

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

DATE: June 25, 2014

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Planned Agricultural District Permit and a Coastal Development Permit, to allow seasonal commercial recreation activities at the Arata Pumpkin Farm located at 185 Verde Road, approximately 4 miles south of the City of Half Moon Bay. This project is appealable to the California Coastal Commission.

County File Number: PLN 2013-00494 (Gounalakis)

PROPOSAL

Commercial recreation uses are proposed for three months from August 1 through November 1. Proposed uses on “lands suitable for agriculture” consist of a portion of the hay maze, a play set/jumper, a store, gravel surface parking areas, and an area used for hay bale storage. On prime soils, the applicant proposes to locate a smaller portion of the hay maze, a snack bar, a petting zoo, pony rides, and parking spaces. Recreation uses on prime soils are clustered with existing development and, with the exception of the hay maze, are located in areas that are not farmed due to existing structures and access ways. The applicant has moved the pony ride from farmed areas to the developed area and has eliminated the “castle,” “arena,” train ride and metal gorilla that were located on prime soils in the past.

As currently proposed, agriculture would be the dominant use of the property, occupying 3.77 acres during the 3-month recreation season, where recreation uses would occupy 1.79 acres (21%) of the property. During the remaining nine months of the year, agricultural use would occupy 5.32 acres of the property. Parking areas would be used for seedling/starter plants (non-soil dependent) and storage. Non-parking areas would be used to grow fava beans, pumpkins, corn, strawberries, bell beans, and Stone Pine Christmas trees.

RECOMMENDATION

1. Approve the Planned Agricultural District Permit, by making the required findings and adopting the conditions of approval listed in Attachment A of the staff report.

2. Approve the Coastal Development Permit, by making the required findings and adopting the conditions of approval listed in Attachment A of the staff report.

SUMMARY

Background: In 1999, the applicant, Chris Gounalakis, leased property from the Arata family. In 2005, the applicant expanded the agricultural operation without the benefit of permits to include seasonal commercial recreation activities during the months of May through October. In 2009, a complaint was filed to the County regarding the expansion of unpermitted activities and the County directed the applicant to cease all unpermitted activities on the property until the required permits were secured. In 2010, the applicant conducted seasonal recreation activities under “Interim Operating Conditions” issued by the County for 2010 only. In 2011, the Board of Supervisors approved seasonal recreation uses at the property for 2011 only. In September 2012, the Board of Supervisors amended the Williamson Act contract for the property to allow commercial recreation uses. In fall/winter 2013, no hay maze was constructed at the property. In December 2013, the current application was submitted to the County.

Planned Agricultural District (PAD) Permit: The proposed seasonal commercial recreation use requires the issuance of a conditional PAD permit. The applicant has re-designed the project to minimize areas of agricultural land that are temporarily converted, including Prime Agricultural Lands and Lands Suitable for Agriculture. Structural elements of the recreation use (store, play set/jumper, snack bar) are small and clustered within developed areas of the property. In the proposed location, the hay maze would cover a small area of Prime Agricultural Lands and would be located further from and be less visible from Cabrillo Highway. The hay maze will utilize hay bales, a natural building material that will blend in with the agricultural setting. The proposed commercial recreation use on Lands Suitable for Agriculture complies with Section 6353(B), which allows for “commercial recreation” uses on these lands. The proposal meets the setback requirements of the PAD District.

On May 12, 2014, the Agricultural Advisory Committee (AAC) reviewed the proposal and recommended approval of the project to the Planning Commission, along with recommended conditions of approval regarding future renewal applications, consideration of complaints in any permit renewal decision, and a request to establish a public complaint and enforcement protocol, among other recommendations.

Coastal Development Permit: The proposal is consistent with the County’s Local Coastal Program (LCP), as the proposal clusters development in areas of existing development. Although approximately 5,600 sq. ft. of the hay maze is located in an area of prime soil that could be farmed, the maze is temporary, located in an area used as an entrance to the property since 2005, does not diminish the agricultural productivity of the soil, and represents a 35% reduction in the acreage of prime soils used in the past for the hay maze. Areas proposed for temporary parking are located in areas used in the past for parking, directly adjoin developed areas, and are located at the entrance of the property. Condition No. 24 has been added to require the property owner to

clean and amend the soil in all parking areas on prime soil, at the conclusion of each annual event (i.e., during the month of November), as necessary to restore its agricultural productivity. Areas of prime soil used for parking shall be farmed during non-recreational months. The proposed hay maze is located approximately 250 feet from Highway 1, in excess of the 100-foot scenic corridor setback required by LCP Policy 8.3.

The California Coastal Commission (CCC) has commented on the proposal, stating that the hay maze, parking spaces, arena and castle should be removed from Prime Agricultural Lands. For the reasons stated above, staff supports the temporary placement of the hay maze and associated parking in areas of prime soil directly adjoining development. The applicant has removed the “arena” and “castle” from the proposal. The CCC states that the applicant should demonstrate that the proposed activities do not diminish soil productivity at the property and should restore prime soil productivity in areas of unpermitted development. Condition No. 24, described above, ensures that temporary parking will not diminish soil productivity.

Environmental Review: In 2011, Planning staff prepared an Initial Study/Mitigated Negative Declaration (2011 IS/MND) in compliance with the California Environmental Quality Act (CEQA) Guidelines, which analyzed the potential environmental impacts of seasonal recreation activities at the Arata Farm site from July 1 through November 31 annually, including a hay maze, pony rides, train rides, hay rides, haunted barn, pumpkin sales and private parties. The Board of Supervisors certified the IS/MND on September 13, 2011. The currently proposed project has been reduced in scope than that which was analyzed by the 2011 IS/MND, and would not have the potential to introduce new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects. Therefore, the preparation of an additional negative declaration is not required.

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

DATE: June 25, 2014

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of a Planned Agricultural District Permit, pursuant to Section 6353 of the San Mateo County Zoning Regulations, and a Coastal Development Permit, pursuant to Section 6328.4 of the San Mateo County Zoning Regulations, to allow seasonal commercial recreation activities at the Arata Pumpkin Farm located at 185 Verde Road, approximately 4 miles south of the City of Half Moon Bay. This project is appealable to the California Coastal Commission.

County File Number: PLN 2013-00494 (Gounalakis)

PROPOSAL

The applicant, Chris Gounalakis, proposes to conduct seasonal commercial recreation activities at the Arata Farm property for three months, between August 1 and November 1, annually.¹ The proposed hours of operation are:

August 1 - November 1 (except October)

Monday - Friday: 9:00 a.m. - 6:00 p.m.

Saturday: 9:00 a.m. - 9:00 p.m.

Sunday: 9:00 a.m. - 8:00 p.m.

October

Monday - Friday: 9:00 a.m. - 7:00 p.m.

Saturday: 9:00 a.m. - 11:00 p.m.

Sunday: 9:00 a.m. - 8:00 p.m.

Proposed commercial recreation activities would be limited to a hay maze, a haunted barn, a play set/jumper, a petting zoo, pony rides, a snack bar, and associated parking uses. With the exception of the developed area, the play set/jumper area, small area of hay bale storage, and undisturbed areas, the entire property will be used for agricultural production during the remaining nine months of the year. The project site is under a Williamson Act contract that was amended to allow the proposed recreational uses in September 2012.

¹ Staff recommends a permit term of two years.

RECOMMENDATION

1. Approve the Planned Agricultural District Permit, by making the required findings and adopting the conditions of approval listed in Attachment A.
2. Approve the Coastal Development Permit, by making the required findings and adopting the conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By Project Planners: Camille Leung (650/363-1826) and Tiare Pena (650/363-1850)

Owner: Gary Arata

Applicant: Chris Gounalakis

Location: 185 Verde Road

APN: 066-310-080

Parcel Size: 8.37 acres

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

General Plan Designation: Agriculture

Sphere of Influence: Half Moon Bay

Existing Land Use: Agricultural uses, residence, barns, accessory buildings, and seasonal recreation activities

Water Supply: Riparian rights from Lobitos Creek for agriculture and spring for residential purposes

Sewage Disposal: On-site septic system; Portable toilets used by the public during the recreation season

Flood Zone: Zone X (Area of Minimal Flood Hazard), FEMA Map Number 06081C0270E; effective October 16, 2012.

Setting: The project parcel is located on Verde Road to the east of Cabrillo Highway. The site is relatively flat in terrain. Lobitos Creek runs along the northern perimeter of the parcel. The parcel contains a 0.88-acre developed area containing paved driveways and five (5) legal structures: a 1,500 sq. ft. single-family residence, three barns (1,800 sq. ft., 500 sq. ft., and 300 sq. ft.), and a 900 sq. ft. store building. The buildings were constructed in the 1930s, prior to building permit requirements.

Environmental Evaluation: An Initial Study and Mitigated Negative Declaration (2011 IS/MND) under CEQA Guidelines were completed for seasonal commercial recreation uses. The public review period for this document was from April 20, 2011 to May 2, 2011. The Board of Supervisors certified the IS/MND on September 13, 2011. Further discussion is included in Section I of this report.

