



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

John Vars  
Koren Widdel  
Jess Brown  
Jim Howard

Frank McPherson  
Judith Humburg  
Lauren Silberman  
Louie Figone

William Cook  
Peter Marchi  
Natalie Sare  
Summer Burlison

County Office Building  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, California 94063  
650/363-1825  
Fax: 650/363-4849

### Regular Meeting

**\*\*BY VIDEOCONFERENCE ONLY\*\***

**Date:** Monday, December 13, 2021  
**Time:** 7:00 p.m. to 9:00 p.m.  
**Place:** Virtual Meeting due to COVID-19 Shelter in Place  
Order <https://smcgov.zoom.us/j/91730716310>

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 [SBurlison@smcgov.org](mailto:SBurlison@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 Summer Burlison, the Planning Liaison, by 10:00 a.m. on the Friday before the meeting at [SBurlison@smcgov.org](mailto:SBurlison@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 December 13, 2021 Agricultural Advisory meeting may be accessed through Zoom online at <https://smcgov.zoom.us/j/91730716310>. The **meeting ID is 917 3071 6310**; the meeting may also be accessed via telephone by dialing +1 669-900-6833 (Local). Enter the meeting ID: **917 3071 6310** 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 PRESENTED 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.

### **CORRESPONDENCE TO THE COMMITTEE:**

Summer Burlison, Interim Agricultural Advisory Committee Liaison  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94062  
Email: [SBurlison@smcgov.org](mailto:SBurlison@smcgov.org)

### **NEXT MEETING:**

The next regularly scheduled Agricultural Advisory Committee meeting is on January 10, 2022.

**AGENDA**  
**7:00 p.m.**

1. **Call to Order**
  2. **Member Roll Call**
  3. **Adopt a Resolution** that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health and safety of attendees.
  4. **Officer Elections** for chair and vice chair; item continued from November 8, 2021 meeting.
  5. **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.
  6. **Committee Member Update(s) and/or Questions** to allow Committee Members to share news and/or concerns for items not on the agenda.
  7. **Consideration of the Action Minutes** for the July 12, 2021, September 13, 2021, October 18, 2021, and November 8, 2021 AAC meetings.
  8. **Committee Discussion and Update** on the 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 Discussion and Update** on next action steps for market development for San Mateo County's agricultural production and potential.
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**REGULAR AGENDA**

10. **Finalize Committee Review of Draft Farm Stand Guidelines.** The Guidelines were previously discussed at the March 8, 2021, April 12, 2021, May 10, 2021, June 14, 2021, July 12, 2021, August 9, 2021, September 13, 2021, October 18, 2021, and November 8, 2021 AAC Meetings.
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11. **Community Development Director's Report**
  12. **Adjournment**
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<b>ROLL SHEET – December 13, 2021</b>													
Agricultural Advisory Committee Attendance 2020-2021													
	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
<b>VOTING MEMBERS</b>													
Judith Humburg Public Member	X	X	X	X		X	X	X	X	X			
Vacant Position*** Farmer	X	X	X	X	X	X	X	X	X	X			
Natalie Sare Farmer	X	X	X	X		X		X	X		X	X	
Louie Figone Farmer	X	X		X	X	X	X		X		X	X	
Vacant Position** Public Member	X	X		X	X	X	X						
John Vars Farmer, Vice-Chair	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	X	X	X	
Vacant Position*** Farmer					X			X					
Vacant Position*** Conservationist	X	X	X	X	X	X	X	X	X	X			
Lauren Silberman Ag Business	X	X	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	X		X	
Farm Bureau Executive Director Jess Brown	X	X	X	X	X	X	X	X	X	X		X	
San Mateo County Planning Staff Summer Burlison	X	X	X	X	X	X	X	X	X	X	X	X	
UC Co-Op Extension Representative Frank McPherson		X	X				X						

**X: Present**

**Blank Space: Absent or Excused**

**Grey Color: No Meeting**

**\* Special Meeting**

**\*\* Position Vacant as of June 2021**

**\*\*\*Position Vacant as of October 2021**



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

**ITEM**

**3**

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

**DATE:** December 1, 2021

**To:** Agricultural Advisory Committee  
**From:** Summer Burlison, Planning Liaison  
**Subject:** Resolution to make findings allowing continued remote meetings under Brown Act

**RECOMMENDATION:**

Adopt a resolution finding that, as a result of the continuing COVID-19 pandemic state of emergency, in person meetings of the Agricultural Advisory Committee would present imminent risks to the health or safety of attendees.

**DISCUSSION:**

On November 16, 2021, the County of San Mateo Board of Supervisors adopted Resolution No. 078550 finding that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health and safety of attendees. The Board's adopted resolution invokes the provisions of recently enacted state legislation (AB 361) to continue teleconferencing for meetings, and strongly encourages other County legislative bodies to make similar findings and continue meeting remotely through teleconferencing.

As encouraged by the Board of Supervisors, and for the reasons set forth in the proposed resolution, which tracks Resolution No. 078550 adopted by the Board of Supervisors, we recommend that your Committee similarly avail itself of the provisions of AB 361 allowing continuation of remote meetings by adopting findings to the effect that conducting in-person meetings would present an imminent risk to the health and safety of attendees. A resolution to that effect, and directing staff to return each 30 days with the opportunity to renew such findings, is attached hereto.

If the resolution is not adopted, the Committee must meet in person, effective as of December 8, 2021.

**ATTACHMENTS:**

- A. Resolution for Adoption
- B. County of San Mateo Board of Supervisors Resolution No. 078550, adopted November 16, 2021

**RESOLUTION NO. (3)**

**RESOLUTION FINDING THAT, AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY, IN PERSON MEETINGS OF THE AGRICULTURAL ADVISORY COMMITTEE WOULD PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES**

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**RESOLVED**, by the Agricultural Advisory Committee of the County of San Mateo, State of California, that

**WHEREAS**, on March 4, 2020, pursuant to section 8550, *et seq.*, of the California Government Code, Governor Newsom proclaimed a state of emergency related to the COVID-19 novel coronavirus and, subsequently, the County of San Mateo Board of Supervisors declared a local emergency related to COVID-19, and the proclamation by the Governor and declaration by the Board remain in effect; and

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions in the California Open Meeting Law, codified at Government Code section 54950, *et seq.* (the "Brown Act"), related to teleconferencing by local agency legislative bodies, provided that certain requirements were met and followed; and

**WHEREAS**, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended certain provisions of Executive Order N-29-20 that waive otherwise-applicable Brown Act requirements related to remote/teleconference meetings by local agency legislative bodies through September 30, 2021; and

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361, which provides that a local agency legislative body may continue to meet remotely without complying with otherwise-applicable requirements in the Brown Act related to remote/teleconference meetings by local agency legislative bodies, provided that a state of emergency has been declared and the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and provided that the legislative body makes such finding at least every thirty days during the term of the declared state of emergency; and

**WHEREAS**, on November 16, 2021, the County of San Mateo Board of Supervisors made the finding that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health and safety of attendees, and therefore adopted Resolution No. 078550 invoking the provisions of AB 361 to continue teleconferencing for meetings, and strongly encouraging other County legislative bodies to make similar findings and continue meeting remotely through teleconferencing; and,

**WHEREAS**, the Agricultural Advisory Committee concludes that there is a continuing threat of COVID-19 to the community, and that Committee meetings have characteristics that give rise to risks to health and safety of meeting participants (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to participate fully in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings); and

**WHEREAS**, California Department of Public Health and the federal Centers for Disease Control and Prevention caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, that it may cause more severe illness, and that even fully



vaccinated individuals can spread the virus to others, resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and

**WHEREAS**, this Agricultural Advisory Committee has an important interest in protecting the health and safety of those who participate in meetings of this Committee; and

