code, Section 422.

NOW, THEREFORE, the parties, in consideration of the mutual benefits and conditions set forth herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

1. AGREEMENT MADE PURSUANT TO CALIFORNIA LAND CONSERVATION ACT

This Contract is made and entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 of Part 1 of Division 1 of Title 5 of the California Government Code commencing with Section 51200), hereinafter referred to as the Act, and is subject to all provisions thereof, including any subsequent amendments thereto. This Contract is also made and entered into pursuant to Resolution 071565 (San Mateo County Land Conservation (Williamson) Act Uniform Rules and Procedures) of the Board of Supervisors of the County of San Mateo, and is subject to all of the provisions of said Resolution incorporated herein by reference, including any subsequent amendments thereto.

2. CONSIDERATION

It is agreed that the consideration for the execution of this Contract is the substantial public benefit to be derived by the COUNTY from the preservation of land in agricultural or compatible uses, and the advantage which will accrue to the OWNER as a result of the effect on the method of determining the assessed value of the subject property, including any reduction thereto due to the imposition of limitations on its use set forth in this Contract. Neither the COUNTY nor the OWNER shall receive any payment in consideration of the obligations imposed herein.

3. SUCCESSORS IN INTEREST

This Contract shall run with the land described herein and shall be binding upon and insure to the benefit of all successors in the interest of the OWNER. This Contract shall also be binding upon and insure to the benefit of any succeeding city or county acquiring jurisdiction over all or any portion of the subject property, except as provided in Section 51296 of the Act in the case of certain annexations to cities.

4. DIVISION OF SUBJECT PROPERTY

In the event the subject property is divided, the OWNER or successors thereof, as the case may be, agree as a condition of such division to execute such Contract or Contracts as will restrict any parcels created by said division to the same extent as the subject property is restricted by the Contract at the time of division. The COUNTY shall, as a condition of approving the division of the subject property, require the execution of the

Contracts provided for in this paragraph.

The OWNER of any parcel created by division of the subject property may exercise, independently of any other OWNER of a portion of the divided property, any of the rights of the OWNER executing this Contract, including the right to give notice of non-renewal as provided in Paragraph 8. The effect of any such action by an OWNER of a parcel created by a division of the subject property shall not be imputed to the owners of the remaining parcels and shall have no effect on the Contracts which apply to the remaining parcels of the divided land.

5. USE OF SUBJECT PROPERTY

During the term of this Contract, or any extensions thereof, the subject property shall not be used for any purpose other than the "Permitted Agricultural Uses" or "Compatible Uses" set forth in EXHIBITS "B" and "C". The OWNER shall be limited to these uses, except that if the ordinances, codes or regulations of the COUNTY are more restrictive as to the use of said property than is the Resolution, the ordinances, codes or regulations shall prevail.

6. ADDITIONAL USES

The Board of Supervisors of the COUNTY may from time to time during the term of this Contract or any extension thereof, by resolution, revise the lists of "Permitted Agricultural Uses" or "Compatible Uses" for the Agricultural Preserve in which the subject property is located; provided that said Board shall not eliminate any such permitted agricultural or compatible use during the term of this Contract or any extension thereof without the written consent of the OWNER or his successors in interest.

7. TERM

This Contract shall be effective on the date first written above, hereinafter the Anniversary Date, and shall remain in effect for a period of twenty (20) years therefrom. On each succeeding anniversary date, one (1) year shall automatically be added to the unexpired term unless notice of non-renewal is given as provided in Paragraph 8. If either party gives notice not to renew, it is understood and agreed that this Contract shall remain in effect for the unexpired term.