Williamson Act: The project site is under a Williamson Act contract that was amended to allow the proposed uses in September 2012 (Attachment H). Whether the property should remain under a Williamson Act contract will be evaluated this year, in accordance with the County’s recently adopted updates to local rules and procedures.

Chronology:

<u>Date</u>	<u>Action</u>
1967	- Property Owner enters into Williamson Act contract (AP 67-73) with San Mateo County.
1999	- Applicant (Mr. Gounalakis) leases property from the Arata family.
Approximately 2005	- Seasonal commercial recreation activities are expanded during the months of May through October without the benefit of permits.
2009	- Complaint filed regarding the expansion of unpermitted activities. Applicant is directed by the County to cease all unpermitted activities on the property until the required permits are secured.
Fall/Winter 2010	- Applicant conducts seasonal recreation activities under “Interim Operating Conditions” issued by the County for 2010 only.
Fall/Winter 2011	- Board of Supervisors approves seasonal recreation uses at the property for 2011 only. Project is appealed to the California Coastal Commission; no action is taken by the California Coastal Commission.
September 25, 2012	- Board of Supervisors amends the Williamson Act contract (Attachment H) for the property to allow commercial recreation uses.
July 8, 2013	- Applicant’s proposal to conduct an agricultural tourism event, in accordance with County guidelines, was recommended for denial by the Agricultural Advisory Committee and subsequently upheld by the Community Development Director.

- Fall/Winter 2013 - No hay maze is constructed.
- December 5, 2013 - Current application is submitted to the County.
- May 12, 2014 - Agricultural Advisory Committee (AAC) reviews the proposal and recommends approval of the project to the Planning Commission, along with recommended conditions of approval, as discussed in Section G of this report.
- June 25, 2014 - Planning Commission public hearing.

DISCUSSION

A. COMPLIANCE WITH CONDITIONS OF APPROVAL OF THE PREVIOUS PERMIT

On September 13, 2011, the San Mateo County Board of Supervisors approved an After-the-Fact Planned Agricultural District (PAD) Permit and an After-the-Fact Coastal Development Permit (CDP), to allow seasonal commercial recreation activities at the Arata Pumpkin Farm. Table 1 outlines the conditions of approval of the 2011 permit and the status of compliance with those conditions. Determination of compliance is based on regular site inspections, and a review of violation cases and stop work notices issued after September 13, 2011 up to the printing of this report.

Table 1 Status of Project Compliance with Conditions of Approval of Previous Permit			
Condition No.	2011 Conditions of Approval	Complies?	Retain Condition?
1.	This approval applies only to the proposal described in this report and submitted to and approved by the Board of Supervisors on September 13, 2011. Minor revisions or modifications may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with the approval. Any other changes, modifications or additions shall require an amendment to the permit at a public hearing.	Yes, administrative condition.	Yes, updated for current proposal.
2.	The PAD and CDP permits shall expire on December 31, 2011.	Yes, administrative condition.	Yes, updated for current proposal.
3.	The applicant/property owner shall coordinate with the project planner to record the Notice of Determination and pay an environmental filing fee of \$2,044 (or current fee), as required under Fish and Game Code Section 711.4(d), plus a \$50 recording fee to the San Mateo County within four (4) working days of the final approval date of this project.	Yes.	No, N/A.

**Table 1
Status of Project Compliance with Conditions of Approval of Previous Permit**

Condition No.	2011 Conditions of Approval	Complies?	Retain Condition?
4.	Within 30 days of permit approval and prior to undertaking any additional construction of commercial recreation elements on the parcel , the applicant/property owner shall submit for approval by the Community Development Director a site plan developed by an engineer. Such plan shall include all project elements and shall delineate the location of the hay maze in relation to the required 50-foot buffer zone from the edge of riparian vegetation along Lobitos Creek.	Yes.	No, N/A. A site plan has been submitted. There is no riparian vegetation along the section of Lobitos Creek, adjoining the property.
5.	The applicant/property owner shall maintain and plant additional vegetative screening of all aspects of commercial recreation use (i.e., hay maze, jump houses, etc.) such that structures are minimally visible from Cabrillo Highway, to the extent feasible, as determined by Community Development Director.	Yes.	No, N/A.
6.	The property owner is responsible for maintaining the health of intervening vegetation necessary for screening all structures associated with commercial recreation as viewed from the Cabrillo Highway. Per Section 6324.2 of the Zoning Regulations (<i>Site Design Criteria</i>), the removal of any mature trees (those over 55" in circumference) shall be subject to the issuance of a PAD permit.	Yes.	Yes, retained as Condition No. 5.
7.	The petting zoo shall be limited to animals traditionally associated with California coastal agriculture (i.e., sheep, goats, chickens, etc.).	Yes.	Yes, retained as Condition No. 6.
8.	All structures (i.e., haunted barn and sales kiosk) and signage associated with the commercial recreation use are required to maintain the same earth and vegetative tones as the predominant colors of the site, as determined and to the satisfaction of the Community Development Director.	Yes.	Yes, retained as Condition No. 9.
9.	The applicant/property owner shall maintain the dirt-surface parking lot, maze structure, and other development such that pollutants (including trash and sediment) do not enter Lobitos Creek or any right-of-way.	Yes.	Yes, retained as Condition No. 10.
10.	Mitigation Measure 6: The applicant/property owner shall strictly adhere to the following months, days and hours of operation: July - November (except October) Monday - Friday: 9:00 a.m. - 6:00 p.m. Saturday: 9:00 a.m. - 9:00 p.m. Sunday: 9:00 a.m. - 8:00 p.m. October Monday - Thursday: 9:00 a.m. - 7:00 p.m. Friday: 9:00 a.m. - 9:00 p.m. Saturday: 9:00 a.m. - 10:00 p.m. Sunday: 9:00 a.m. - 7:00 p.m. Violation of the hours of operation, as confirmed by the County, may result in the revocation of this permit.	Yes.	Yes, revised as Condition No. 11. Months of operation have been changed to Aug. 1 to Nov. 1.

**Table 1
Status of Project Compliance with Conditions of Approval of Previous Permit**

Condition No.	2011 Conditions of Approval	Complies?	Retain Condition?
11.	All owners, employees, visitors and individuals otherwise associated with the property shall park on-site, or within the lengths of Verde Road approved by Cal-Fire and the Department of Public Works staff shown in Attachment J of the staff report. Parking along Verde Road shall accommodate a maximum of 58 parking spaces and maintain a clear 20-foot wide paved road width. Applicant must discontinue use of on-street parking until Department of Public Works (DPW) requirements, including those listed below, have been met; otherwise, any on-street parking authorized by this permit will be void.	Yes.	Yes, retained as Condition No. 30.
	Prior to commencing any commercial recreation activities on the site, the applicant/property owner shall be required to: (1) submit a parking plan and traffic control plan to the County DPW, (2) submit a signage plan to include the placement of "No Parking - Fire Lane" signs at intervals along Verde Road, with the exception of the portion of road described above, subject to the approval of the DPW, and (3) enter into a maintenance agreement with DPW for maintenance of signage as approved by DPW. The traffic control plan shall show any shuttle routes and any off-site parking spaces, as well as a plan to turn away visitors if all authorized parking spaces are full. Signage plan shall describe the location, type, color, size, and mounting of proposed signage to be located along Verde Road. The applicant/property owner is responsible for the cost of all improvements and long-term maintenance of improvements. Violation of parking restrictions, as confirmed by County staff, may result in the revocation of this permit.	Yes.	
	The applicant/property owner shall monitor all parking associated with this project within the Verde Road right-of-way. The applicant/property owner shall coordinate with Cal-Fire and the DPW to mark sections of Verde Road along which parking is allowed, as well as the individual 58 parking spaces to promote efficient parking. As required by Condition No. 34, the applicant shall contact the County Sheriff's Office immediately if there are violations of the "No Parking" zones. Furthermore, as required by Condition No. 34, the applicant shall hire security guards and after-hour police/sheriff's officers to ensure that the "No Parking" zones are adequately enforced.	Yes.	Yes, revised to refer to Condition No. 31 (updated version of Condition No. 34).
12.	Mitigation Measure 7: During the Halloween/Pumpkin Season (September 15 to October 31), the applicant is permitted to temporarily install up to four (4) directional traffic signs, maximum 2 ft. x 3 ft. each visible from Cabrillo Highway. Such signs shall be installed on-site and not in the public right-of-way. No signage shall be allowed on or along Cabrillo Highway and shall be of the same earth and vegetative tones as the predominant colors of the site, as determined and to the satisfaction of the Community Development Director. All signage shall be removed from the site within 30 days of the end of seasonal activities.	Yes.	Yes, revised as Condition No. 12, with change to require signage to be removed by Nov. 1.