**WHEREAS**, this Agricultural Advisory Committee typically meets in-person in a public setting, such that the number of people present at these meetings may impair the safety of the occupants; and

**WHEREAS**, the COVID-19 pandemic has informed County agencies about the unique advantages of online public meetings, which are substantial, as well as the unique challenges, which are frequently surmountable; and

**WHEREAS**, in the interest of public health and safety, as affected by the state of emergency caused by the spread of COVID-19, the San Mateo County Agricultural Advisory Committee finds that meeting in person would present imminent risks to the health or safety of attendees, and the Committee will therefore invoke the provisions of AB 361 related to teleconferencing for meetings of the Agricultural Advisory Committee, as strongly encouraged by the Board of Supervisors, to make such findings and continue meeting remotely through teleconferencing.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that

1. The recitals set forth above are true and correct.
2. The Agricultural Advisory Committee finds that meeting in person would present imminent risks to the health or safety of meeting attendees.
3. The Planning staff liaison to the Committee is directed to continue to agendize public meetings of the Agricultural Advisory Committee only as online teleconference meetings, as strongly encouraged by the Board of Supervisors, until the risk of community transmission has further declined.
4. No later than thirty (30) days, or at the beginning of the next regular meeting, after the date of adoption of this resolution the Committee shall again consider whether to make the findings required by AB 361 in order to continue meeting remotely under its provisions.

**RESOLUTION NO. 078550**

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

\* \* \* \* \*

**RESOLUTION FINDING THAT THE COVID-19 PANDEMIC STATE OF EMERGENCY CONTINUES TO PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES AND THAT IT CONTINUES TO DIRECTLY IMPACT THE ABILITY OF MEMBERS OF THE BOARD OF SUPERVISORS TO MEET SAFELY IN PERSON**

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

**WHEREAS**, on March 4, 2020, pursuant to section 8550, *et seq.*, of the California Government Code, Governor Newsom proclaimed a state of emergency related to the COVID-19 novel coronavirus and, subsequently, this Board of Supervisors declared a local emergency related to COVID-19, and the proclamation by the Governor and declaration by this Board remain in effect; and

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions in the California Open Meeting Law, codified at Government Code section 54950, *et seq.* (the "Brown Act"), related to teleconferencing by local agency legislative bodies, provided that certain requirements were met and followed; and

**WHEREAS**, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended certain provisions of Executive Order N-29-20 that waive otherwise-applicable Brown Act requirements related to remote/teleconference meetings by local agency legislative bodies through September 30, 2021; and

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361, which provides that a local agency legislative body may continue to meet remotely without complying with otherwise-applicable requirements in the Brown Act related to remote/teleconference meetings by local agency legislative bodies, provided that a state of emergency has been declared and the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and provided that the legislative body continues to make such findings at least every thirty days during the term of the declared state of emergency; and

**WHEREAS**, at its meeting of September 28, 2021, this Board of Supervisors adopted, by unanimous vote, Resolution No. 078447, wherein this Board of Supervisors found, *inter alia*, that as a result of the continuing COVID-19 state of emergency, meeting in person would present imminent risks to the health or safety of attendees; and

**WHEREAS**, at its meeting of October 19, 2021, this Board of Supervisors adopted, by unanimous vote, Resolution No. 078482, wherein this Board of Supervisors found, *inter alia*, that the COVID-19 state of emergency continues to directly impact the ability of members of the Board of Supervisors to meet safely in person and that meeting in person would present imminent risks to the health or safety of meeting attendees; and

**WHEREAS**, if this Board of Supervisors determines that it is appropriate to continue meeting remotely pursuant to the provisions of AB 361, then at least every 30 days after making the initial findings set forth in Resolution No. 078447, this Board must

reconsider the circumstances of the state of emergency and find that the state of emergency continues to impact the ability of members of this Board of Supervisors to meet safely in person; and this Board last considered the circumstances of the state of emergency and its impact on in-person meetings at its meeting of October 19, 2021; and

**WHEREAS**, this Board has again reconsidered the circumstances of the state of emergency and finds that the state of emergency continues to impact the ability of members of the Board of Supervisors to meet in person because there is a continuing threat of COVID-19 to the community, and because Board meetings have characteristics that give rise to risks to health and safety of meeting participants (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to participate fully in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings); and

**WHEREAS**, California Department of Public Health and the federal Centers for Disease Control and Prevention caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, that it may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others, resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and

**WHEREAS**, the County has an important interest in protecting the health and safety of those who participate in meetings of this Board and of the County's various other legislative bodies; and

**WHEREAS**, this Board of Supervisors and several other County legislative bodies typically meet in-person in public building where other essential governmental functions take place, such that increasing the number of people present in those buildings may impair the safety of the occupants; and

**WHEREAS**, the COVID-19 pandemic has informed County agencies about the unique advantages of online public meetings, which are substantial, as well as the unique challenges posed by online public meetings, which are frequently surmountable; and

**WHEREAS**, in the interest of public health and safety, as affected by the state of emergency caused by the spread of COVID-19, the San Mateo County Board of Supervisors finds that this state of emergency continues to directly impact the ability of members of this Board of Supervisors to meet safely in person and that meeting in person would present imminent risks to the health or safety of attendees, and the Board will therefore continue to invoke the provisions of AB 361 related to teleconferencing for meetings of the Board of Supervisors, and this Board strongly encourages other County legislative bodies to consider making similar findings to continue meeting remotely through teleconferencing.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that

1. The recitals set forth above are true and correct.
2. This Board of Supervisors has reconsidered the circumstances of the state of emergency caused by the spread of COVID-19.
3. This Board of Supervisors finds that the state of emergency caused by the spread of COVID-19 continues to directly impact the ability of members of the Board of Supervisors to meet safely in person.
4. The Board of Supervisors further finds that meeting in person would present imminent risks to the health or safety of meeting attendees and directs the Clerk and County Manager to continue to agendaize public meetings of the Board of Supervisors only as online teleconference meetings.
5. The Board of Supervisors strongly encourages all legislative bodies of the County of San Mateo that are subject to the Brown Act, including but not limited to, the Planning Commission, the Assessment Appeals Board, the Civil Service Commission, and all other oversight and advisory boards, committees and commissions established by the Board of Supervisors and subject to the Brown Act, to make similar findings and continue to avail themselves of teleconferencing until the risk of community transmission has further declined, and directs the County Manager to provide necessary support for these legislative bodies to continue teleconferencing procedures when they have adopted such findings.

6. Staff is directed to return to this Board in a public meeting not later than thirty (30) days after the date of adoption of this resolution with an item for the Board to consider regarding whether to make the findings required by AB 361 in order to continue meeting remotely under its provisions.

\* \* \* \* \*



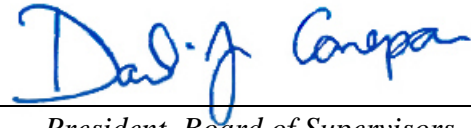
*Regularly passed and adopted this 16<sup>th</sup> day of November, 2021*

*AYES and in favor of said resolution:*

*Supervisors:* \_\_\_\_\_ *DAVE PINE*  
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*CAROLE GROOM*  
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*DON HORSLEY*  
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*WARREN SLOCUM*  
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\_\_\_\_\_  
*DAVID J. CANEPA*

*NOES and against said resolution:*

*Supervisors:* \_\_\_\_\_ *NONE*  
\_\_\_\_\_



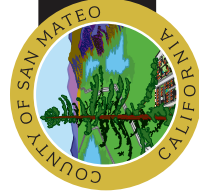
\_\_\_\_\_  
*President, Board of Supervisors  
County of San Mateo  
State of California*

***Certificate of Delivery***

*I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.*



\_\_\_\_\_  
*Assistant Clerk of the Board of Supervisors*



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

**ITEM**

**7**



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

BJ Burns  
Fred Crowder  
Jess Brown  
Jim Howard

John Vars  
Judith Humburg  
Laura Richstone  
Lauren Silberman

Louie Figone  
Margaret Gunn  
Robert Marsh  
Ron Sturgeon

William Cook  
Cynthia Duenas  
Peter Marchi  
Natalie Sare

County Office Building  
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650/363-1829  
Fax: 650/363-4849

### ACTION MINUTES

*Draft*

Monday July 12, 2021

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Pursuant to the Shelter-in-Place Order issued by the San Mateo County Health Officer on March 16, 2020 and March 31, 2020, the statewide Shelter-in-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the CDC's social distancing guidelines which discourage large public gatherings, public hearings will not be held in person until the Shelter-in-Place Order is lifted. Instead, members of the public may provide written comments by email to the San Mateo County Planning Liaison Laura Richstone at [LRichstone@smcgov.org](mailto:LRichstone@smcgov.org). To be read into the record and discussed at the meeting, comments must be submitted via email no less than 30 minutes before the scheduled meeting. Comments received after that time will be held for the next scheduled meeting.