8. NOTICE OF NON-RENEWAL

If either the OWNER or the COUNTY desires in any year not to renew this Contract, that party shall serve written notice of non-renewal of the Contract upon the other party in advance of the anniversary date. Unless such

written notice is served by the OWNER at least ninety (90) days prior to the anniversary date or by the COUNTY at least sixty (60) days prior to the anniversary date, the Contract shall be considered renewed as provided in Paragraph 7. Upon receipt by the OWNER of a notice from the COUNTY of non-renewal, the OWNER may protest the non-renewal, provided such protest is made in writing and is filed with the Clerk of the Board of Supervisors of the COUNTY not later than thirty (30) days after receipt of said notice of non-renewal. The COUNTY may withdraw the notice of non-renewal at any time prior to the anniversary date. Upon request by the OWNER, the Board of the Supervisors of the COUNTY may authorize the OWNER to serve a notice of non-renewal on a portion of the subject property, provided that such notice is in accordance with the foregoing provisions of this paragraph.

9. ACTION IN EMINENT DOMAIN TO TAKE ALL OR PART OF THE SUBJECT PROPERTY

Upon the filing of an action in Eminent Domain by an agency or person specified in Section 51297.1 of the Government Code, for the condemnation of the fee title of all or a portion of the subject property or upon the acquisition of the fee in lieu of condemnation, this Contract shall be null and void as provided in said Section 51295.

10. ABANDONMENT OF ACTION IN EMINENT DOMAIN

In the event a condemnation suit is abandoned in whole or in part, or if funds are not provided to acquire the subject property in lieu of condemnation, the OWNER agrees to execute a new Contract for all of the subject property to have been taken or acquired, which Contract shall be identical to the Contract in effect at the time the suit was filed or on the date the land was to have been acquired, provided that: (1) a notice for non-renewal was not given by either party prior to the filing of suit or date the property was to have been acquired, and (2) the property at the time of said execution of a new Contract is within the boundaries of an Agricultural Preserve.

11. REMOVAL OF SUBJECT PROPERTY FROM AGRICULTURAL PRESERVE

In the event any proposal to disestablish or to alter the boundary of an Agricultural Preserve will remove the subject property from such a Preserve, the Board of Supervisors of the COUNTY shall furnish such notice of the proposed alteration or disestablishment to the OWNER as required by Section 51232 of the Act. Removal of any of the property from the Agricultural Preserve in which the subject property is located shall be the equivalent of notice of non-renewal, as provided in Paragraph 8, at least sixty (60) days prior to the anniversary date following the removal. The

COUNTY shall record the notice of non-renewal in the Office of the Recorder of the COUNTY, as required by Paragraph 13 herein; however, the OWNER agrees that a failure of the COUNTY to record said notice of non-renewal shall not invalidate or in any manner affect said notice.

12. INFORMATION TO COUNTY

The OWNER shall furnish the COUNTY with such information as the COUNTY may require in order to enable it to determine the value of the subject property for assessment purposes and the eligibility of the subject property under the provisions of the Act.

13. RECORDING OF DOCUMENTS

In the event of the termination of this Contract with respect to any part of the subject property, the COUNTY shall record the documents evidencing such termination with the Recorder of the COUNTY.

14. ENFORCEMENT OF CONTRACT

Any conveyance, contract, or authorization (whether written or oral) by the OWNER, or his successors in interest, which would permit use of the subject property contrary to the terms of this Contract or the rules of the Agricultural Preserve in which the subject property is located, will be deemed a breach of this Contract. The COUNTY may bring any action in court necessary to enforce this Contract including, but not limited to, an action to enforce the Contract by specific performance or injunction. It is understood and agreed that the enforcement proceedings provided in this paragraph are not exclusive and that both the OWNER and the COUNTY may pursue their legal and equitable remedies.

15. CANCELLATION

This FSZ/LCA Contract may be cancelled as to all or a part of the subject property only upon the petition of the OWNER to the COUNTY, and after a public hearing has been held and notice thereof given as required by Section 51297 of the Government Code. The Board of Supervisors of the COUNTY may approve cancellation only as provided by Article 7 of the Act.