Table 1
Status of Project Compliance with Conditions of Approval of Previous Permit

Condition No.	2011 Conditions of Approval	Complies?	Retain Condition?
13.	No signage shall be allowed on or along Cabrillo Highway.	Yes.	No, as the requirement is a part of Condition No. 12.
14.	Mitigation Measures 2 and 4: During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant/property owner shall employ at least three (3) parking attendants in September and a minimum of six (6) parking attendants for weekends in October (per Condition No. 34) to assist in the facilitation of pedestrian and vehicular movement from Cabrillo Highway and Verde Road, vehicles entering and exiting the site, and within the designated parking area on the site. During the Halloween/Pumpkin Festival Season, the applicant shall install no more than four (4) directional signs within the property for the purposes of directing traffic. Such signs may be double-sided and each sign shall not exceed twenty (20) sq. ft. in area. The applicant/property owner shall be responsible to ensure that no parking occurs on or along Cabrillo Highway or within areas of Verde Road where parking is prohibited.	Yes.	Yes, retained as Condition No. 13.
15.	The applicant/property owner is encouraged to explore off-site parking opportunities (i.e., a formal off-site parking agreement with property owner(s) in the area), to ease parking challenges at the site.	Yes, no parking is proposed on any other private property.	Yes, revised as Condition No. 14, to ensure compliance with PAD and CDP permitting requirements.
16.	At the end of the Halloween/Pumpkin Season on November 30, operation of all activities will cease and, within 30 days, the applicant/property owner shall deconstruct the hay maze and coliseum. Hay that is stacked for future use shall be clustered and located at least 50 feet away from the edge of riparian vegetation on lands deemed Class IIV (non-prime soil).	Yes.	Yes, revised as Condition No. 15, to reflect current project and require storage outside of prime soils areas and in areas minimally visible from Hwy. 1.

**Table 1
Status of Project Compliance with Conditions of Approval of Previous Permit**

Condition No.	2011 Conditions of Approval	Complies?	Retain Condition?
17.	During winter to spring months of December 1 to May 30, the applicant/property owner must commit all areas of prime soils available for agricultural production to viable agricultural production including, but not limited to, the harvesting of winter crops and grazing uses. In discussion with the Department of Agricultural Weights and Measures, Brussels sprouts, cabbage, leeks, broccoli, cauliflower, and artichokes could be cultivated during the winter months, for harvest in the spring. The applicant/property owner shall supply financial records to the Current Planning Section by June 15 of each year to confirm compliance with this condition.	As indicated in Table 3, the site is fallow or cultivated with cover crops prior to April. Since April, staff has monitored the site monthly and has confirmed agricultural production at each visit.	Yes, revised as Condition No. 16 to include Table 3 of this report.
18.	The applicant/property owner shall submit for review and approval a trash and debris management plan that, at the minimum, addresses immediate removal of trash and debris and its management on the property in a contained area that avoids any health or safety impact to the public, riparian buffer zones and areas used for agricultural operation. The plan shall be submitted for review and approval by the Community Development Director within 30 days of the approval of the permit.	Yes.	Yes, revised as Condition No. 17, to require continued trash management, as trash has been well managed.
19.	The use of flashing lights on the property is prohibited.	Yes.	Yes, retained as Condition No. 18.
20.	A building permit shall be obtained from the Building Inspection Section prior to any construction on the property, and all construction shall be in accordance with approved plans.	Yes.	Yes, revised as Condition No. 19 to also limit the height of hay structures to no more than 6 feet.
21.	The applicant/property owner shall apply for and obtain a farm-stand license from the Environmental Health Division for and prior to the operation of the store and sales kiosk. Copies of permits shall be submitted to the Current Planning Section.	Yes.	Yes, revised as Condition No. 20 to address Environmental Health Division comments.
22.	Additional demand on the existing septic system or the existing well to serve the commercial recreation use is subject to Environmental Health Division review and permitting.	Yes.	Yes, retained as Condition No. 21.
23.	The applicant/property owner shall apply for and obtain any required permits from Cal-Fire. Copies of permits shall be submitted to the Current Planning Section.	Yes, a permit for a hydrant and water tanks (BLD 2011-00350) at the property received final approval.	Yes, retained as Condition No. 22.
24.	The applicant/property owner shall relocate the train ride and the bounce house to areas of non-prime soil, prior to the opening day of the 2011 season. The train ride and the bounce house shall be located and maintained outside of areas of prime soils for the life of the project.	Yes.	No, N/A.

**Table 1
Status of Project Compliance with Conditions of Approval of Previous Permit**

Condition No.	2011 Conditions of Approval	Complies?	Retain Condition?
25.	Off-premises commercial signs, brightly colored or illuminated, rotating, reflective, blinking, flashing or moving signs, and pennants or streamers are prohibited, per Local Coastal Program Policy 8.21 (<i>Commercial Signs</i>). Directional signs shall be simple, easy to read and harmonize with surrounding elements.	Yes.	Yes, retained as Condition No. 23.
26.	The applicant/property owner shall either remove the sword-fighting coliseum and associated uses, or replace the proposed sword-fighting event/movie use within the coliseum/viewing area with an agriculture-related commercial recreation use, subject to the approval of the Community Development Director.	Yes.	No, N/A, as no such uses are proposed under the current project.
27.	Mitigation Measure 1: The applicant/property owner shall utilize less than 3.03 acres of the total area of land for recreational activities. This permit does not allow any intensification or expansion of use beyond the scope of the approved project. At such time that the recreation use ceases, any structures (other than the barns and single-family dwelling) shall be removed and the land made available for agricultural purposes.	Yes.	Yes, revised as Condition No. 25, to reflect the current proposal.
28.	Mitigation Measure 3: The applicant/property owner shall maintain the 135 parking spaces within the property. All spaces shall be clearly marked with chalk prior to September 15; the applicant shall submit to the Planning Department for review and approval a parking management plan that includes placement of attendants and vehicular movement within the site. At no time shall vehicles be allowed to park along Cabrillo Highway or along areas of Verde Road where parking is prohibited.	Yes.	Yes, revised as Condition No. 26, to reflect the current proposal of 135 spaces and require continued parking management.
29.	Mitigation Measure 5: The applicant/property owner shall be responsible for ensuring that all visitors have left the premises within 30 minutes of the site activities' closing time.	Yes.	Yes, retained as Condition No. 27.
30.	The applicant/property owner shall utilize areas of prime soils where the 22 parking spaces were removed on-site, for agricultural production, for the life of the project.	Yes.	No, N/A. Approved parking and agriculture are as per plan.
31.	Per LCP Policy 11.15(c)(2) (<i>Private Recreation and Visitor-Serving Facilities</i>), the property owner/applicant shall execute and record a deed restriction over the entire parcel and shall specify that: "Conversion of any portion of the commercial recreation facilities to a non-public, private, or member only use, or the implementation of any program to allow extended or exclusive use or occupancy of such facilities by an individual or limited group or segment of the public, shall require an amendment to the applicable permits."	No.	Yes, retained as Condition No. 28.
32.	The one bounce house shall be operated in compliance with the standards of the "Safe Inflatable Operators Training Organization" and/or other comparable best management practices for the safe operation of the bounce house.	Yes.	Yes, retained as Condition No. 29.

**Table 1
Status of Project Compliance with Conditions of Approval of Previous Permit**

Condition No.	2011 Conditions of Approval	Complies?	Retain Condition?
33.	In order to renew the PAD permit, the applicant shall submit the following information for the review and approval of the relevant decision-making body:		No, the information requested has been incorporated into the current proposal.
	a. Revised site plan showing the relocation of the hay maze and the coliseum structures to on-site areas of non-prime soils. Current location of hay maze and the coliseum structures shall be committed to agricultural production.	Yes.	
	b. A traffic control plan showing location and number of off-site parking spaces and associated access roads, in compliance with Condition No. 15.	Yes.	
34.	Prior to the start of operation, the applicant/property owner shall restrict parking on Verde Road by complying with one of the following options, subject to the approval of the Department of Public Works (non-compliance with this condition may result in the revocation of this permit):		
	a. <u>Option No. 1: Condition of the Temporary Use Permit</u> - For all weekends of the month of October, the applicant shall apply for and obtain a Special Events Road Closure/Encroachment Permit and comply with all applicable requirements of the permit. The applicant shall submit a plan, subject to DPW review and approval, to restrict parking within the closed off section of Verde Road and ensure adequate pedestrian safety along Verde Road (no pedestrians are allowed on Cabrillo Highway). Issuance of the permit requires proof of authorization by the California Highway Patrol (CHP), the County Sheriff's Office and Cal-Fire. The applicant shall pay the applicable fee to the Sheriff's Office for the adequate enforcement of the parking plan (hourly or bihourly passing checks and ticketing as necessary). ² The applicant shall utilize a minimum of six (6) parking attendants to ensure adequate levels of enforcement. The Road Closure Permit will allow local traffic, parking of patrons along designated areas of Verde Road, and access by emergency vehicles. The applicant shall maintain a minimum road clearance of 20 feet for emergency vehicles at all times.	Yes.	Yes, revised as Condition No. 32 to remove options and to reflect the current proposal.
	b. <u>Option No. 2:</u> The applicant shall pay for the implementation of permanent parking restrictions along the entire length of Verde Road including, but not limited to, staff time involved in presenting an Ordinance to the Board of Supervisors. The Ordinance process normally takes approximately three (3) months to implement.	No, applicant chose Option 1, above.	No, as this option has been deleted.