#### 1. **Call to Order**

At the virtual meeting room hosted by the San Mateo County Planning Department on the Zoom Video Communications platform due to Covid-19 Shelter-in-Place Orders, Chair BJ Burns called the meeting to order at 7:07 p.m.

#### 2. **Member Roll Call**

##### Regular Committee Members Present:

Judith Humburg  
BJ Burns  
Natalie Sare  
Cynthia Duenas  
John Vars  
William Cook  
Peter Marchi  
Robert Marsh  
Ron Sturgeon  
Lauren Silberman

##### Regular Committee Members Absent:

Louie Figone

##### Nonvoting Committee Members Present:

Koren Widdel, San Mateo County Agricultural Commissioner  
Jess Brown, San Mateo County Farm Bureau Executive Director  
Laura Richstone, Planning Staff Liaison  
Frank McPherson, UC Co-Op Extension Representative

##### Nonvoting Committee Members Absent:

Jim Howard, Natural Resource Conservation Staff

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.
  - Kerry Burke, Land Use Consultant, thanked Planning Staff Liaison Laura Richstone for helping the committee over the past several years and wished her luck in her new job.
  
4. **Committee Member Update(s) and/or Questions** to allow Committee Members to share news and/or concerns for items not on the agenda.
  - Laura Richstone shared several important notes, including:
    - Tonight will be her last meeting, as she will be leaving the county for another positions. Laura noted that Summer Burlison will be taking over the position of Planning Staff Liaison, and thanked the committee for their time and dedication to preserving agriculture in the county.
    - Several committee members have reached the end of their terms. If termed out committee members wish to continue serving, they can send notification to the Planning Department who will send it along to the Board of Supervisors for re-appointment.
  
5. **Committee Discussion and Update** on the 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.

**PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

No action required. The Committee discussed that the county is still available to coordinate mobile vaccination clinics, especially for seasonal workers during harvest time; that the Planning Department is open for in person appointments again, which can be made online; and that the Board of Supervisors is aiming for a September soft return of in person meetings, depending on how variants develop over the summer.

6. **Committee Discussion** regarding a Memo issued by the San Gregorio Creek Watermaster in response to an inquiry regarding wells drilled near San Gregorio Creek.

**PUBLIC SPEAKERS:**

Kerry Burke

**COMMITTEE ACTION:**

No action required. The Committee discussed adjudicated water rights, checking creek water levels after drilling new wells, the legal differentiation between well water and creek water, and the importance of agricultural water supply.

Member of the public Kerry Burke, a land use consultant, shared about different creek set backs in the coastal development zone.

7. **Continued Committee Review of Draft Farm Stand Guidelines.** The Guidelines were previously discussed at the March 8, 2021, April 12, 2021, May 10, 2021 and June 14, 2021 AAC Meetings.

The committee discussed the process of making recommendations to the Planning Department, the preparation of the AAC's version of the discussion notes, consensus that the committee does not want farm stands to require use of a density credit, alignment with the Cottage Foods Act, that foraged foods are not considered an agricultural product, potentially allowing sales of non-agricultural products such as local arts and crafts, and a desire to ensure anything sold at farm stands supports the primary agricultural activity of the land.

9. **Community Development Director's Report**

No action required.

10. **Adjournment**

Meeting was adjourned at 8:50 p.m. by Committee Chair BJ Burns.



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

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### ACTION MINUTES

*Draft*

Monday September 13, 2021

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#### 1. **Call to Order**

At the virtual meeting room hosted by the San Mateo County Planning Department on the Zoom Video Communications platform due to Covid-19 Shelter-in-Place Orders, Chair BJ Burns called the meeting to order at 7:08 p.m.

#### 2. **Member Roll Call**

##### Regular Committee Members Present:

Judith Humburg  
BJ Burns  
John Vars  
William Cook  
Peter Marchi  
Ron Sturgeon  
Lauren Silberman

##### Regular Committee Members Absent:

Natalie Sare  
Louie Figone  
Robert Marsh

##### Nonvoting Committee Members Present:

Koren Widdel, San Mateo County Agricultural Commissioner  
Jess Brown, San Mateo County Farm Bureau Executive Director  
Summer Burlison, Planning Staff Liaison

##### Nonvoting Committee Members Absent:

Jim Howard, Natural Resource Conservation Staff  
Frank McPherson, UC Co-Op Extension Representative

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.
  - Adria Arko, San Mateo County Agricultural Ombudsman, is gathering feedback and drafting a report on the county's Pilot Farm Labor Housing Loan Program.
  - Kerry Burke, Land Use Consultant, shared that the Fresh As It Gets dinner that promotes fresh, locally grown produce in the county is being rescheduled.
  
4. **Committee Member Update(s) and/or Questions** to allow Committee Members to share news and/or concerns for items not on the agenda.
  - Koren Widdel, San Mateo County Agricultural Commissioner, shared that the third booster vaccine for Covid-19 will not be available at county clinics until granted federal approval; that the Emergency Rental Assistance program is available from the county; and that the San Mateo County 2020 Agricultural Crop Report is finalized and will be presented to the Board of Supervisors this week.
  - John Vars, Committee Vice Chair, brought up feedback regarding virtual meeting coordination.
  
5. **Updates from Planning Liaison** regarding AAC Membership and Officer Election.

**PUBLIC SPEAKERS:**

Kerry Burke

**COMMITTEE ACTION:**

No action required. San Mateo County Planning Staff and Committee Liaison Summer Burlison shared that term limits are coming up on longtime committee members BJ Burns, Robert Marsh, and Ron Sturgeon. The committee thanked them for their service, dedication, and passion for supporting agriculture in the county. In light of these vacancies, the committee discussed delaying upcoming officer elections until the open positions are filled.

Member of the public Kerry Burke also expressed sincere gratitude for their service.

6. **Consideration of the Action Minutes** for the June 14, 2021 and August 9, 2021 AAC regular meetings.

**PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

Committee Member Ron Sturgeon moved, and Committee Member Judee Humburg seconded, a motion to approve the minutes for the June 14 and August 9, 2021 regular meetings.

**Motion passed 7-0-0, with 3 absent members.**

7. **Committee Discussion and Update** on the 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.

**PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

No action required. The Committee discussed that free Covid-19 testing is available every Wednesday from 10am-6pm in front of the Ted Adcock Community Center in Half Moon Bay, and that the county will keep farmers updated about approvals for third booster vaccine clinics.

- 8. **Committee Discussion** on action steps for market development for San Mateo County's agricultural production and potential.

**PUBLIC SPEAKERS:**

Adria Arko

**COMMITTEE ACTION:**

No action required. The Committee discussed that the project is in the interest gathering stage, contacting the property owners and gauging community support. Committee members expressed continued support for the project.