16. SEVERABILITY

It is understood and agreed by the parties hereto that if any of these provisions shall contravene or be invalid under any law, such contravention or invalidity shall not invalidate the whole Contract, but is shall be construed as if not containing that particular provision or provisions held to be invalid, and the rights and obligations of the parties hereto shall be construed and

enforced accordingly.

17. ASSESSMENT INFORMATION

OWNER agrees to provide COUNTY, upon request, with all information concerning OWNER'S agricultural, recreational or open space and compatible activities upon the subject property, including but not limited to, income derived in the course of OWNER's agricultural pursuits in relation to the subject property. Said information will be necessary to implement the assessment process, pursuant to the California Land Conservation Act of 1965 (as amended) and the San Mateo County Land Conservation Act Uniform Rules and Procedures (as amended).

18. CONTRACT SUBJECT TO EXERCISE OF POLICE POWER

Nothing in this Contract shall limit or supersede the planning, zoning, health, safety and other police powers of the COUNTY, and the right of the COUNTY to exercise such powers with regard to the subject property.

19. EXCULPATORY CLAUSE

The OWNER shall hold the COUNTY harmless from any demand, claim, cause of action or action for damages involving the OWNER'S interest or rights in and to the real property described herein. Person or persons signing this Contract represent that they are OWNERS of the real property entitled to and possessing the authority to enter into this Contract and to bind the real property in accordance with this Contract.

20. COSTS OF LITIGATION

In case the COUNTY shall, without any fault on its part, be made a party to any litigation commenced by or against OWNER, the OWNER shall and will pay all costs together with reasonable attorney's fees incurred by or imposed upon COUNTY by or in connection with such litigation; further, OWNER shall and will pay all costs and reasonable attorney's fees which may be incurred or paid by COUNTY in enforcing the covenants and agreements of this Contract.

21. ANNEXATION

This Contract shall be transferred from COUNTY to any succeeding City or County acquiring jurisdiction over the subject property in the manner provided for in Section 51296 of the California Government Code. On the completion of annexation proceedings by a City, that City shall succeed to all rights, duties and powers of the County under this Contract for that portion of the subject property annexed to the City.

IN WITNESS WHEREOF, the parties hereto have executed this Contract on the day and year first written above.

(NOTE: OWNERS SIGNATURES MUST BE NOTARIZED)

PENINSULA OPEN SPACE
DISTRICT

By
President,
"Owner"

COUNTY OF SAN MATEO

By
President, Board of Supervisors
"County"

ATTEST: _____

Clerk of Said Board of Supervisors

(NOTARIAL ACKNOWLEDGMENT)

* * * * *

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EXHIBIT "A"

To

RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND TO AUTHORIZE EXECUTION OF FARMLAND SECURITY ZONE CONTRACT

APN: 081-250-020

The land referred to is situated in the unincorporated area of the County of San Mateo, State of California, and is described as follows:

Beginning at a point at the intersection of the center line of the county road running from San Gregorio to La Honda, with the center line of a small creek emptying into San Gregorio Creek, said point being the common corner of Lots No. 1 and 3 as shown on the Map of the Quentin Ranch, surveyed and subdivided in January, 1899 by D. Bromfield; thence along said center line of said county road North 73° West 3 chains; South 70° West 17 chains; South 32° West 3.40 chains; South 23° West 7 chains; South 33° West 1 chain; South 51° West 4 chains; South 43° West 5 chains; South 54° West 1 chain; South 66° West 5 chains to a stake marked "Q.R.-2" standing at the intersection of the center line of the county road; running from La Honda to San Gregorio with the Easterly line of the county road leading from Half Moon Bay to San Gregorio; thence South 09° 59' East along the East line of said last mentioned county road 2.33 chains; thence continuing South 00° 25' East 5.30 chains along said Easterly line of said county road to a point where the East line of the county road leading from Spanishtown to Pescadero intersects the center line of San Gregorio Creek; said point being distant 20 feet Easterly from a line drawn perpendicularly through the center longitudinally of the East line of the present bridge over said creek, and at which point is an iron spike driven in the creek bed; thence from said last named point up and along the center line of said San Gregorio Creek South 67° East 3.00 chains; South 37° East 4.40 chains; South 66° East 3.00 chains; South 89° East 3.00 chains; South 65° East 3.50 chains, North 88° East 6.00 chains, North 33° East 3.00 chains; North 18° East 17.30 chains; North 38° East 5.00 chains, North 60° East 2.00 chains; North 86° East 2.00 chains to a point where the centerline of the creek running South through the Quentin Ranch near the late residence of James Quentin, deceased, intersects the same; thence leaving said San Gregorio Creek and following up and along the center line of said small creek North 54° East 2.80 chains and South 82° East 2.00 chains to a point from which a redwood stake marked "Q.R.17" bears South 15° East distant 1.00 chains and from which stake a cotton wood tree 18 inches to diameter marked "Q.R." bears South 2-1/2° West distant 23 links and a willow tree 18 inches in diameter marked "Q.R." bears North 26-1/2° East distant 42 links; thence continuing up and along the center line of said small creek North 15° West 2.00 chains; North 25° West 2.00 chains; North 09° East 3.00 chains; North 24° West 5.51 chains; North 7-1/2° East 1.55 chains to a point under the center of a bridge on the county road leading from San Gregorio to La Honda and point of beginning.

Being all of Lot No. 1 as shown on the Map aforesaid.

EXCEPTING THEREFROM, however, from the above described property that certain parcel of land conveyed by Arthur F. Rousseau to George C. Ross, by Deed dated October 16, 1916, and described as follows:

Beginning at a stake marked "Q.R.2" standing at the intersection of the center line of the County Road running from La Honda to San Gregorio with the Easterly line of the county road leading from Half Moon Bay to San Gregorio; running thence Easterly along the center line of said La Honda road about 5-1/4 chains to a point where a fence which forms in part the Easterly boundary of the parcel of land on which stand the farm house, horse barn and out-buildings of what is commonly known as and called the Dora Wilson Ranch near San Gregorio, would, if extended, intersect the said center line of said road; thence Southerly in a straight line to a point distant three feet East of the most Easterly of said out-buildings, and continuing on same line to a point in the center of the San Gregorio Creek; thence down the center of said San Gregorio Creek to its intersection with the Easterly line of the county road from San Gregorio to Half Moon Bay; thence Northerly along the Easterly line of said road to the point of beginning.

Being a portion of what is known as Lot No. 1 of the Quentin Ranch as surveyed and subdivided in January, 1899 by D. Bromfield, C.E.

ALSO EXCEPTING THEREFROM the lands acquired by the County of San Mateo, by that certain Final Order of Condemnation No. 46282 issued out of the Superior Court of the State of California, in and for the County of San Mateo, entitled "County of San Mateo, a Political Subdivision of the State of California, Plaintiff, vs. William J. Debenedetti, Angie Francis, Ross Estate Company, a corporation, First Doe, Second Doe, and John Doe Corporation, a corporation, Defendants," dated April 20, 1950, and recorded April 20, 1950, under File No. 52109-I, in Book 1841 of Official Records, at Page 253, records of San Mateo County, California.

FURTHER EXCEPTING THEREFROM the lands conveyed to the County of San Mateo by that certain Deed recorded April 22, 1953, under File No. 75863-K, in Book 2404 of Official Records, at Page 507, records of San Mateo County, California.

* * * * *

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EXHIBIT “B”

To

RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND TO AUTHORIZE EXECUTION OF FARMLAND SECURITY ZONE CONTRACT

“PERMITTED AGRICULTURAL USES” are defined as follows:

- A. Commercial production of agricultural commodities, as defined in the San Mateo County Land Conservation Act Regulations. Agricultural commodities shall mean an unprocessed product of farms, ranches, production nurseries and forests.