² Based on a phone conversation with Sgt. Scott Kirkpatrick on August 19, 2011.

Table 1 Status of Project Compliance with Conditions of Approval of Previous Permit			
Condition No.	2011 Conditions of Approval	Complies?	Retain Condition?
	c. At no time should street parking block driveways to properties or impede vehicle turning along Verde Road (i.e., at Lobitos Creek Cutoff). The applicant shall coordinate with a fire service representative to mark the limits of parking along Verde Road prior to October 1, 2011 or commencement of venue operations, whichever is later.	Yes.	Yes, revised as Condition No. 32 to be required by October 1 of each year.
35.	The applicant/property owner shall restore the quality of the soil in areas of the hay maze and coliseum, as necessary to reestablish prime soil characteristics, by January 1, 2012. In order to ensure compliance, the condition requires the applicant to submit a \$5,000 ³ bond to the County, prior to commencing any commercial recreation activities at the site. Such surety shall only be released upon confirmation by Planning staff of soil restoration, which includes, but is not limited to, (1) the submittal of receipts for any soils amendments purchased and (2) a site visit performed during the soil restoration operation.	No, applicant asserts that the structures built from hay bales did not deplete soil productivity.	Yes, revised as Condition No. 24, to require restoration of the soil productivity of all parking areas on prime soil immediately following the conclusion of each annual event. Restored area shall be farmed during non-recreational months.

Since the issuance of the 2011 permit, a Stop Work Notice (SWN 2013-00141) was issued by the Building Inspection Section on October 10, 2013 for construction of a hay bale structure over 6 feet in height without the benefit of a building permit. The height of the hay structure was subsequently reduced to less than 6 feet. The height limit has been added to Condition No. 19 of Attachment A. A violation case (VIO 2014-00029) was opened on February 25, 2014, for the alleged placement of fill on the property. The case was investigated by Code Compliance Section staff and was subsequently closed, as staff was unable to confirm any violation of the County's Grading Regulations. No other violations or stop work notices were issued in this timeframe.

B. CONFORMANCE WITH THE COUNTY'S GENERAL PLAN

The County General Plan designates the property for Agriculture and describes the primary feasible uses associated with this land use designation as "resource management and production uses including, but not limited to, agriculture and uses considered accessory and ancillary to agriculture." As shown in Table 2, with the approval of the proposed project, agriculture would be the dominant use of the property, occupying 3.77 acres during the 3-month recreation season, where recreation uses would occupy 1.79 acres (21%) of the property, including

³ Amount of bond based on staff's cost estimate for restoration of one (1) acre of land, per discussion with Rice Soil Farm in Half Moon Bay.

0.59 acres for the maze and play set and 1.2 acres for on-site parking. During the remaining nine months of the year, agricultural use would occupy 5.32 acres of the property, including 4.32 acres of farming and 1.0 acres of container-based agriculture within parking areas.

Table 2 Percentages of Land Use During the Recreational Season		
Proposed Use	Area in Acres	% of Property
<i>Non-Recreational</i>		
Permanent Agriculture	3.77	45%
Undisturbed (e.g., shrubs and trees)	1.93	23%
Permanent Developed Area (structures, driveways)	0.88	11%
Subtotal	6.58	79%
<i>Recreational</i>		
Parking	1.20	14%
Maze and Play Set/Jumper	0.59	7%
Subtotal	1.79	21%
Total	8.37	100%

During the seasonal recreation period, approximately 45% of the property would remain in permanent agriculture. During the remaining nine months of the year, the entire property (with the exception of the developed area and the play set/jumper area) will be used for agricultural production, with seedling/starter plants (non-soil dependent) and agricultural storage in areas used for parking and crop production in all other areas. Crops to be grown are fava beans, pumpkins, corn, strawberries, bell beans, and Stone Pine Christmas trees. As shown in Attachments C and E and described in Table 3, crops will be grown in six zones, Zone A through F, on the property.

Table 3 Crop Production By Zone, as Shown on Map (Attachment C)						
	A	B	C	D	E	F
November	Fallow/Cover Crop					
December						
January						
February						
March						
April	Rye Grass	Peas* Stone Pines*	Fava Beans	Corn Pumpkins*	Pumpkins	Seedlings/ Starter Plants
May						
June						
July						
August						None (Parking)
September	Harvest/Sales					None (Parking)
October						
*Entire zone planted, excluding areas of the hay maze for the month of August. Note: Crop type may change, as long as an active agricultural use is maintained.						

The proposed commercial recreation use complies with General Plan Policies 9.4 (*Land Use Objectives for the Rural Lands*) and 9.38 (*Encourage Private*

Recreation Land Uses), which promote the provision of diverse private and public outdoor recreational opportunities for existing and future County residents. An additional objective of these policies is the promotion of local employment opportunities and enhancement of creative enterprise by encouragement of visitor-serving facilities. The variety of proposed recreational uses, including a hay maze, a haunted barn, a play set/jumper, a petting zoo, and pony rides, offer diverse recreational activities specifically geared toward children and provide additional local employment opportunities at the property.

As proposed and conditioned, the project would comply with General Plan Policy 4.21 (*Scenic Corridors*), which seeks to protect and enhance the visual quality of scenic corridors by managing the location and appearance of structural development. The western edge of the property runs along a portion of Cabrillo Highway that is designated as a State Scenic Route. As proposed, the project would improve the property's appearance from Cabrillo Highway, as the "castle," metal gorilla, and "arena" seen in the past would be removed and the western portion of the property would remain in agricultural production (i.e., corn and pumpkin fields). Additionally, this year, the temporary hay maze structure and other commercial recreation uses would be located on the eastern half of the property, immediately adjacent to developed areas of the property (see Attachment D). In this location, the hay maze would cover a smaller area of prime soils and would be located further and be less visible from Cabrillo Highway. Also, the applicant proposes to relocate the pony ride from the center of the property to developed areas of the property.

C. CONFORMANCE WITH PLANNED AGRICULTURAL DISTRICT (PAD) REGULATIONS

The property is located within the Planned Agricultural District (PAD). The proposed seasonal commercial recreation use is not a use allowed by right in the PAD Zoning District and requires the issuance of a conditional PAD permit. The PAD regulations allow a variety of conditionally-permitted uses based on soil types.

A majority of the site is characterized by prime soils, consisting of Class II (TuB - Tunitas Clay Loam, gently sloping) and Class IV Cld2 (Sandy Loam, moderately steep). Prime soils are mapped within the prime soils line in Attachment C. Existing uses on prime soils consist of agricultural use and a developed area including a residence, a store, and agricultural structures. Proposed uses on prime soils within undeveloped areas include a smaller portion of the hay maze structure and gravel surface parking areas which adjoin developed areas. Proposed uses on prime soils within developed areas include a snack bar, petting zoo, and pony rides.

Remaining areas consist of Class VII (Ma - Mixed alluvial), areas considered "lands suitable for agriculture." These lands are mapped outside of the prime soils line in Attachment C. Existing uses on these lands consist of agricultural use,

storage use, access driveways and undisturbed areas. Proposed uses consist of a larger portion of the hay maze, a play set/jumper, a store, gravel surface parking areas, and off-season hay bale storage.

1. Uses Permitted Subject to the Issuance of a PAD Permit on Prime Agricultural Lands

Section 6353.A (*Uses Permitted on Prime Agricultural Lands Subject to the Issuance of a PAD Permit*) of the Zoning Regulations allows for such uses as public recreation, permanent road stands, and uses ancillary to agriculture on prime agricultural lands. As described previously, areas of prime soils at the property contain developed areas and agricultural areas. The applicant proposes to locate a smaller portion of the hay maze, a snack bar, a petting zoo, pony rides, and parking spaces on prime soils. However, these elements of the proposed commercial recreation use are clustered with existing development and, with the exception of the hay maze, are located in areas that are not farmed due to existing structures and access ways. The area of the hay maze will be farmed the remaining nine months of the year per Zone B of Table 3, above.

In order to approve and issue a PAD permit, the project must comply with the substantive criteria for the issuance of a PAD permit, as delineated in Section 6355 of the Zoning Regulations. Table 4 illustrates project compliance with applicable criteria:

Table 4 Substantive Criteria for the Issuance of a PAD Permit		
General Criteria	Compliance Review	Complies with Substantive Criteria?
Criteria from PAD Regulations		
The encroachment of all development upon land which is suitable for agricultural uses and other lands shall be minimized.	A main portion of the maze would be constructed in areas of non-prime soil and immediately adjacent to developed areas of the property. The hay maze would cover a smaller area of prime soils. Areas of parking are also located off of prime soils, with the exception of parking located immediately adjacent to developed areas.	Yes.
All development permitted on a site shall be clustered.	All structures and parking associated with recreational uses are clustered adjacent to or within developed areas.	Yes.
Prime Agricultural Land within a parcel shall not be converted to uses permitted by a PAD permit, unless it can be demonstrated that: a. No alternative site exists on the parcel for the use,	Prime soils cover a majority of the property and include areas that can be farmed and areas that are developed. The applicant has moved the pony ride from farmed areas to the developed area and has eliminated the "castle," "arena," train ride and metal gorilla that were located on prime soils in the past. Areas of prime soil that can be farmed would be temporarily converted to accommodate a small portion of the hay	Yes.

