



County of San Mateo

Planning & Building Department

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July 1, 2014

Mr. Bob Lemos
12320 San Mateo Rd
Half Moon Bay, CA 94019

Dear Mr. Lemos:

Subject: **LETTER OF DECISION**
File Number: PLN2000-00711
Location: 12320 San Mateo Road, Half Moon Bay
APNs: 056-360-310, 056-360-320, 056-360-330, and 056-360-340

On June 25, 2014, the San Mateo County Planning Commission considered a renewal of a Planned Agricultural Development Permit and amendment of a Coastal Development Permit, pursuant to Sections 6353 and 6328 of the San Mateo County Zoning Regulations respectively, and a Confined Animal Permit renewal, pursuant to Section 7700 of the County Ordinance Code, to allow the continued operation of a commercial recreation business and the construction of a new 3,145 sq. ft. agricultural barn to replace an existing barn in the same location. The commercial recreation business includes: (1) pumpkins sales, (2) Christmas tree sales and, (3) year-round farm related entertainment activities for youth.

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the project by adopting the required findings and conditions of approval as identified in Attachment A.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m.** on July 10, 2014.

An approval of this project is appealable to the California Coastal Commission. Any aggrieved person may appeal this decision to the California Coastal Commission within 10 working days following the Coastal Commission's receipt of the notice of Final Local Decision. Please contact the Coastal Commission's North Central Coast District Office at (415)904-5260 for further information concerning the Commission's appeal process. The County and Coastal Commission appeal periods are sequential, not concurrent, and together total approximately one month. A project is considered approved when these appeal periods have expired and no appeals have been filed.

Please direct any questions regarding this matter to Tiare Peña, Project Planner, at (650)363-1850 or Email: tpeña@smcgov.org.

Sincerely,

Heather Hardy
Planning Commission Secretary

County of San Mateo
Planning and Building Department

FINDINGS AND CONDITIONS OF APPROVAL

Permit File Number: PLN 2000-00711

Hearing Date: June 25, 2014

Prepared By: Tiare Peña

Adopted By: Planning Commission

FINDINGS

Regarding the Environmental Review, Found:

1. That the project is exempt from CEQA, Class 1, Section 15301, regarding existing facilities.

Regarding the Planned Agricultural District Permit, Found:

2. That the proposed project, as described in the application and accompanying materials, complies with all applicable criteria for issuance of a Planned Agricultural District Permit contained in Section 6355 of the Zoning Regulations because:
3. That the encroachment of all development upon land which is suitable for agricultural use is minimized.
4. That recreational uses on the site are clustered in previously developed areas.
5. That the project conforms to the Development Review Criteria contained in Chapter 20A of the San Mateo County Zoning Regulations.
6. That all agriculturally unsuitable lands on the parcel have been developed or determined undevelopable.
7. That continued or renewed agricultural use of the soils is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.
8. That clearly defined buffer areas are developed between agricultural and non-agricultural uses.
9. That the productivity of any adjacent agricultural lands is not diminished, including the ability of the land to sustain dry farming or animal grazing.
10. That public service and facility expansions and permitted uses do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

Regarding the Coastal Development Permit, Found:

11. That the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms to the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP), as documented in Section A.3 of this report.
12. That the project conforms to the specific findings required by the policies of the San Mateo County Local Coastal Program, as documented in Section A.3 of this report.

Regarding the Confined Animal Permit, Found:

13. That the keeping of confined animals will not create a nuisance or be detrimental to human or animal health, safety or welfare.

As conditioned, the project will comply with applicable County regulations for confined animals, including, but not limited to, compliance with the approved manure management plan and stormwater management plan.

14. That the keeping of confined animals will not degrade sensitive habitats and waterways, or increase soil erosion.

As conditioned, the project will comply with applicable County requirements, including drainage (Section 7700.4, County Confined Animals Ordinance

15. That the keeping of confined animals complies with all the applicable requirements of the Zoning Regulations, including this chapter.