Agricultural commodities shall include fruits, nuts and vegetables; grains, such as wheat, barley, oats and corn; mushrooms; legumes, such as field beans and peas; animal feed and forage crops, such as grain, hay and alfalfa; seed crops; fiber, bio-fuel and oilseed crops, such as safflower and sunflower; nursery stock, such as Christmas trees, ornamentals and cut flowers; trees grown for lumber and wood products; turf grown for sod; livestock, such as cattle, sheep, alpacas, llamas and swine; poultry, such as chickens, ostriches and emus.

- B. Commercial grazing operation for the purpose of pasturing livestock such as cattle, sheep, alpacas, and llamas.

C. Commercial horse breeding provided the annual breeding operation consists of a minimum of 15 broodmares. The keeping of horses does not constitute an agricultural use.

* * * * *

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EXHIBIT “C”

To

RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND TO AUTHORIZE EXECUTION OF FARMLAND SECURITY ZONE CONTRACT

“COMPATIBLE USES” are defined as follows:

1. Compatible uses include and shall comply with the provisions of Government Code Section 51238-51238.1 and the underlying San Mateo County land use designation and zoning of the parcel, including permitting requirements. The following uses are identified as “Compatible Uses”:
 - a. The erection, construction, alteration, or maintenance of gas, electric, water, communication, or agricultural laborer housing facilities.
 - b. Non-residential development customarily considered accessory to agricultural uses.
 - c. Soil dependent and non-soil dependent greenhouses and nurseries.
 - d. Temporary roadstands for seasonal sale of produce grown in San Mateo County.
 - e. Permanent roadstands for the seasonal sale of produce.

- f. Single-family residences, including repairs, alterations and additions.
- g. Keeping of pets in association with a one-family dwelling and the limited keeping of pets in association with a farm labor housing unit or multiple-family dwelling unit.
- h. Animal fanciers.
- i. Public recreation/shoreline access trail, commercial recreation.
- j. Onshore oil and gas exploration, production, and minimum necessary related storage.
- k. Multi-family residences if for affordable housing.
- l. Schools, fire stations.
- m. Aquacultural activities.
- n. Wineries.
- o. Timber harvesting, commercial woodlots and log storage.
- p. Facilities for the processing, storing, packaging, and shipping of agricultural products.

- q. Kennels or catteries.

- r. Scientific/technical research and test facilities.

- s. Some uses not listed could be considered as “Compatible Uses” upon determination by the Planning Commission and Board of Supervisors.

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County of San Mateo Planning & Building Department
Agricultural Advisory Committee

BJ Burns
Jess Brown
Judith Humburg
Louie Figone
William Cook

Fred Crowder
Jim Howard
Laura Richstone
Robert Marsh
Margaret Gunn

John Vars
Lauren Silberman
Ron Sturgeon

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

Meeting Minutes
Regular Meeting June 10, 2019

1. **Call to Order**

Robert Marsh, Committee Chairman, called the Regular Meeting of the Agricultural Advisory Committee (AAC) to order at 7:32 p.m. at the Ted Adcock Community Center - South Day Room, 535 Kelly Avenue, Half Moon Bay, California.

2. **Member Roll Call**

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

Regular Voting Members Present

BJ Burns
Louie Figone
John Vars
Judith Humburg
Robert Marsh
Lauren Silberman
William Cook

Regular Voting Members Absent

Ron Sturgeon

Nonvoting Members Present

Fred Crowder
Shelia Barry for Maggie La Rochelle Gunn
Jess Brown

Nonvoting Members Absent

Jim Howard

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

No comments were made.