**Table 4
Substantive Criteria for the Issuance of a PAD Permit**

General Criteria	Compliance Review	Complies with Substantive Criteria?
Criteria from PAD Regulations		
<p>b. Clearly defined buffer areas are provided between agricultural and non-agricultural uses,</p> <p>c. The productivity of an adjacent agricultural land will not be diminished, and</p> <p>d. Permitted uses will not impair agricultural viability, including degraded air and water quality.</p>	<p>maze, a snack bar and parking. Converted areas are located immediately adjacent to developed areas. Such conversion is necessary to provide a reasonably sized and challenging maze activity and adequate parking. The maze use will not diminish soil productivity. Areas of parking (Zone F in Attachment C) would be used for container-based agriculture on Lands Suitable for Agriculture or restored and farmed in areas of Prime Agricultural Land.</p>	
<p>All lands suitable for agriculture and other lands within a parcel shall not be converted to uses permitted by a Planned Agricultural Permit unless all of the following criteria are met:⁴</p> <p>1. All agriculturally unsuitable lands on the parcel have been developed or determined to be undevelopable, and</p> <p>2. Continued or renewed agricultural use of the soils is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors (Section 30108 of the Coastal Act).</p>	<p>Prime soils and lands suitable for agriculture cover the entire property. Agriculturally unsuitable lands are heavily vegetated and undisturbed. The applicant has redesigned the project to minimize areas of agriculture which are temporarily converted, including prime soil and "lands suitable for agriculture." During the seasonal recreation period, approximately 45% of the property would remain in permanent agriculture. During the remaining nine months of the year, the entire property (with the exception of the developed area, the play set/jumper area, and undisturbed areas) will be used for agricultural production.</p>	<p>Yes.</p>
Applicable Development Review Criteria from Chapter 20A.2 of the Zoning Regulations, as required by General Criteria for Issuance of a PAD Permit		
<p>Development shall be located, sited and designed to carefully fit its environment so that its presence is subordinate to the pre-existing character of the site and its surrounding</p>	<p>The current proposal involves the removal of prominent elements of the recreation use (e.g., gorilla, "castle," "arena"), the relocation of the hay maze further from Highway 1 (State Scenic Route), and agricultural production throughout the property for most of the year.</p>	<p>Yes.</p>

⁴ Includes criteria not addressed elsewhere in this table.

**Table 4
Substantive Criteria for the Issuance of a PAD Permit**

General Criteria	Compliance Review	Complies with Substantive Criteria?
Criteria from PAD Regulations		
<p>is maintained to the maximum extent practicable.</p> <p>No use, development or alteration shall substantially detract from the scenic and visual quality of the County.</p> <p>Public views within and from Scenic Corridors shall be protected and enhanced, and development shall not be allowed to significantly obscure, detract from, or negatively affect the quality of these views. Vegetative screening or setbacks may be used to mitigate such impacts.</p>		
<p>Small, separate parking areas are preferred to single large parking lots.</p>	<p>In order to both maximize on-site parking and minimize parking on prime soils, parking spaces are concentrated in one large parking area along the southern side of the property, with dense parking in developed areas and areas further from Highway 1.</p>	<p>Yes.</p>
<p>The development shall employ colors and materials which blend in with, rather than contrast with, the surrounding soil and vegetative cover of the site. Materials shall absorb light (i.e., dark, rough textured materials). In grassland, or grassland/forest areas, all exterior materials shall be of the same earth and vegetative tones as the predominant colors of the site. Highly reflective surfaces and colors are discouraged.</p>	<p>The hay maze will utilize hay bales, a natural building material that will blend in with the agricultural setting. Structural elements of the recreational use (store, play set/jumper, snack bar) are small and clustered within developed areas of the property.</p>	<p>Yes.</p>
<p>No off-premises outdoor advertising shall be permitted. Other permitted signs shall be carefully designed to harmonize with the scenic qualities of Scenic Corridors.</p>	<p>Condition No. 9 requires associated signage to maintain same earth and vegetative tones as the predominant colors of the site (as determined by inspections by Planning staff). Condition No. 23 prohibits off-premises outdoor advertising.</p>	<p>Yes.</p>

2. Uses Permitted Subject to the Issuance of a PAD Permit on Lands Suitable for Agriculture

The proposed commercial recreation use on Lands Suitable for Agriculture complies with Section 6353(B) (*On Lands Suitable for Agriculture and Other Lands*), which allows for “commercial recreation” uses on Lands Suitable for Agriculture and Other Lands.

3. Development Standards

Agricultural development in the PAD is subject to a minimum 30-foot front setback from the front property line, while non-agricultural development is subject to a minimum 50-foot front setback. The PAD Regulations require 20-foot minimum side and rear setbacks. The front of the property is located on Cabrillo Highway. Existing residential and agricultural structures on the site are located at the rear of the property and do not approach the minimum front yard setback. Existing structures also comply with the minimum rear and side yard setback (20 feet) requirements.

Structures associated with the commercial recreation use, including the hay maze, play set/jumper, store, snack bar, petting zoo, and pony rides, are subject to setbacks relating to non-agricultural development and comply with the minimum front setback (50 feet), and rear and side yard setback (20 feet) requirements.

D. CONFORMANCE WITH THE LOCAL COASTAL PROGRAM (LCP)

The following is a discussion of project compliance with policies of the Local Coastal Program (LCP). The discussion focuses on applicable policies of the Agriculture, Sensitive Habitats and Visual Resource Components. It should be noted that LCP policies similar to policies of the PAD regulations are not discussed below, as the discussion is already provided in Section C of this report.

1. Agriculture Component

Prime Agricultural Lands

LCP Policy 5.5 (*Permitted Uses on Prime Agricultural Lands*) permits agricultural and agriculturally-related development on prime agricultural lands; non-residential development customarily considered accessory to agricultural uses including barns, storage/equipment sheds, stables for farm animals, water wells, and water storage tanks; and temporary road stands for seasonal sale of produce grown in San Mateo County, among other uses.

For areas of prime soil, the current proposal involves the following: (1) the use of the existing barn and the location of the petting zoo and the pony ride

within the developed area; (2) the temporary construction of a portion of the hay maze; and (3) location of temporary parking adjoining developed areas of the property for the proposed commercial recreation use. The following is a discussion of each project component and policy compliance:

- Use of Barn and the Location of Petting Zoo and Pony Ride within the Developed Area for Commercial Recreation Use: Proposed uses within existing developed areas of prime soils are consistent with this policy, as the proposal clusters development in an area where existing development prevents the use of prime soil for agricultural production. The uses involve the relocating of structures (previously located in undeveloped prime soil areas) to developed areas.
- Temporary Construction of a Portion of the Hay Maze: The area of prime soil that would be occupied temporarily by a portion of the hay maze (approximately 5,600 sq. ft.) has been used as an entrance to the property since at least 2005. As shown in a comparison of the site plans prepared in 2011 (Attachment F) and 2014 (Attachment D), the current proposal significantly reduces the acreage of prime soil used for the hay maze by approximately 35%. The hay maze is a temporary structure used from August 1 to November 1 and would not deplete the productivity of the soil.
- Location of Temporary Parking Adjoining the Developed Area: Temporary parking to support commercial recreation use would be located in areas used in the past for parking. These areas directly adjoin developed areas and are located at the entrance of the property. Leaks from automobiles may deplete the productivity of the soil. Contaminated soil can be removed and replaced with soil amendments to restore soil productivity in the future for agriculture in this area. Condition No. 24 has been added to require the property owner to restore the productivity of the soil in all parking areas on prime soil immediately upon the conclusion of each annual event (i.e., during the month of November) and farm the land in these areas during non-recreational months. Therefore, as proposed and conditioned, parking would not permanently deplete the productivity of the soil.

Lands Suitable for Agriculture

LCP Policy 5.6 (*Permitted Uses on Lands Suitable for Agriculture Designated as Agriculture*) permits agricultural and agriculturally-related development on lands suitable for agriculture, including agriculture and non-soil dependent agriculture uses such as greenhouses and nurseries. The policy also conditionally permits commercial recreation including country inns, stables, riding academies, campgrounds, rod and gun clubs, and private beaches. In portions of the property that are suitable for agriculture,

but do not contain prime soil, the current proposal involves the following: (1) maintenance of a play set/jumper; (2) construction of a hay maze; (3) location of temporary parking to support commercial recreation uses; (4) hay bale storage during non-recreational months and (5) container-based agriculture in parking areas. The proposed commercial recreation uses are permitted with the approval of a PAD permit. Container-based agriculture is permitted as a type of non-soil dependent agricultural use.