As proposed and conditioned, the project complies with the minimum acreage for keeping 20 ponies and requirements for fencing, drainage, and facility management, as stated in Section 7700.4 of the County Confined Animals Ordinance.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal and plans described in this report and submitted to and approved by the Planning Commission on June 25, 2014. The Community Development Director may approve minor revisions or modifications to the project if they are consistent with the intent of and in substantial conformance with this approval. Any other changes, modifications or additions shall require an amendment to these permits.
2. The Planned Agricultural District Permit for the visitor-serving recreation facility (activities and uses as identified within the staff report) shall expire seven (7) years from the date of approval (June 25, 2021). If the applicant wishes to renew their permit, they shall submit an application for permit renewal six (6) months prior to expiration for consideration at a public hearing. Any modifications to the operation or conditions of approval will require submittal of an application for amendment, payment of applicable fees and consideration at a public hearing prior to implementing any changes or modifications. Administrative inspections shall occur in October 2016, 2018, and 2020 for review and compliance with applicable conditions of approval.
3. This facility is permitted for a maximum of 20 ponies and shall comply with all applicable requirements of Section 7700.4 of the County Confined Animals Ordinance, including requirements for fencing, drainage, and facility management. The Confined Animal Permit shall be reviewed for conformance with applicable regulations three (3) and six (6) years after approval by the Planning Commission.
4. The applicant shall maintain the landscaping in the front of the facility that screens the facility from San Mateo Road.
5. The only signage permitted to be visible from San Mateo Road (Highway 92) are the two "Lemos Farm, Since 1942" business identification signs located on the entrance walls to the Lemos Farm. No other signs visible from San Mateo Road are permitted, except as permitted under Condition of Approval No. 5 below during the Halloween/Pumpkin Festival Season (September 15 to October 31). If the applicant proposes any additional signage, they shall submit a location plan and sign elevations, with proposed dimensions and colors, for

review and approval by the Community Development Director prior to installation. A building permit may be required.

6. During the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant/owner is permitted to temporarily install up to four (4) directional traffic signs, maximum 2 ft. x 3 ft. each, visible from San Mateo Road. The signs must be on-site and not in the public right-of-way. One additional sign is permitted during the month of December only to advertise sale of Christmas trees. This sign may be double-sided and shall not exceed 20 sq. ft. in area and may utilize seasonal colors such as green and red.
7. It shall be the responsibility of the property owner, in conjunction with the property owners of 12391 San Mateo Road, to prepare and implement, in conjunction with and to the satisfaction of the local Highway Patrol Commander, a traffic management plan for the pumpkin festival weekend and the preceding weekend (two (2) weekends maximum). The California Highway Patrol (CHP) may select different weekends at its discretion if it determines traffic or safety impacts on those alternative weekends would be greater. The cost of developing and implementing the plan shall be borne equally by the property owners at 12320 and 12391 San Mateo Road. The plan shall be prepared in accordance with CalTrans and CHP standards and procedures and shall address:
 - a. Pedestrian movement and safety along and across Highway 92.
 - b. Vehicular movement and safety along and across Highway 92.
 - c. Parking along Highway 92.
 - d. Impacts and management of vehicular turning movements.
 - e. Traffic control methods either manual or automated.
8. The applicant/owner in conjunction with the Pastorino Farm (the property owner of 12391 San Mateo Road) shall coordinate a yearly meeting with the California Highway Patrol at least one (1) month prior to seasonal activities to verify all the activities and responsibilities necessary to implement a traffic management plan to minimize conflicts.
9. The applicant/owner shall include, as part of the traffic management plan, the provision of an entrance monitor to direct vehicles to on-site parking areas and monitor pedestrian crossings on San Mateo Road. In addition, the applicant/owner shall construct a minimum 3 ft. x 3 ft. "clock" with hands that manually move to indicate the next pedestrian crossing. Pedestrian crossings shall be limited to 15-minute intervals during the hours of 12:00 p.m. to 5:00 p.m. unless the Highway Patrol Coordinator directing traffic and pedestrians determines crossing intervals can be reduced due to traffic conditions.
10. The applicant/owner shall include, as part of the traffic management plan developed in conjunction with the California Highway Patrol and Pastorino Farm, the provision for installing temporary "NO PARKING" signs along San Mateo Road and a striped crosswalk for pedestrian crossings between the two farms for the month of October.
11. The facility shall be open no earlier than 8:00 a.m. and cease no later than 9:30 p.m. During the month of October, the facility may operate from 8:00 a.m. to 11:30 p.m. to allow for the ghost walk activity.
12. The air jumpers proposed to be located in the front area shall be placed at least 50 feet from the front property line.
13. The Christmas decorations shall be installed no earlier than November 15 and shall be removed no later than January 15.