Member of the public Adria Arko, San Mateo County Agricultural Ombudsman, offered to host conversations with farmers about the project in November after harvest season.

**REGULAR AGENDA**

- 9. **Owner:** Daniel and Natalie Sare  
**Applicant:** Natalie Sare  
**File Number:** PLN 2021-00329  
**Location:** 78 Pilarcitos Creek Road, Half Moon Bay (unincorp)  
**Assessor's Parcel No.:** 056-380-110

Consideration of an Agritourism Event Permit for the upcoming winter holiday tree season, November 20, 2021 – January 3, 2022. The proposed days and hours of operation are as follows: Daily from 9:00 a.m. to 5:00 p.m. The proposed Event elements include Christmas tree sales, a train ride (rubber tires), a hayride, and a prepackaged snack bar (less than 25 sq. ft.) with seasonal Christmas tree related item sales. Parking for the Event will occur alongside the tree farm fields. The addition of a hayride (same route as train ride) is the only change from the previous year's Event operation. Please direct any questions to Project Planner Tiare Pena, at TPena@smcgov.org.

**PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

The Committee discussed the addition of a hayride to the event activities and details regarding the application's parcel number.

Committee Member Ron Sturgeon moved, and Committee Member Bill Cook seconded, a motion to approve this permit.

**Motion passed 7-0-0, with 3 absent members.**

- 10. **Owner:** Chris Gounalakis  
**File Number:** PLN 2015-00084



**Location:** 185 Verde Road, San Gregorio  
**Assessor's Parcel No.:** 066-310-080

STAFF UPDATE on the assessment of Williamson Act Compliance for the Arata Pumpkin Farm property located at 185 Verde Road in the unincorporated San Gregorio area of San Mateo County.

**PUBLIC SPEAKERS:**

Kerry Burke

**COMMITTEE ACTION:**

San Mateo County Planner and Committee Liaison Summer Burlison updated the committee that in response to the committee's request, the county has conducted three site visits over the past year to confirm Williamson Act compliance at this property. The County concluded that the property was in Williamson Act compliance, and Agricultural Commissioner Koren Widdel provided confirmation of site visits, observed crop activity, and Williamson Act compliance.

The Committee discussed the unique agricultural activity on the site for the annual agritourism activities in the fall including a hay maze and decorative corn/gourds and several members expressed skepticism regarding the conclusions of the Williamson Act assessment with the lack of traditional agricultural activities onsite. The Committee also discussed the project's continued negative impact on traffic and road congestion during the agritourism event each fall.

Member of the public Kerry Burke shared historical context that this property is a small parcel that was subdivided from a larger property and granted a waiver by the Board of Supervisors to the 10-acre minimum threshold for the Williamson Act. She also shared that there are many problems with small parcel subdivisions with prime soils and expressed public concern around this property getting Williamson Act tax breaks without traditional agricultural activity.

Committee Secretary Lauren Silberman moved, and Committee Member Ron Sturgeon seconded, a motion to not approve the PAD/CDP permit renewal based on continued concerns with Williamson Act compliance.

**Motion passed 4-3-0, with 3 absent members.**

- 11. **Finalize Committee Review of Draft Farm Stand Guidelines.** The Guidelines were previously discussed at the March 8, 2021, April 12, 2021, May 10, 2021, June 14, 2021, July 12, 2021, and August 9, 2021 AAC Meetings.

**PUBLIC SPEAKERS:**

Kerry Burke

**COMMITTEE ACTION:**

The Committee discussed the draft feedback notes and the overall feedback process.

Committee Secretary Lauren Silberman moved, and Committee Member Judee Humberg seconded, a motion to continue this discussion to the next meeting.

**Motion passed 6-0-0, with 4 absent members.**

- 12. **Community Development Director's Report**

No action required. The Committee discussed the schedule for the October 2021 meeting, concerns about maintaining a quorum at meetings until the committee vacancies are filled, and the county's process for filling the vacancies.

**13. Adjournment**

Meeting was adjourned at 9:17 p.m. by Committee Chair BJ Burns.



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

Jess Brown  
Koren Widdel  
Jim Howard

Summer Burlison  
Judith Humburg  
Lauren Silberman

Louie Figone  
John Vars  
Peter Marchi

William Cook  
Frank McPherson  
Natalie Sare

County Office Building  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, California 94063  
650/363-1829  
Fax: 650/363-4849

### ACTION MINUTES

*Draft*

Monday October 18, 2021

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Pursuant to the Shelter-in-Place Order issued by the San Mateo County Health Officer on March 16, 2020 and March 31, 2020, the statewide Shelter-in-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the CDC's social distancing guidelines which discourage large public gatherings, public hearings will not be held in person until the Shelter-in-Place Order is lifted. Instead, members of the public may provide written comments by email to the San Mateo County Planning Liaison Summer Burlison at [SBurlison@smcgov.org](mailto:SBurlison@smcgov.org). To be read into the record and discussed at the meeting, comments must be submitted via email no less than 30 minutes before the scheduled meeting. Comments received after that time will be held for the next scheduled meeting.

#### 1. **Call to Order**

At the virtual meeting room hosted by the San Mateo County Planning Department on the Zoom Video Communications platform due to Covid-19 Shelter-in-Place Orders, Vice Chair/Acting Chair John Vars called the meeting to order at 7:27 p.m.

#### 2. **Member Roll Call**

##### Regular Committee Members Present:

Natalie Sare  
Louie Figone  
John Vars  
William Cook  
Peter Marchi  
Lauren Silberman

##### Regular Committee Members Absent:

Judith Humburg

##### Nonvoting Committee Members Present:

Summer Burlison, Planning Staff Liaison

##### Nonvoting Committee Members Absent:

Jim Howard, Natural Resource Conservation Staff  
Koren Widdel, San Mateo County Agricultural Commissioner  
Jess Brown, San Mateo County Farm Bureau Executive Director  
Frank McPherson, UC Co-Op Extension Representative

#### 3. **Adopt a Resolution** that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health and safety of attendees.

**PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

San Mateo County Planner and Committee Liaison Summer Burlison shared that the Board of Supervisors passed a motion to continue remote meetings due to the ongoing pandemic, and that moving forward the Committee will need to pass this resolution every 30 days (or every meeting) to continue meeting remotely.

Committee Member Bill Cook moved, and Committee Member Louie Figone seconded, a motion to adopt this resolution above as Resolution 1.

**Motion passed 5-1-0, with 1 absent member.**

**4. Officer Elections for chair and vice chair.****PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

The Committee discussed the continued desire to delay voting on the next Chair and Vice Chair until the committee vacancies are filled.

Committee Member Natalie Sare moved, and Committee Member Peter Marchi seconded, a motion to table this item until the next meeting.

**Motion passed 6-0-0, with 1 absent member.**

**5. 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.**

- Kerry Burke, Land Use Consultant, shared that the recent pumpkin weigh off was a success, despite not having the full pumpkin festival this year. She also shared news about a controlled burn that recently got out of control in Santa Cruz County and a planned one in San Mateo County, with hopes that future controlled burns are scheduled after a rain and not at the height of fire season – especially during a drought year.
- Fred Crowder, Retired San Mateo County Agricultural Commissioner, raised concerns about the agritourism activities at Arata Farm creating an unsafe traffic situation over recent weekends, with U-turns and parking taking place in front of the project along Hwy 1. He raised questions about notifying the County, the Sheriff's Office, and the Coastside Fire Protection District. The Committee discussed that the county, Sheriff's Office, and Coastside Fire are aware of the situation and following up on additional community complaints regarding the unsafe traffic situation last weekend; that the Planning Commission renewed the project's PAD permit, CDP, and Williamson Act Renewal last week, regardless of this Committee's recommendations against doing so; that the appeal period for the PAD permit approval expired on October 27, 2021; that the PAD permit included parking conditions that are not being enforced and that code enforcement has a history of not addressing ongoing violations of this project; and that the county should modify conditions of approval regarding traffic and safety and should consult the Sheriff's Office and Coastside Fire for input on measures they think may be necessary to mitigate traffic and safety concerns.