2. Sensitive Habitat Component

Policy 7.11 (*Establishment of Buffer Zones*) requires a buffer zone of 50 feet from the edge of riparian vegetation for perennial streams. Lobitos Creek runs along the project parcel's northeastern property line. The section of Lobitos Creek adjoining the property does not contain riparian vegetation, per the biologist report prepared by Deborah Peterson, dated September 12, 2011 (Attachment J).

3. Visual Resources Component

Policy 8.5 (*Location of Development*) requires that new development be located on a portion of a parcel where the development: (1) is least visible from State and County Scenic Roads; (2) is least likely to significantly impact views from public viewpoints, including coastal roads; and (3) best preserves the visual and open space qualities of the parcel overall. The policy also requires clustering of new development with existing development. The hay maze would be located approximately 250 feet from Highway 1, in excess of the 100-foot scenic corridor setback required by LCP Policy 8.31 (below). Proposed structures and parking uses are clustered with existing development and minimize encroachments on prime soils.

In addition to applying the Primary Scenic Resources Areas Criteria of the RM Zoning District (addressed in Section C, above), Policy 8.31 (*Regulation of Scenic Corridors in Rural Areas*) requires a minimum setback of 100 feet from the right-of-way line, and greater where possible. The closest proposed recreational structure, the hay maze, is located approximately 250 feet from Highway 1.

Policy 8.21 (*Commercial Signs*) seeks to prohibit off-premises commercial signs, brightly colored illuminated colored, rotating, reflective, blinking, flashing or moving signs, pennants or streamers and requires such directional signs to be simple, easy to read and harmonize with surrounding elements. Per Condition No. 12, during the Halloween/Pumpkin season (September 15 to October 31), the applicant is permitted to temporarily install on-site up to four (4) directional traffic signs, maximum 2 ft. x 3 ft., each visible from Cabrillo Highway. Signage is not allowed on or along

Cabrillo Highway. Signage shall prohibit parking along Verde Road and Cabrillo Highway.

E. CONFORMANCE WITH THE CONFINED ANIMAL REGULATIONS

Per Section 7700 of the San Mateo County Confined Animal Regulations, the keeping of up to five ponies on lands designated as Planned Agricultural District can be exempted by application to and approval by the Planning and Building Department. In 2003, the applicant applied for and received a Confined Animal Permit Exemption for the keeping of five ponies (County File No. PLN 2003-00264) for proposed pony rides. The applicant has met all requirements for manure and stormwater management per the stated regulations. Any increase in the number of ponies beyond five ponies will require an application for the keeping of confined animals.

F. CONFORMANCE WITH THE WILLIAMSON ACT

In 1967, the property owner, John Arata, Sr., placed the then 23-acre parcel under a Williamson Act contract (AP 67-73). Since that time, two of the parcels have been sold, with 8.37 acres of the subject parcel remaining under the ownership of Gary Arata. In 2008, the property owner returned the Williamson Act survey to the County confirming that active agriculture was occurring on the site, with annual gross revenues of not less than \$200 per acre, a requirement of the Agriculture Component of the LCP. Whether the property should remain under a Williamson Act contract will be evaluated this year, in accordance with the County's recently adopted updates to local rules and procedures.

The original contract stated that the property "shall not be used for any purpose, other than the production of agricultural commodities for commercial purposes" and that "No structures shall be erected upon said land except structures as may be directly related to and compatible with agricultural use, and residence buildings for such individuals as may be engaged in the management of said land, and their families." The contract was amended in September 2012 (Attachment H, PLN 2012-00178) to allow for the proposed commercial recreation uses.

G. REVIEW BY THE AGRICULTURAL ADVISORY COMMITTEE

On May 12, 2014, the Agricultural Advisory Committee (AAC) reviewed the project as proposed. The AAC voted unanimously to recommend that the Planning Commission approve the project, with the following recommended conditions as described below, followed by staff's response:

AAC's Recommended Conditions:

1. The permit should expire after two years, with the term to be lengthened upon renewal: Staff agrees with this recommendation. Condition No. 2

limits the permit term to 2 years and states that the lengthening of the term shall be considered at the time of renewal based on permit compliance.

2. The AAC should be consulted upon renewal: Staff agrees with this recommendation, as it reflects current procedure for review of PAD permits. Condition No. 2 requires renewal/amendment of the permit to be subject to review by the Agricultural Advisory Committee.
3. There should be a specific public complaint and enforcement protocol: Staff agrees with this recommendation. Condition No. 3 requires the applicant to install a durable sign near or on the snack bar, outside of areas used for agricultural production that provides contact information (name, phone number, and email address) of the applicant's designated representative who shall be responsible for responding to complaints regarding project operations. The sign shall be posted from August 1 to November 1, each year. The sign shall also include contact information to direct complaints to a County representative (Ana Santiago, Code Compliance Section, 650/363-7832, amsantiago@smcgov.org). The complaint would be investigated within 4 working days of the filing date of the complaint and, if confirmed, a violation case would be opened, staff would send written correspondence to the applicant and the owner, and enforcement would be escalated according to standard procedure until the violation is corrected to the satisfaction of the Community Development Director.
4. There should be specific consequences for noncompliance with conditions of approval, the Williamson Act contract, and the San Mateo County Code: Staff agrees with this recommendation. Condition No. 30 requires compliance with the amended Williamson Act contract. Per Condition No. 3, complaints would be directed to the Code Compliance Section and would follow the enforcement procedure outlined above.
5. That public complaints about the use be accepted and considered by the Planning Department and the Planning Commission: Staff agrees with this recommendation. Condition No. 2 requires complaints received by Planning staff to be considered by the Planning Commission in its review of any renewal or amendment of the permit.
6. That permit renewal fees be reduced if the applicant complies with conditions of approval, the Williamson Act contract, and the San Mateo County Code through the life of the permit: While staff appreciates the idea of providing a financial incentive for permit compliance, permit fees are based on cost recovery for staff time and materials involved in permit review and processing and cannot be reduced based on permit compliance.

H. REVIEW BY THE CALIFORNIA COASTAL COMMISSION

Planning staff provided a project referral to the California Coastal Commission (CCC). In a letter dated March 26, 2014, Renee Ananda, Coastal Program Analyst, outlines the CCC's comments on the project. The following is a summary of the main points of the letter, followed by a response by Planning staff:

1. The CCC suggests that the applicant perform a complete and comprehensive inventory of all current uses at the property and submit a plan that shows the existing conditions of the site. The applicant has submitted two maps prepared by Sigma Prime Geosciences, one showing seasonal recreation activities during the pumpkin season (Attachment D) and another showing agricultural activities during the remaining nine months of the year (Attachment C). Both maps show existing conditions.
2. The CCC states that the applicant fails to demonstrate how the hay maze, parking spaces, arena and castle are agriculturally-related uses or conditionally permitted uses consistent with the LCP. These uses should be removed from Prime Agricultural Lands. The applicant has removed the "arena" and "castle" from the proposal. Planning staff agrees that the hay maze and parking spaces are part of a commercial recreation use. However, as conditioned, these elements are temporary (3 months of the year), would not deplete soil productivity, are clustered with existing development, and minimize encroachment into areas of prime soil.
3. The CCC states that the applicant should demonstrate that the proposed activities do not diminish soil productivity at the property and should restore prime soil productivity, according to measures developed by an agricultural specialist familiar with County lands, where unpermitted development was placed. The proposal includes the relocation of structures to developed areas of the site which are not farmed due to existing development. Such areas have been converted to non-agricultural use and, in such areas, soil productivity would not need to be restored. With the exception of parking uses, the proposed recreational uses in agricultural areas would not significantly deplete soil productivity. Condition No. 24 requires the property owner to restore the quality of the soil in all parking areas on prime soil, as necessary to reestablish prime soil characteristics, immediately upon the conclusion of each annual event, in consultation with an agricultural specialist familiar with County lands, and to the satisfaction of the Community Development Director. Parking areas on prime soil shall be farmed during non-recreational months.
4. The CCC states that it must be further demonstrated that the project would not result in negative effects to visual resources of the area and that the activities are consistent with LCP Policy 8.1 (actually Policy 8.5). As discussed in Section D of this report, the project, as proposed and

conditioned, complies with applicable policies of the Visual Resources Component of the LCP, including Policy 8.5 (*Location of Development*).

I. ENVIRONMENTAL REVIEW

In 2011, Planning staff prepared an Initial Study/Mitigated Negative Declaration (2011 IS/MND) in compliance with California Environmental Quality Act (CEQA) Guidelines, which analyzed potential environmental impacts from recreational activities at the Arata Farm site from July 1 through November 31 annually, including a hay maze, pony rides, train rides, hay rides, haunted barn, pumpkin sales and private parties. The 2011 IS/MND is included as Attachment G. The public review period for this document was from April 20, 2011 to May 2, 2011. The Board of Supervisors certified the IS/MND on September 13, 2011.