4. **Consideration of an Agritourism Event Permit (PLN 2019-00196) for up to 12 private farm/ranch events. Proposed elements include educational programs, meeting areas/outdoor space, specialty horse vaulting, and farmers markets. Proposed hours of operation are 11:00 a.m. to 4:00 p.m. for day events and 6:00 p.m. to 10:00 p.m. for evening events with 5 hours as the maximum event time. County File Number: PLN 2019-00196. Location: 321 Verde Road, Pescadero (APN: 066-320-170); Applicant: Kevin Palmer.**

Chair Marsh commented that the Council had seen this permit before and noted that the project is located in Half Moon Bay not Pescadero. Kerry Burke, a member of the public clarified, that Agritourism Permits are annual permits which is why the Council is seeing the permit again. Chair Marsh noted that there was no change in activities from the last Agritourism Permit. A member of the Council noted an inconsistency in the staff report and the application. The staff report noted that there are prime soils interspersed throughout the project site but the application form stated that there were no prime soils. Chair Marsh stated that the project site is mostly hilly, that the best prime soils are probably where the buildings which have been there for decades, and that there is probably as much agriculture as possible on the property as there could be. Committee Member Burns made a motion to recommend approval of the proposed Agritourism Permit. This motion was seconded by Committee Member Figone. The motion was approved (7-ayes – 0 no's – 0 abstain).

5. **Discussion regarding the impact of Mountain Lions and possible re-convenience of the Mountain Lion Subcommittee.**

Chair Marsh has stated that he is concerned that the Committee is not seeing all PAD permits and is being bypassed and noted that it has historically been rare to skip more than one or two meetings in a row due to lack of items. He stated that he put these extra items in the agenda to ensure that they would have a meeting this month in order to touch base with the other Committee Members and community.

The Chair then stated there has been some sightings of mountain lions in the hills but that he has not seen any recently. The Chair then inquired if Member Burns had heard anything in Pescadero or if Member Vars had seen anything. Both members responded that there have been no issues recently. The Chair inquired if the Farm Bureau has had any reported incidents. Agricultural Commissioner Crowded stated that it has been about 2 years since they lost an animal to a mountain lion.

Chair Marsh stated that it was probable that the mountain lions were likely hunting the new fauns thus leaving the farm animals alone for a while. Chair Marsh then stated that he was having more issues with coyotes killing smaller animals than with mountain lions lately and that he has recently lost 12 out of 17 goats and 2 sheep to coyotes. After some hunting Chair Marsh stated that he has not had any issues with coyotes for the last 3 months.

In close Chair Marsh wanted the community to be aware that Mid-Pen has been working on mountain lion programs on their lands in an effort to get along with the local population of mountain lions or remove them if required.

6. Discussion and update of cattle deaths at McDonald Ranch, La Honda

Chair Marsh provided an updated on the 30 head of cattle that died within 2 week period. Chair Marsh stated that at a State veterinarian issued a letter saying that the cattle death was not due to a disease. Chair Marsh made a point to highlight that this letter was much appreciated by the farming community as they did not want to be barred from selling or getting a fair prices due to fear of disease.

Chair Marsh asked if Agricultural Commissioner Mr. Crowder would like to add anything. Mr. Crowder stated that while there was a large amount of concern regarding the deaths of the cattle that the State determined in January 2019 that there was no disease was present and that there was no risk to the San Mateo cattle industry.

Chair Marsh noted that the community was worried of the cattle and stated that an individual from the San Mateo County Fair inquired if it was safe to let steers from the Coastside enter the fair. Mr. Crowder responded that it was safe for steer but noted that poultry display was cancelled due to the potential to spread Newcastle disease.

A member of the Committee inquired what Newcastle disease was and Mr. Crowder responded that it is a highly contagious virulent lethal disease for poultry. Mr. Crowder further explained that southern California has been dealing with the disease and that they have had to depopulate millions of birds due to the disease. Mr. Crowder stated that one incidence of Newcastle disease was documented in Redwood City. Commissioner Crowder stated that they have determined that the bird originated from Alameda County but that they owner came to the coast and Redwood City looking for antibiotics for the animals. Commissioner Crowder stated that this incident was contained that that no other action was necessary.