6. **Committee Member Update(s) and/or Questions** to allow Committee Members to share news and/or concerns for items not on the agenda.
- Bill Cook, Committee Member, raised a conversation about the process to fill committee vacancies. The deadline for applications is October 22, 2021, then the applicants will be referred to the Board of Supervisors for interview. Final selection will be discussed at a public meeting and posted on the county website.
  - Natalie Sare, Committee Member, raised a conversation regarding the recent listening sessions on the Pilot Farm Labor Housing Loan Program, which several committee members said were positive and gathered great feedback.
7. **Committee Discussion and Update** on the 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.

**PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

No action required. The Committee discussed that free Covid-19 testing is available every Wednesday from 10am-6pm in front of the Ted Adcock Community Center in Half Moon Bay; that free Covid-19 vaccines are available every Friday at Coastside Hope in El Granada; that the county can help coordinate booster vaccine clinics on farms by request; and that emergency rapid test kits are available on demand, provided by the Agricultural Department Office in Half Moon Bay and the Puente office in Pescadero.

8. **Committee Discussion** on action steps for market development for San Mateo County’s agricultural production and potential.

**PUBLIC SPEAKERS:**

BJ Burns

**COMMITTEE ACTION:**

No action required. The Committee discussed continued support for this project; that the group spearheading this project has discussed collaboration with the local fishing industry and is exploring funding opportunities; and that there will be initial interest meetings held in December 2021.

9. **Informational Notice** that the San Mateo County 2020 Agricultural Crop Report is available online: <https://agwm.smcgov.org/sites/agwm.smcgov.org/files/documents/files/2020%20San%20Mateo%20County%20Crop%20Report.pdf>

**PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

No action required. The Committee discussed that the 2020 Crop Report is now available online and that a hard copy of the report will be mailed out to committee members.

10. **Finalize Committee Review of Draft Farm Stand Guidelines**. The Guidelines were previously discussed at the March 8, 2021, April 12, 2021, May 10, 2021, June 14, 2021, July 12, 2021, August 9, 2021, and September 13, 2021 AAC Meetings.

**PUBLIC SPEAKERS:**

Dante Silvestri

**COMMITTEE ACTION:**

The Committee discussed and reviewed feedback to the draft Farm Stand Guidelines gathered at previous meetings and confirmed that previous feedback regarding parking, farm stand size, value added products, and density credits were captured in the draft notes.

Member of the public Dante Silvestri raised clarifications on the restrictions on propane use in new developments, which will be impactful to the south coast regarding overloading the electric grid.

Committee Member Peter Marchi moved, and Committee Vice Chair John Vars seconded, a motion to continue this discussion to the next meeting. The Committee was unable to vote on the motion due to a lost quorum.

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11. **Community Development Director's Report**

No action required.

12. **Adjournment**

Meeting was adjourned at 9:17 p.m. by Committee Vice Chair/Acting Chair John Vars.



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

Jess Brown  
Koren Widdel  
Jim Howard

Summer Burlison  
Judith Humburg  
Lauren Silberman

Louie Figone  
John Vars  
Peter Marchi

William Cook  
Frank McPherson  
Natalie Sare

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Fax: 650/363-4849

### ACTION MINUTES

*Draft*

Monday November 8, 2021

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Pursuant to the Shelter-in-Place Order issued by the San Mateo County Health Officer on March 16, 2020 and March 31, 2020, the statewide Shelter-in-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the CDC's social distancing guidelines which discourage large public gatherings, public hearings will not be held in person until the Shelter-in-Place Order is lifted. Instead, members of the public may provide written comments by email to the San Mateo County Planning Liaison Summer Burlison at [SBurlison@smcgov.org](mailto:SBurlison@smcgov.org). To be read into the record and discussed at the meeting, comments must be submitted via email no less than 30 minutes before the scheduled meeting. Comments received after that time will be held for the next scheduled meeting.

#### 1. **Call to Order**

At the virtual meeting room hosted by the San Mateo County Planning Department on the Zoom Video Communications platform due to Covid-19 Shelter-in-Place Orders, Vice Chair/Acting Chair John Vars called the meeting to order at 7:07 p.m.

#### 2. **Member Roll Call**

##### Regular Committee Members Present:

Natalie Sare  
Louie Figone  
John Vars  
William Cook  
Peter Marchi  
Lauren Silberman

##### Regular Committee Members Absent:

Judith Humburg

##### Nonvoting Committee Members Present:

Koren Widdel, San Mateo County Agricultural Commissioner  
Jess Brown, San Mateo County Farm Bureau Executive Director  
Summer Burlison, Planning Staff Liaison

##### Nonvoting Committee Members Absent:

Jim Howard, Natural Resource Conservation Staff  
Frank McPherson, UC Co-Op Extension Representative

#### 3. **Adopt a Resolution** that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health and safety of attendees.

**PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

Committee Secretary Lauren Silberman moved, and Committee Member Bill Cook seconded, a motion to adopt the above resolution

**Motion passed 6-0-0, with 1 absent member.**

**4. Officer Elections for chair and vice chair.**

**PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

The Committee discussed the continued desire to delay voting on the next Chair and Vice Chair until the committee vacancies are filled.

Committee Secretary Lauren Silberman moved, and Committee Vice Chair John Vars seconded, a motion to table this item until the next meeting.

**Motion passed 6-0-0, with 1 absent member.**

**5. 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.**

None

**6. Committee Member Update(s) and/or Questions to allow Committee Members to share news and/or concerns for items not on the agenda.**

- Summer Burlison, San Mateo County Planner and Committee Liaison, raised a conversation about the process to fill committee vacancies. The applications have been consolidated and handed off to the Board of Supervisors, who will conduct interviews and then make recommendations for appointment that will be discussed at a public meeting. The county expects to fill the vacancies by the January 2022 meeting. The committee also discussed holding an orientation and training for new members.

**7. Committee Discussion and Update on the 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.**

**PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

No action required. The Committee discussed that the county will be rolling out mobile vaccine clinics for booster shots to farms, coordinated by the Agriculture Department; that Coastside Hope is continuing to host vaccine clinics every Friday in El Granada; and that free testing is available every Wednesday from 10am-6pm in front of the Ted Adcock Community Center in Half Moon Bay.



8. **Committee Discussion** on action steps for market development for San Mateo County's agricultural production and potential.

**PUBLIC SPEAKERS:**

Adria Arko

**COMMITTEE ACTION:**

No action required. The Committee discussed that the group coordinating this project is holding planning meetings, has circulated a community interest survey, and that an initial community interest meeting for this project will happen on December 9, 2021.

Member of the public Adria Arko, San Mateo County Agricultural Ombudsman, provided project updates.

**REGULAR AGENDA**

10. **Finalize Committee Review of Draft Farm Stand Guidelines**. The Guidelines were previously discussed at the March 8, 2021, April 12, 2021, May 10, 2021, June 14, 2021, July 12, 2021, August 9, 2021, and September 13, 2021 AAC Meetings.

**PUBLIC SPEAKERS:**

None

**COMMITTEE ACTION:**

The Committee discussed that the notes from the last committee discussion on this project have not been incorporated into the draft feedback for the county, so cannot be reviewed at this meeting.

Committee Member Bill Cook moved, and Committee Member Louie Figone seconded, a motion to continue this discussion to the next meeting.