The 2011 IS/MND analyzed potential environmental impacts of the 2011 proposal and included 8 mitigation measures intended to reduce projects impacts by setting a limit on the conversion of agricultural land to 3 acres (Mitigation Measure 1), requiring parking attendants during pumpkin season to assist with pedestrian and vehicular traffic and parking, requiring 144 on-site parking spaces and prohibiting parking on Cabrillo Highway and Verde Road (Mitigation Measures 2, 3, and 4), crowd control through the enforcement of approved hours of operation (Mitigation Measures 5 and 6), and limiting the number and purpose of signs to 4 directional traffic signs to minimize view impacts to the Cabrillo Highway (a State Scenic Route) (Mitigation Measure 7). The applicant has verbally consented to the mitigation measures as presented in Attachment A.

Changes between the 2011 Project and the 2014 Proposal

Section 15162 of the CEQA Guidelines establishes that, where a Negative Declaration has been prepared, it is not necessary to prepare an additional Negative Declaration unless: (1) substantial changes are proposed in the project, (2) substantial changes occur with respect to the circumstances under which a project is undertaken and/or (3) new information of substantial importance becomes known. An additional Negative Declaration must be prepared if the above conditions require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

As discussed previously, compared to the 2011 Project, three substantial changes are proposed. First, the current proposal reduces recreational activities on prime soils and does not involve train or hay rides. Second, the on-site parking plan includes 135 parking spaces instead of 144 parking spaces, in the effort to reduce encroachments onto prime soils. Third, the current proposal reduces the months of proposed commercial recreation use from July 1 through November 30 (5 months) to August 1 through November 1 (3 months).

While these changes are substantial, the changes would not result in new significant environmental impacts not covered in the 2011 IS/MND. The first and third changes result in a substantial benefit to the environment, reducing project scope and months of operation for the purpose of establishing agriculture as the primary use of the property and reducing project impacts to prime soils. The second change reduces on-site project parking by nine parking spaces. While parking spaces were eliminated from areas of prime soils, potential parking impacts have increased due to a reduction in parking spaces. Increased parking impacts would be offset by reductions in project scope (specifically reduced maze size and the elimination of hay rides, train ride, and arena) and mitigated by adopted mitigation measures that require enforcement of parking restrictions by parking attendants. As the project does not involve a new significant environmental effect or a substantial increase in the severity of previously identified significant effects, the preparation of an additional negative declaration is not required.

J. REVIEWING AGENCIES

Building Inspection Section
Cal-Fire
California Coastal Commission
Department of Public Works
Environmental Health Division
San Mateo County Agricultural Advisory Committee

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map of Project Parcel
- C. Map of Prime Soils and Agricultural Activities
- D. Map of Prime Soils and Seasonal Commercial Recreation Activities 2014
- E. Applicant's Planting Plan
- F. Map of Prime Soils and Seasonal Commercial Recreation Activities 2011
- G. Initial Study/Mitigated Negative Declaration (2011 IS/MND), dated April 20, 2011
- H. Amended Williamson Act Contract
- I. Letter from the Coastal Commission, dated March 26, 2014
- J. Biologist Report, prepared by Deborah Peterson, dated September 12, 2011
- K. Street Parking Plan

CML:TGP;jlh – CMLY0509_WJU.DOCX

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2013-00494

Hearing Date: June 25, 2014

Prepared By: Camille Leung/Tiare Peña
Project Planners

For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Based on the staff report and evidence presented at the hearing:

Regarding the Mitigated Negative Declaration, Find:

1. That on the basis of the 2011 Initial Study/Mitigated Negative Declaration (2011 IS/MND), comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project, if subject to the mitigation measures contained in the 2011 IS/MND, will have a significant effect on the environment. Project changes, from the 2011 Initial Study/Mitigated Negative Declaration (2011 IS/MND) to the current proposal, reduce project scope and months of operation for the purpose of establishing agriculture as the primary use of the property and reducing project impacts to prime soils. While parking spaces were eliminated from areas of prime soils, potential parking impacts have increased by the reduction of nine on-site parking spaces. However, increased parking impacts would be offset by reductions in project scope (specifically reduced maze size and elimination of hay rides) and mitigated by adopted mitigation measures that require enforcement of parking restrictions by parking attendants. As the project does not involve any new significant environmental effects or a substantial increase in the severity of previously identified significant effects, the preparation of an additional negative declaration is not required.
2. That the mitigation measures identified in the 2011 IS/MND have been agreed to by the applicant and property owner and placed as conditions on the project. The applicant has signed the mitigation concurrence letter, dated June 2, 2014. As mitigation measures have been incorporated into the conditions of approval for this project, in conformance with California Public Resources Code Section 21081.6, no Mitigation Monitoring and Reporting Plan is necessary.

Regarding the Planned Agricultural District Permit, Find:

3. That the proposed seasonal commercial recreation activities, associated with the traditional celebration of pumpkin season in the unincorporated area of San Mateo County, are consistent with Chapter 21A, Planned Agricultural District, of the County's Zoning Regulations. The project would not result in the permanent conversion of areas of prime soils which have not already been converted. The proposed snack bar, a petting zoo, and pony rides would be located on prime soils, but are clustered with existing development and located in areas that are not farmed due to existing structures and access ways. A smaller portion of the hay maze and parking areas located on prime soils will be dedicated to an agricultural use the remaining nine months of the year. Commercial recreation is a permitted use on lands suitable for Agriculture with the issuance of the requested PAD permit. The project complies with applicable substantive criteria for the issuance of a PAD permit, including the Development Review Criteria contained in Chapter 20A of the San Mateo County Zoning Regulations, as delineated in Section 6355 of the Zoning Regulations. Specifically, the hay maze would utilize hay bales, a natural building material that will blend in with the agricultural setting. Structural elements of the recreational use (store, play set, snack bar) are small and clustered within developed areas of the property. The applicant has moved the pony ride from farmed areas to the developed area and has eliminated the "castle," "arena," train ride and metal gorilla that were located on prime soils in the past.

Regarding the Coastal Development Permit, Find:

4. 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, specifically applicable policies of the Agriculture Component, Sensitive Habitat Component, and the Visual Resources Component, as described below:
 - a. Regarding project compliance with the applicable policies of the Agriculture Component, the proposal clusters development in an area where existing development prevents the use of prime soil for agricultural production; the proposal relocates structures (previously located in undeveloped prime soil areas) to developed areas; reduces the acreage of prime soil used for the hay maze by approximately 35%; the hay maze is a temporary structure and would not deplete the productivity of the soil; areas of proposed temporary parking would be located in areas used in the past for parking; contaminated soil would be removed and the soil amended to restore soil productivity in parking areas on prime soil annually; and commercial recreation uses are permitted on lands suitable for agriculture with the approval of the requested PAD permit.

- b. Regarding project compliance with applicable policies of the Sensitive Habitat Component, the project would not impact sensitive habitat, as the section of Lobitos Creek adjoining the property does not contain riparian vegetation, per the biologist report prepared by Deborah Peterson, dated September 12, 2011.
- c. Regarding project compliance with applicable policies of the Visual Resources Component, where LCP Policy 8.31 requires a minimum setback of 100 feet from the right-of-way line, and greater where possible, along a scenic corridor in rural areas, the closest proposed recreational structure, the hay maze, is located approximately 250 feet from Highway 1.

RECOMMENDED CONDITIONS OF APPROVAL

Note: The language of the mitigation measures of the Initial Study/Mitigated Negative Declaration (IS/MND), certified on September 13, 2011, has been modified in order to further strengthen and clarify the required mitigation.

Current Planning Section

1. This approval applies only to the proposal described in this report and submitted to and approved by the Planning Commission on June 25, 2014. Minor revisions or modifications may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with the approval. Any other changes, modifications or additions shall require an amendment to the permit at a public hearing.
2. The Planned Agricultural District Permit shall expire two (2) years from the date of approval and shall be subject to annual administrative reviews in 2014 and 2015, including inspection, and the applicable fee. Annual inspections shall be scheduled by the applicant/property owner with Planning staff and shall be completed prior to September 30 of each year. Renewal/Amendment of the permit shall be subject to review by the Agricultural Advisory Committee and the Planning Commission. Complaints received by the Planning and Building Department shall be considered by the Planning Commission in its review of any renewal or amendment of the permit. At the time of permit renewal, lengthening of the 2-year term shall be considered based on permit compliance.
3. The applicant shall install a durable sign near or on the snack bar, outside of areas used for agricultural production, which provides contact information (name, phone number, and email address) of the applicant's designated representative who shall be responsible for responding to complaints regarding project operation. The sign shall be posted from August 1 to November 1, each year. The sign shall also include contact information to direct complaints to a designated County representative (Ana Santiago, Code Compliance Section, 650/363-7832, amsantiago@smcgov.org). The complaint would be investigated within four (4) working days of the filing date of the complaint and, if confirmed, a violation case would be opened, written correspondence would sent to the applicant and the

owner, and enforcement would be escalated according to standard procedure, until the violation is corrected to the satisfaction of the Community Development Director. The applicant shall submit the precise wording of the sign for review and approval by the Community Development Director at least two (2) weeks prior to August 1 of each year.