A member of the Committee inquired further about why the bird was brought into San Mateo County. Commissioner Crowder responded that they are instill investigating this situation as the story does not add up but from their understanding, this bird originated from a flock in Tracy that had died from the disease. As the last surviving bird in the flock the owner was trying to get

antibiotics to cure the rooster. The owner went to Half Moon Bay Feed and Fuel in an attempt to get antibiotics and was told that he would need a vet to prescribe the antibiotics. The owner then went to a vet in Redwood City where the bird died and the vet determined that it had Newcastle disease. Commissioner Crowder stated that the USDA has been investigating to determine if there had been other exposures. At this time no other exposures have been uncovered.

A Committee Member asked if the disease could be transmitted from bird to human to bird. Commissioner Crowder stated that it is possible and added that the clinic where the bird was treated was decontaminated at that the bird was never brought into Half Moon Bay Fuel and Feed.

A Committee Member inquired what the test was to determine if a bird is sick. Commissioner Crowder responded that he did not know what the exact test was but that the vets that work with the farm animals are aware of the disease and know to check for it. Commissioner Crowder further stated that his staff have stopped visiting sites poultry to future prevent the transmission of the disease.

Chair Marsh then asked if there had been any further trouble with the Mediterranean fruit fly. Commissioner Crowder responded that the fruit fly had been eradicated but that the County is still in quarantine. Chair Marsh stated that this was good news and noted that since they no longer have to net their farm stands that he has seen a big difference in sales as the netting deterred customers. Commissioner Crowder responded that farmer's markets have seen 30% higher sales once the netting was removed. Commissioner Crowder further noted that they haven't seen a Mediterranean fruit fly since 1994 and that the latest occurrence of the fruit fly is very unusual.

7. Discussion regarding the Williamson Act and grazing practices and possible re-convenience of the Williamson Act Subcommittee.

Chair Marsh stated that the Williamson Act Subcommittee has not met in three or more years and that the committee was in agreement that one had to have a commercial agricultural or commercial cattle operation to qualify for a Williamson Act contract. Leasing your land to a commercial cattleman was one way to qualify as commercial agriculture and the AAC was one of the ways for the County to verify if the property could support such commercial operations. Chair Marsh stated that the County changed its interpretation of commercial grazing so that if one owned the land that cattle was being grazed on and also owned the cattle that the property owner had to prove how much was produced off of the cattle and would not let owners graze their own cattle. Chair Marsh stated that the AAC did not agree to that and that the AAC did not agree to the \$10,000 income requirement being placed on owners who own the land and graze their own cattle like there is on agriculture.

Member of the public Kerry Burke stated that the County was thinking that if there was a lease agreement between two parties to graze cattle would be a business/commercial transaction. If you are an owner grazing their own cattle the County is treating such an operation as more of a commodity. Ms. Burke said that they did not necessarily agree with this interpretation however she stated that the County cannot change the language of the Williamson Act without going to the Board.

A member of the public (Peter) stated that the reason why the subcommittee did not want to place a monetary value on grazing operations was because that could lead to overgrazing and erosion and that was why the subcommittee came up with the 75% land utilization metric. The member of the public stated that if the County changed their interpretation that it should have come back to AAC to discuss that change prior to its implementation. The member of the public further stated that the AAC needs to reevaluate this issue and several other issues/inconsistencies within the Williamson Act.

Commissioner Crowder stated that he thought it would be worthwhile to get the subcommittee back together to discuss discrepancies that have not been resolved and get interpretations work out correctly.

Committee Member Silberman inquired who the members of the last subcommittee were and what the procedural process of convening a new subcommittee would be. Committee member Silberman then made a motion to formally reconvene the Williamson Act subcommittee. The motion was seconded by Committee Member Burns. The motion was approved (6-ayes – 0 no's – 0 abstain).

A Committee Member then asked why barns do not come before committee. Kerry Burke replied that they are a principally permitted use and that no pad permit required.

Committee Member Burns stated that POST just make another deal in Pescadero on a piece of property and that he believes that should be been reviewed by the Committee because that property is under contract.