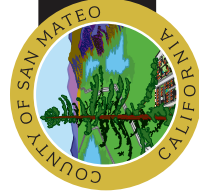
**Motion passed 6-0-0, with 1 member absent.**

11. **Community Development Director's Report**

No action required. The Committee discussed that the Arata Farms PAD permit was approved by the Planning Commission with no modifications after this committee recommended against doing so; that the county is working with the Sheriff's Office and Coastside Fire to develop a plan to address the unsafe traffic situation and parking conditions of approval for Arata Farms; that the 135 paid parking spaces included in the PAD permit may encourage the offsite (free) parking causing the traffic issues; and that the PAD permit includes encouragement to seek offsite parking with neighbors, but the county is not aware if this is happening/permitted or not.

12. **Adjournment**

Meeting was adjourned at 8:09 p.m. by Committee Vice Chair/Acting Chair John Vars.



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

**ITEM**

**10**

# Draft Farm Stand Guidelines

## COUNTY OF SAN MATEO PLANNING AND BUILDING DEPARTMENT

**DATE:** May 10, 2021

**TO:** Agricultural Advisory Committee

**FROM:** Planning Staff

**SUBJECT:** Draft Farm Stand Guidelines

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The San Mateo County Planning and Building Department has developed the following guidelines for the review and establishment of farm stands within the Planned Agricultural District, Resource Management District, and Resource Management-Coastal Zone zoning districts in the unincorporated County. These guidelines seek to provide guidance regarding the application of existing Local Coastal Program (LCP) policies and zoning regulations in a manner that facilitates the establishment of farm stands that support the economic viability of farming and minimize conflicts with agricultural activities on said lands and/or adjacent lands. These guidelines are not intended to prevent or remove compliance with other local, state or federal regulations.

### **A. DEFINITIONS**

1. **PRODUCE:** Whole farm products, including fresh fruits and vegetables, flowers, plants, grains, nuts, eggs, honey, dairy, and meats, as well as other farm products and agricultural commodities grown in San Mateo County. Farm products may also include “value-added” farm products.
2. **VALUE-ADDED PRODUCTS:** Farm products in which the primary\* ingredients are produced in San Mateo County and which are lightly processed to include only the following added ingredients: pectin, salt, seasoning, and/or sugar. Value-added products must be sold in accordance with local, state, and federal regulations. Examples include but are not limited to: jams, nut butters, preserves, juices, pickles etc.

\*Primary ingredients are defined as an ingredient that constitutes greater than 50% of the product ingredients. Product ingredients are those products defined under produce above.

Products that are characterized as services, compost, fertilizers, foraged foods, and types of wares etc. are *not* considered produce and will not be permitted to be sold either in a Temporary or Permanent farm stand.

3. **FARM STAND OR ROAD STAND:** A business established and operated for the display and sale of agricultural products grown on the premises, or on adjacent lands, or other lands within San Mateo County. Farm or road stands shall not contain a commercial kitchen or cooking facilities. All products sold must be in accordance with local, state, and federal regulations and subject to all applicable health codes.

Permitted products to be sold at a farm or road stand include: whole farm products, including fresh fruits and vegetables, flowers, plants, grains, nuts, eggs, meat, dairy, and honey as well as value-added products permitted under Cottage Food Law. Whole farm products and value-added products (except for added pectin, salt, seasoning, and/or sugar) must be produced in San Mateo County. Unless made in a commercial kitchen, edible value-added products must comply with Environmental Health Services requirements.

For permanent farm or road stands, the sale of whole farm products and value-added products produced outside of San Mateo are permitted. However, the majority of products sold at permanent farm or road stand structures must be produced and sold in San Mateo County (refer to Section B.2 for standards).

Sale of alcoholic or cannabis products prohibited.

## **B. TYPES OF FARM STANDS**

### **1. *TEMPORARY FARM STANDS***

- a. Operations are limited to a less than a nine-month operating period per year.
- b. Agricultural products from different farm operations, and/or located on different parcels in San Mateo County, may be sold at temporary farm stand structures. Products sold are limited to value-added and agricultural products grown/produced in San Mateo County as defined under Produce above.
- c. Farm stand size shall be limited to 200 sq. ft.
- d. The structure and all other supporting structures shall be of portable construction and removed from the site within 10 days of the seasonal closure of the farm stand.
- e. Setbacks subject to regulations pertaining to watercourses and riparian vegetation. Structures shall be located outside of sensitive habitat areas.
- f. For the purposes of density credit calculation, temporary farm stands do not consume density credits.

### **2. *PERMANENT FARM STANDS***

- a. Operations occur for 9 months or more.
- b. Agricultural products from different farm operations, and/or located on different parcels in San Mateo County, may be sold at permanent farm stand structures.
- c. Agricultural and value-added products produced and/or grown outside of San Mateo County may also be sold. Note that a majority of products sold must be produced and/or grown within San Mateo County.
- d. A Produce Dealer's License issued by the San Mateo County Agricultural Weights and Measures Department will be required for anyone selling farm products grown outside of San Mateo County.

- e. Setbacks subject those of the overlaying zoning district as well as regulations pertaining to watercourses and riparian vegetation. Structures shall be located outside of sensitive habitat areas.
- f. Structures are limited to 1,000 sq. ft. of sales floor area. Larger structures are subject to the discretion of the Community Development Director.
- g. For the purposes of density credit calculation, permanent farm stand structures in the PAD and RM-CZ shall consume density credits (refer to SECTIONS 6356 and 6906).

### **C. PERFORMANCE STANDARDS**

The following standards are applicable to all farm stand:

- 1. Farm stand operations shall not interfere with agricultural production on or adjacent to the parcel on which the farm stand is located.
- 2. If located in the Planned Agricultural District, a maximum of 1/4 acres of prime agricultural soils may be converted to accommodate a permanent farm stand with appropriate permits.
- 3. A Building Permit shall be required if: the farm stand structure is 120 sq. ft. or larger, electrical or plumbing is required, and/or the farm stand is in operation for 180 days or longer. A demolition permit is required to remove any structure that required a Building Permit to construct.
- 4. Lighting All exterior lighting shall be downward directed and contained to the project parcel.
- 5. Parking Adequate parking to accommodate the farm stand structure and use must be provided and designated on the site plan for review by Planning staff.
  - a. Adequate parking shall be 1 space per each 250 sq. ft. of sales floor area or as determined by the Community Development Director.
  - b. Parking shall adhere to ADA requirements.
  - c. Parking for permanent farm stands shall be of permanent construction (i.e. paved) and striped.
- 6. Hours of Operation May not exceed the following: Daily 7:00 a.m. to 8:00 p.m.
- 7. Signage
  - a. Attached signs shall not exceed the height of the building or structure to which the sign is attached, extend above the roofline, or project more than four (4) feet from the building or structure to which the sign is attached.
  - b. Attached or freestanding signs shall not project beyond any parcel boundary except signs may project a maximum of four (4) feet into the public right-of-way subject to the approval of the Director of Public Works.
  - c. Freestanding signs shall not exceed eight (8) feet in height measured from grade to the top of the sign structure.

- d. Off-premises signage for permanent farm stand operations is prohibited.
  - e. All signage shall be removed by the operator within 10 days of the closure of the farm stand.
  - f. All abandoned signs shall be removed at the farm stand operator's expense.
  - g. Signage for farm stands located in the Coastal Zone is subject to Policy 8.21 (*Commercial Signs*) of the Local Coastal Program.
    - i. Prohibit off-premises commercial signs except for seasonal temporary agricultural signs.
    - ii. Design on premises commercial signs as an integral part of the structure they identify and which do not extend above the roofline.
    - iii. Prohibit brightly illuminated colored, rotating, reflective, blinking, flashing, or moving signs, pennants or streamers.
    - iv. Design and minimize information and direction of signs to be simple, easy-to-read, and harmonize with surrounding elements.
8. Health and Safety- All farm stands shall comply with health and safety standards including but not limited to the following:
- a. Food preparation is prohibited at farm stands with the exception of food samples.
  - b. Environmental Health Services approved toilet and handwashing facilities shall be available for use by farm stand operators or their employees when food sampling is conducted in accordance with California Health and Safety Code.
  - c. Prepackaged food products, including bottled water and/or soft drinks, shall be limited to a 50 sq. ft. storage and sales area.
  - d. No live animals, birds, or fowl shall be kept or allowed within 20 feet of any area where food is stored or held for sale.
  - e. All garbage and refuse shall be stored and disposed in an appropriate manner.
  - f. All prepackaged processed food products shall be stored in an approved vermin proof area or container when the farm stand facility is closed.