14. All buildings shall be painted an earth-tone color with the exception of fences which may be painted white. Any modifications to the existing colors will require the applicant to submit a color sample(s) to the Community Development Director for review and approval prior to painting any structure.
15. The graveled surface of the parking lot and driveway shall be maintained in good condition so that no mud, dust or dirt is tracked off the property.
16. All exterior lighting shall be turned off no later than 10:00 p.m., with the exception of security lighting approved by the Community Development Director.
17. There shall be no flashing lights on the property.
18. All lighting fixtures with lamps exceeding 60 watts shall be shielded to avoid direct light shining into adjacent properties.
19. All new utility lines shall be installed underground from the nearest existing utility pole.
20. Los Trancos Creek shall be maintained as per BFI/Lemos agreement, and no waste materials including animal manure shall be disposed of in the creek.
21. A building permit shall be obtained prior to any construction on the property, and all construction shall be in accordance with approved plans.
22. Per Section 6355.A.3, the applicant shall comply with the Development Review Criteria contained in Chapter 20A.2, especially with regard to the following:
 - a. Use and discharge of chemical agents, particularly including pesticides and heavy metals, which concentrate in the food chain and interrupt or destroy the primary biological network or threaten the survival of endangered species shall be prohibited (Section 6324.1.f).
 - b. Wherever possible, vegetation removed during construction shall be replaced. Vegetation for the stabilization of graded areas or for replacement of existing vegetation shall be selected and located to be compatible with surrounding vegetation, and should recognize climatic, soil and ecological characteristics of the region (Section 6324.2.i).
 - c. Removal of living trees with trunk circumference of more than 55 inches measured 4 1/2 feet above the average surface of the ground is prohibited, except as may be required for development permitted under this ordinance, or permitted under the timber harvesting ordinance, or for reason of actual or potential danger to life or property.
 - d. Solid and liquid waste discharge and disposal shall not be permitted to contaminate water resources or otherwise adversely affect a marine, aquatic or riparian environment. All discharges which might affect a water body shall comply with discharge requirements as established by the Regional Water Quality Control Board (Section 6324.4.a).
 - e. To ensure minimal impact on hydrologic processes, grading and other landscape alteration shall be kept to a minimum and the present configuration of landforms shall be maintained to the maximum extent practicable (Section 6324.4.c).
 - f. Site preparation procedures and construction phasing shall be carefully controlled to reduce erosion and exposure of soils to the maximum extent possible (Section 6324.4.d).

Cal-Fire

The following conditions shall apply where applicable; contact Cal-Fire at 650/573-3846 for information.

23. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. New residential buildings shall have internally illuminated address numbers contrasting with the background so as to be seen from the public way fronting the building. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. An address sign shall be placed at each break of the road where deemed applicable by the San Mateo County Fire Department.
24. Fire Department access shall be to within 150 feet of all exterior portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved access route around the exterior of the building or facility. Access shall be 20 feet wide, all weather capability, and able to support a fire apparatus weighing 75,000 lbs. Where a fire hydrant is located in the access, a minimum of 26 feet is required for a minimum of 20 feet on each side of the hydrant. This access shall be provided from a publicly maintained road to the property. Grades over 15% shall be paved and no grade shall be over 20%. When gravel roads are used, it shall be Class 2 base or equivalent compacted to 95%. Gravel road access shall be certified by an engineer as to the material thickness, compaction, all weather capability, and weight it will support.
25. No combustibles shall be on-site prior to required fire protection water supply and Fire Department access provided.
26. Portable fire extinguishers with a minimum rating of 2A-10BC are required to be placed throughout your project. Contact a licensed/certified fire extinguisher company for proper placement of the required extinguishers. Documentation is required on building plans at the building permit application stage. Proper installation is required prior to Fire's final approval of the building permit.
27. The required fire flow shall be available from a County Standard 6" Wet Barrel Fire Hydrant. The configuration of the hydrant shall have a minimum of one each 4 1/2" outlet and one each 2 1/2" outlet located not more than 250 feet from the building measured by way of approved drivable access to the project site.
28. Because of limited access into your property, the San Mateo County Fire Department is requiring the installation of a Knox Box, Knox Key Switch, or Knox Padlock to allow rapid response of emergency vehicles onto your property in case of a fire or medical emergency. For an application or further information, please contact the San Mateo County Fire Marshal's Office at 650/573-3846.
29. All roof assemblies in Very High Fire Hazard Severity Zones shall have a minimum CLASS-A fire resistive rating and be installed in accordance with the manufacturer's specifications and current California Building and Residential Codes.
30. All dead end roadways shall be terminated by a turnaround bulb of not less than 96 feet in diameter.
31. A site plan showing all required components of the water system is required to be submitted with the building plans to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department for verification and approval. Plans shall show the location, elevation and size of required water storage tanks, the associated piping layout from the tank(s) to the structures, the size of and type of pipe, the depth of cover for the pipe, technical data sheets for all pipe/joints/valves/valve indicators, thrust block calculations/joint restraint, the location of the standpipe/hydrant and the location of any required pumps and their size and specifications.

Building Inspection Section

32. This project is located in a wildland urban interface area. Roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors, and underfloor protection shall meet CRC R327 or CBC Chapter 7A requirements.

Department of Public Works

33. Prior to the issuance of the building permit, the applicant will be required to provide payment of “roadway mitigation fees” based on the square footage (assessable space) of the proposed building per Ordinance #3277.
34. The site is within 100 feet of a creek. Therefore, it will be designated as a High Priority Site and subject to monthly stormwater inspection during the wet season. Additional inspection fees as required will apply.

Environmental Health Division

35. The applicant shall submit revised site plan to include location of the existing septic system along with the proposed drainfield expansion area.