Ms. Burke replied that the POST transaction was a private sale that does not required a permit. The Committee only reviews the sale of land when it is Mid-Pen because it is a public agency for the required general plan conformity. Ms. Burke further clarified that the contract runs with the land so when a property is bought the landowner is taking over the contract and is required to abide by its rules. Ms. Burke stated that the County checks for compliance with contracts when owners come in to apply for a PAD permit and that they were supposed to do a rotating audit every year.

Committee Member Burns said that he believes that there are many contracted parcels that are abusing the system and that they should be looked at.

8. Memo-Meeting Minutes Best Practices

Committee Member stated that the memos were helpful and Committee Member Silberman stated that there were no issues in emailing the last audio and that she would email this meeting's audio.

9. Memo-Member Voting Clarification

No comments were raised.

10. Consideration of the Action Minutes for the June 10, 2019 regular meeting.

Council member Sare had some corrections and clarifications to the previous minutes.

Committee member Figone made a motion to approve the June 10, 2019 minutes as corrected. Committee Member Cook seconded the motion. The motion was approved (6 ayes – 0 noes – 1 abstain).

6. Community Development Director's Report

No comments were raised.

Chair Marsh stated that there is a 40' gap between Higgins Road and the deer fence near the fire station. The owner of the property stated that the gap is for a future trail project by POST south of Higgins Road. Chair Marsh stated that the proposed trail location would be on top of good prime soils, would hate to see good soil converted to a non-agricultural use, and that he wanted the trail project to come before the Committee to comment on. Ms. Burke stated that the trail should come before AAC because it is not agriculturally related and would need a PAD permit.

Chair Marsh also stated that the lot line adjustment for the Mid-Pen Purissima Creek project should come before the Committee because it used to be in agricultural/grazing production until POST bought it in 1996 but hasn't been farmed or grazed since.

Adjournment (8:30 p.m.)

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

DATE: September 09, 2019

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 1, 2019 to July 31, 2019.

PLANNED AGRICULTURAL DISTRICT PERMIT OUTCOMES

No PAD permits were heard before the Planning commission in the months of June or July 2019.

UPCOMING PLANNED AGRICULTURAL DISTRICT PERMIT PROJECTS

No new PAD permit applications were received by the Planning Department between June 1, 2019 and July 31, 2019.

At its June 25, 2019 hearing the Board of Supervisors appointed four new members to the Agricultural Advisory Committee. Judith Humburg (public member), Peter Marchi (farmer member), Natalie Sare (farmer member), and Cynthia Duenas (public member).

COASTAL DEVELOPMENT EXEMPTIONS FOR AGRICULTURAL PROJECTS

Two rural CDX applications were submitted from June 1, 2019 to July 31, 2019. Please see the attached status report regarding the CDX applications. The CDX list includes a description of the projects and the status of the permit. Copies of the CDX's are available for public review at the San Mateo County Planning Department Office.

ADDITIONAL ANNOUNCEMENTS

The next regular meeting of the AAC is scheduled for October 14, 2019. The meeting will be held at the Ted Adcock Community Center – South Day Room 535 Kelly Avenue, Half Moon Bay, CA 94019.

CDX LIST 06/1/2019 to 07/31/2019

COUNTY OF SAN MATEO

Permit Number		RECORD NAME	DATE OPENED	DESCRIPTION	APN	ADDRESS	RECORD STATUS
PLN2019-00257		HOT TUB	7/10/2019	CDX to relocate the existing hot tub at Pigeon Point Lighthouse and Hostel from the southwest area of the parcel to the northwest area adjacent to the existing hostel buildings.	086300020	UNKNOWN, PESCADERO, CA null	Appeals
PLN2019-00243		TEMPORARY TENT	6/28/2019	CDX for temporary event tent 40' x 80'. Event date: 07/24/2019 - 07/25/2019. Install: 07/23/2019. Removal: 07/26/2019.	089200200	ROSSI RD, PESCADERO, CA null	Approved