		Planned Agricultural District	Resource Management and Resource Management-Coastal Zone Districts	
<b>Temporary Farm Stands</b>	Permits Required	Coastal Development Exemption (CDX);	RM	RM-CZ
		Coastal Development Permit (CDP) if exemption criteria not met.	N/A	Coastal Development Exemption (CDX); Coastal Development Permit (CDP) if exemption criteria not met.
	Potential Building Permit			
Allowed Products	Whole farm products, including fresh fruits and vegetables, flowers, plants, grains, nuts, eggs, meat, dairy and honey as well as value-added products allowed under Cottage Food Law. Whole farm products and value-added products (except for added pectin, salt, seasoning, and/or sugar) must be produced in San Mateo County. Sale of alcoholic or cannabis products prohibited.			
Considerations	Limited to 200 sq. ft. in size. Building permit required when: over 120 sq. ft. and/or if requires utilities or operates for 180 days or longer. Operations limited to less than 9 months Products sold are limited to those produced and/or grown in San Mateo County Setbacks subject to regulations pertaining to watercourses and riparian habitat Temporary Farm Stands do not consume density credits.			
<b>Permanent Farm Stands</b>	Permits Required	Planned Agricultural District (PAD) Permit. Coastal Development Exemption (CDX);	RM	RM-CZ
		Coastal Development Permit (CDP) if exemption criteria not met.	Resource Management (RM) Permit.	Resource Management-Coastal Zone (RM-CZ) Permit; Coastal Development Exemption (CDX); Coastal Development Permit (CDP) if exemption criteria not met.
	Potential Building Permit.			
Allowed Products	Whole farm products, including fresh fruits and vegetables, flowers, plants, grains, nuts, eggs, meat, dairy and honey as well as value-added products allowed under Cottage Food Law. Sale of alcoholic or cannabis products prohibited.			
Considerations	Limited to 1,000 sq. ft.			
	Building permit required when: over 120 sq. ft. and/or if requires utilities or operates for 180 days or longer. Operations occur for 9 months or more. Products grown or produced outside of San Mateo County may be sold with the issuance of a Produce Dealer's License issued by the San Mateo County Agricultural Weights and Measures Department. A majority of whole farm products sold as well as the primary ingredients in value-added products must be produced and sold in San Mateo County			

		<p>Setbacks subject to overlying zoning district requirements as well as regulations pertaining to watercourses and riparian vegetation. Structures shall be located outside of sensitive habitat areas.</p> <p>Permanent Farm Stands consume density credits (Refer to SECTIONS 6356 and 6906).</p>
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DRAFT



## Discussion Notes on Draft Farm State Guidelines

Consolidated from March – July 2021 Meetings (last updated 11.29.2021)

San Mateo County Agricultural Advisory Committee

### General Notes

- The primary goal of the committee is to protect and promote San Mateo County (SMC) grown produce and farmers – in a way that doesn't limit economic viability of farm stands.
- Committee feels that these new guidelines should not be more restrictive than current PAD/LCP regulations.
- Committee strongly disagrees with requiring that new farm stands use up a density credit, and there was consensus that this requirement would severely limit the ability for farmers to create new farm stands and new commercial outlets for their produce and value-added products. It would not be economically viable if farm stands (temporary or permanent) required a density credit.
  - If density credits are required:
    - Committee wants temporary farm stand rules to be more expansive to allow for farm stands without the use of a precious density credit.
    - Committee wants to explore partial density credit use, so that an entire density credit isn't used on a permanent farm stand (instead of housing).
    - Committee believes density credits should only be used for permanent farm stands with high intensity of use.
  - As an alternative to density credit usage, committee discussed limiting the size and number of farm stands across the county.

### Definitions

- Produce
  - Committee discussed if farm stands should only sell produce grown on that parcel or by that farmer, but later decided that would be too restrictive.
  - Committee had a large discussion on source of produce sold at the farm stand, and if it should be limited to SMC grown produce. However, several seasoned committee members let the committee know that it is nearly impossible to run a sustainable farm stand without produce grown from outside of the county (ie out-of-season/out-of-county fruit will draw in customers, who will then purchase county grown produce) so don't want to limit in a way that will make it economically unviable
  - Committee then turned to discussion of:
    - Near consensus reached on requiring labeling of source of produce at the farm stand, to highlight locally/SMC grown produce without limiting out-of-county grown produce.
    - Near consensus reached on requiring that some of the produce be SMC grown, along with out-of-county grown produce – a 50% SMC grown produce requirement was discussed, but many later felt this would be too restrictive and did not discuss a different threshold/percentage.

- Committee also discussed limiting source of produce to 300-mile radius or only California grown produce, but later felt there wasn't a need to put these types of restrictions in place.
- Value-Added Products
  - In discussions of value-added products definition, the committee felt that they should be allowed to include non-SMC produced products.
  - Historically, farm stands could sell prepared food, and committee doesn't want to limit this ability (within existing Environmental Health regulations).
  - Discussion also included exploring allowing the sales of equipment, books, local arts and crafts, gardening kits, and other related gear – however, many committee members felt this strayed too far from promoting primary agricultural use; later discussion focused on allowing farm stands to sell produce, value-added products, and products related to farming/prime agricultural use.
  - Committee also discussed support for including value added products produced by local cottage kitchens (within existing Environmental Health regulations).

## **Types of Farm Stands**

- Location of Any Farm Stand
  - Committee discussed farm stand locations only on properties with active agriculture, or on a property owned by someone doing active agriculture elsewhere. For example, a farmer may own farming property not on main road, and also property on a main road – committee wants to allow farmers to use prime property near road, but only if doing active agriculture elsewhere.
  - General goal of the committee to not encourage broad commercial use that isn't related to active agriculture, so want to make sure this isn't too broad and allows non-farmers to use property for farm stands not related to active agriculture.
- Temporary
  - While temporary farm stands are limited to 9 months of the year, a building permit is required for structures lasting more than 6 months – so there is an inconsistency (as required by existing PAD/LCP regulations); committee would prefer if temporary farm stands didn't require building permit/density credit.
  - Committee felt that the 200 sq ft limit for a temporary farm stand is too small, but noted that the existing PAD/LCP regulations require this.
  - Committee asked and received clarification that temporary farm stands do require a CDX (Coastal Development Permit Exemptions).
    - Committee asked if a temporary farm stands on a trailer/non-permanent structure is an intensity of use on the land and requires a CDX, and would like some further clarification.
  - Committee had concerns about requiring a demolition permit annually for temporary farm stands, which would increase overall cost; committee raised questions about a temporary farm stand on wheels/non-permanent structure, which may allow for more flexibility when dealing with regulations.
- Permanent

- Committee felt that the proposed guidelines for permanent farm stands, along with requirement for Produce Dealer's License, made sense for a permanent structure and business operation.
- Committee felt that 1000 sq ft is too small for the entire farm stand – perhaps acceptable for a sales/retail area, but not for an entire operation.

### **Performance Standards**

- Parking
  - Committee has consensus that farm stands should not require paved parking.
- Hours of Operation
  - Committee had consensus that the proposed hours will work.
- Signage
  - Committee discussed a limit on the number of signs allows for farm stands, in alignment with existing signage rules for agricultural use/scenic byways.
  - Other signage ideas explored included:
    - Allowing 4-6 non-permanent signs in each direction that don't interfere with the road
    - Signage should be allowed to attract customers, especially for farm stands not located on a main road
    - Signage should help alert people to prepare to turn/avoid road collisions

### **Chart**

- We generally felt that the chart with an overview of proposed farm stand guidelines was well put together and easy to navigate. It helped us as a reference guide during discussions, and can continue to be a great reference tool for others.

June 9, 2021

## **Comments on Draft Farm Stand Guidelines**

Submitted by: Ryan Casey, Blue House Farm and Jered Lawson, Pie Ranch

It is our understanding that the purpose of updating farm stand guidelines within San Mateo County is to update some of the outdated verbiage and to expand and clarify what can and cannot be sold. However, as the guidelines are being proposed, we believe that these will not only hinder existing farm stands from operating legally and profitably, but will make farm stands an impractical option in the future for other agricultural businesses. We both speak from direct experience in saying that having a farm stand has been an essential source of income for our operations. In a time of increasing challenges facing agriculture, we believe that the County should assist producers by providing favorable guidelines that support our ability to sell and market products directly to the public through farm stands, rather than create additional roadblocks.

Items of concern:

***"Farm or road stands shall not contain a commercial kitchen or cooking facilities."***

An on-site commercial kitchen could be a great way to process extra or blemished produce into a value-added marketable product, creating less waste and generating income. We have an excellent example of this at Swanton Berry Farm just down the coast in Santa Cruz County and at Gizdich Ranch in Watsonville, among others. Historically, farm stands could sell prepared foods.

For Pie Ranch, a commercial kitchen in the Farmstand has been the vision since the beginning -- to be able to harvest ingredients and bring them directly to the kitchen, with visitors having the smell of pies baking when they stop for a visit. We have wanted that experience to help inspire people to learn more about the farm, and more about the history of efforts in San Mateo County to preserve the food producing character of the coast.

It's not clear what is being accomplished by excluding that possibility. If it's to prevent non-farm related kitchens, then there may be a better way to prevent that than diminishing a kitchen's potential to support farming.

***“Whole farm products and value- added products (except for added pectin, salt, seasoning, and/or sugar) must be produced in San Mateo County.”***

Does “produced” mean processed from raw to value-added product? Currently there are no kitchens in San Mateo County offering this as a viable service. Whereas, there are Santa Cruz, Monterey, and Sonoma counties, which is where producers are now sending raw product to be processed into pies, jams, pickles, etc.. for farmers markets, CSA’s, and farm stands.

***“Operations are limited to a less than a nine-month operating period per year.”***

Farming is changing in the County and increasingly more farms are operating year-round. Why should we not be allowed to sell year-round?

***“The structure and all other supporting structures shall be of portable construction and removed from the site within 10 days of the seasonal closure of the farm stand.”***

Why do they need to be removed? What if a producer does not have another “site” to move it to?

***“Structures are limited to 1,000 sq. ft. of sales floor area.”***

This is way too small. For perspective, Blue House Farm is currently at 1,800 sq ft, but plans to expand to 2,500’ as more products are coming in from the field. Bigger displays are more effective at selling more produce. Why limit our ability to market our products effectively?

At Pie Ranch, the Farmstand fits beautifully and functionally within the historic redwood packing shed built in 1934. It is 1800 sq. ft. While the actual sales floor area is approximately 1000 sq. ft., we agree with Ryan that the decision about how to market products effectively does not need to be regulated in this way. If the concern is the size of the building, why not just let the existing building permit process for ag structures determine what is appropriate.

***“For the purposes of density credit calculation, permanent farm stand structures in the PAD and RM-CZ shall consume density credits (refer to SECTIONS 6356 and 6906).”***

This could be the single biggest inhibitor for the future of farm stands in the County. This makes it impossible for a farm operation without a density credit to construct a farmstand. Also, the potential value of a density credit in the form of housing, another structure, or the retention of it for resale value is likely to be far greater than the value earned through on-farm sales, especially after permitting and construction costs.

***“Parking for permanent farm stands shall be of permanent construction (i.e. paved) and striped.”***

Paving should be discouraged on agricultural lands. Perhaps require rocked or mulched surfaces as a less-permanent option. The cost of paving is likely to be prohibitive. The ability to use dirt parking as overflow parking during the dry-season is desirable.

***“off-premises signage for permanent farm stand operations is prohibited”***

With permission from neighboring properties, off-premise signage can not only be beneficial in attracting more customers, but more importantly can alert drivers to approaching entrances and facilitate safer driving conditions on busy roads.

In lieu of preventing off-premises signs entirely, why not say that off-premise signs are allowed with agreements with neighboring property owners, and open to review by the Ag Advisory Committee if any complaints come in to the County for having too many, too large, or done it a way that detracts from the scenic beauty of the viewshed.



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

**ITEM**

**11**

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

**DATE:** December 1, 2021

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

**CONTACT INFORMATION:** Summer Burlison, Senior Planner, [SBurlison@smcgov.org](mailto:SBurlison@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 October 28, 2021 to December 1, 2021.

**PLANNED AGRICULTURAL DISTRICT (PAD) PERMIT OUTCOMES**

No PAD permit applications were heard or considered by the Board of Supervisors and/or Planning Commission during this time period.

**UPCOMING PLANNED AGRICULTURAL DISTRICT PERMIT PROJECTS**

The following PAD permit applications were submitted during this time period:

- a. *Owner:* Peter Marchi & Son, Inc.  
*Applicant:* Smiling Dogs, Inc.  
*File Number:* PLN2021-00432  
*Location:* 123 Seaside School Road, Pescadero  
*APN:* 081-250-030

*After-the-Fact Planned Agricultural District Permit, Coastal Development Permit and Kennel Permit to allow for a dog walking operation consisting of a maximum of 75 dogs per day (M-F 10 AM - 3 PM, no weekends) on a 15-acre portion of a 155-acre parcel, and legalization of a 5-stall carport structure. No changes in existing agricultural uses. Project is appealable to the California Coastal Commission.*

*This application was submitted on November 5, 2021 and no decision has been made.*

**COASTAL DEVELOPMENT EXEMPTIONS FOR AGRICULTURAL PROJECTS**

One (1) rural CDX application was submitted during this time period. Please see the attached status report regarding the application. The CDX list includes the description of the project and its status. A copy of the CDX is available for public review upon request.



## **OTHER PROJECTS**

The following projects do not require a PAD permit but are located in the PAD and were heard or considered by the Board of Supervisors and/or Planning Commission during this time period:

- a. Owner: Coastways Ranch Inc.  
Applicant: Charles N. Hudson  
File Number: PLN2020-00166  
Location: 640 Cabrillo Highway, Pescadero  
APN: 089-230-420

*Consideration of an Agricultural Preserve and California Land Conservation (Williamson) Act Contract, pursuant to the San Mateo County Land Conservation Act Uniform Rules and Procedures, on a 426.66-acre parcel.*

*The AAC considered this project at its March 8, 2021 meeting and recommended approval. The Planning Commission considered this project at its November 10, 2021 meeting and recommended approval. The project is scheduled for the December 14, 2021 Board of Supervisors hearing.*

## **ADDITIONAL ANNOUNCEMENTS**

1. The next regular meeting of the AAC is scheduled for January 10, 2021.
2. Report of any updates on AAC vacancies.
3. AAC meetings will be held via videoconference until further notice to adhere to social distancing guidelines.

# COUNTY OF SAN MATEO

Count Distinct (RECORD ID)	RECORD NAME	DATE OPENED	DESCRIPTION	APN	ADDR FULL LINE1	RECORD STATUS
1						
<a href="#">PLN2021-00454</a>	CELL SITE	11/23/2021	CDX to allow modification of an existing cell site; associated with BLD2021-01687.	086122020	1000 PESCADERO CREEK RD, PESCADERO	Submitted