4. The applicant/property owner shall maintain and plant additional native vegetative outside of agricultural production areas to screen all aspects of commercial recreation use (i.e., hay maze, jump houses, etc.) such that structures are minimally visible from Cabrillo Highway, to the extent feasible, in accordance with a planting plan that shall be submitted for review and approval by the Community Development Director at least two (2) weeks prior to August 1, 2014.
5. The property owner is responsible for maintaining the health of intervening vegetation necessary for screening all structures associated with commercial recreation as viewed from the Cabrillo Highway. Per Section 6324.2 of the Zoning Regulations (*Site Design Criteria*), the removal of any mature trees (those over 55" in circumference) would be subject to the issuance of a PAD permit.
6. The petting zoo shall be limited to animals traditionally associated with California coastal agriculture (i.e., sheep, goats, chickens, etc.).
7. Any increase in the number of ponies beyond five (5) ponies will require an application for the keeping of confined animals. The applicant shall comply with the approved manure and stormwater management plan per the San Mateo County Confined Animal Regulations.
8. The applicant shall relocate the pony ride and petting zoo to the approved location within the developed area and remove the "castle," "arena," train ride and metal gorilla. If stored on-site, these features shall be located within developed areas and shall not be visible from Highway 1 and/or located on prime soil. Compliance with this requirement shall be demonstrated to the satisfaction of the Community Development Director prior to the start of project operation.
9. All structures (i.e., haunted barn and sales kiosk) and signage associated with the commercial recreation use are required to maintain the same earth and vegetative tones as the predominant colors of the site, as determined by and to the satisfaction of the Community Development Director.
10. The applicant/property owner shall maintain the gravel-surface parking lot, maze structures, and other development such that pollutants (including trash and sediment) do not enter Lobitos Creek or any right-of-way.

11. Mitigation Measure 6: The applicant/property owner shall strictly adhere to the following hours/days of operation:

July 1 - November 1 (except October)

Monday - Friday: 9:00 a.m. - 6:00 p.m.
Saturday: 9:00 a.m. - 9:00 p.m.
Sunday: 9:00 a.m. - 8:00 p.m.

October

Monday - Friday: 9:00 a.m. - 7:00 p.m.
Saturday: 9:00 a.m. - 11:00 p.m.
Sunday: 9:00 a.m. - 8:00 p.m.

Violation of the hours of operation, as confirmed by Planning staff, may result in the revocation of this permit.

12. Mitigation Measure 7: During the Halloween/Pumpkin Season (September 15 to October 31), the applicant/property owner is permitted to temporarily install up to four (4) directional traffic signs, maximum 2 ft. x 3 ft. each in size, which may be visible from Cabrillo Highway. Such signs shall be installed on-site and not in the public right-of-way and shall be of the same earth and vegetative tones as the predominant colors of the site, as determined by and to the satisfaction of the Community Development Director. All signage shall be removed from the site by November 1. No signage shall be allowed on or along Cabrillo Highway.
13. Mitigation Measures 2 and 4: During the Halloween/Pumpkin Season (September 15 to October 31), the applicant/property owner shall employ at least three (3) parking attendants to assist in the facilitation of pedestrian and vehicular movement along Cabrillo Highway and Verde Road, and entering and exiting the site. The applicant/property owner shall be responsible to ensure that no parking or standing occurs on or along Cabrillo Highway or Verde Road.
14. The applicant/property owner is encouraged to explore off-site parking opportunities (i.e., a formal off-site parking agreement with property owner(s) in the area), to ease parking challenges at the site. Off-site parking shall comply with permitting requirements of the PAD and CD zoning districts.
15. At the end of the Halloween/Pumpkin Season on November 1, operation of all activities will cease immediately and, within 30 days, the applicant/property owner shall deconstruct the hay maze. Hay that is stacked for future use shall be clustered and located outside of prime soil areas and within areas minimally visible from Highway 1.
16. The applicant/property owner must commit areas of the property to active agricultural production, according to the timeframes in the table below:

Crop Production by Zone, as Shown on Map						
	A	B	C	D	E	F
November	Fallow/Cover Crop					
December						
January						
February						
March						
April	Rye Grass	Peas* Stone Pines*	Fava Beans	Corn Pumpkins*	Pumpkins	Seedlings/ Starter Plants
May						
June						
July						
August						None (Parking)
September	Harvest/Sales					None (Parking)
October	Harvest/Sales					None (Parking)
*Entire zone planted, excluding areas of the hay maze for the month of August. Note: Crop type may change, as long as an active agricultural use is maintained.						

17. The applicant/property owner shall manage trash and debris by providing covered containers placed in locations throughout publicly accessible areas of the property. Trash shall be removed in a timely manner such that there is no trash overflow.
18. The use of flashing lights on the property is prohibited.
19. A building permit shall be obtained from the Building Inspection Section prior to any construction on the property, and all construction shall be in accordance with approved plans. No hay bale structure shall exceed 6 feet in height from grade.
20. The applicant shall apply for and obtain a farm-stand license from the Environmental Health Division for and prior to the operation of the store and sales kiosk. Copies of permits shall be submitted to the Current Planning Section. Depending on the extent of both food services and water use offered by Arata Farms during the recreation season, Arata Farms must remain in compliance with all directives of the San Mateo County Environmental Health and the California Department of Public Health - Drinking Water Division.
21. Additional demand on the existing septic system or the existing well to serve the commercial recreation use is subject to Environmental Health Division review and permitting.
22. The applicant/property owner shall apply for and obtain any required permits from Cal-Fire. Copies of permits shall be submitted to the Current Planning Section.
23. Off-premises commercial signs, brightly colored or illuminated, rotating, reflective, blinking, flashing or moving signs, and pennants or streamers are prohibited, per Local Coastal Program Policy 8.21 (*Commercial Signs*). Directional signs shall be simple, easy to read and harmonize with surrounding elements.

24. The property owner shall remove gravel and restore the quality of the soil in all parking areas on prime soil, as necessary to maintain the existing agricultural productivity of these soils, immediately upon the conclusion of each annual event (i.e., during the month of November). Specific remediation actions shall be determined in consultation with an agricultural specialist familiar with County lands, submitted for the review and approval of the Community Development Director by November 7 of each year, and completed no later than November 30. The property owner shall farm the land within areas of prime soil during non-recreational months (container farming is not allowed in this area).
25. Mitigation Measure 1: The applicant/property owner shall utilize no more than 1.79 acres of the total undeveloped area of land for recreational activities. This permit does not allow any intensification or expansion of use beyond the scope of the approved project. All structures associated with the recreational use of the property (other than the barns and single-family dwelling) shall be removed, and the land made available for agricultural purposes, by November 7 of each year.
26. Mitigation Measure 3: The applicant/property owner shall maintain the 135 on-site parking spaces. All spaces shall be clearly marked with chalk prior to September 15; the applicant shall submit to the Planning Department for review and approval a parking management plan that includes placement of attendants and vehicular movement within the site. At no time shall vehicles be allowed to park along Cabrillo Highway or along areas of Verde Road where parking is prohibited.
27. Mitigation Measure 5: The applicant/property owner shall be responsible for ensuring that all visitors have left the premises within 30 minutes of the site activities' closing time.
28. Per LCP Policy 11.15(c)(2) (*Private Recreation and Visitor-Serving Facilities*), the property owner/applicant shall execute and record a deed restriction over the entire parcel and shall specify that: "Conversion of any portion of the commercial recreation facilities to a non-public, private, or member only use, or the implementation of any program to allow extended or exclusive use or occupancy of such facilities by an individual or limited group or segment of the public, shall require an amendment to the applicable permits." The applicant shall demonstrate compliance with this condition at least two (2) weeks prior to August 1, 2014.
29. The one bounce house shall be operated in compliance with the standards of the "Safe Inflatable Operators Training Organization" and/or other comparable best management practices for the safe operation of the bounce house.
30. The applicant shall comply with the Williamson Act contract, as amended by the Board of Supervisors on September 25, 2012. The contract allows for limited seasonal recreation uses, as listed in the contract. It should be noted that the contract does not permit the on-site sale of non-pre-packaged food (e.g., food prepared on-site or within a mobile food truck on-site).

Department of Public Works

31. All owners, employees, visitors and individuals otherwise associated with the property shall park on-site, or within the length of Verde Road approved by Cal-Fire and the Department of Public Works staff shown in Attachment K of the staff report. Parking along Verde Road shall accommodate a maximum of 58 parking spaces and maintain a minimum 20-foot wide paved road clearance. Applicant must discontinue use of on-street parking until Department of Public Works (DPW) requirements, including those listed below, have been met; otherwise, any on-street parking authorized by this permit will be void.

Prior to commencing any commercial recreation activities on the site, the applicant/property owner shall be required to: (1) submit a parking plan and traffic control plan to the County DPW and (2) install on standard poles with temporary CA Manual On Uniform Traffic Control Devices (MUTCD) M26F “No Parking - Fire Lane” signs at 300-foot intervals along Verde Road, with the exception of the portion of road described above, subject to the approval of the DPW via an encroachment permit. The signage plan shall describe the location, type, color, size, and mounting of proposed signage to be located along Verde Road. The applicant/property owner is responsible for the cost of all improvements and long-term maintenance of improvements. Violation of parking restrictions, as confirmed by County staff, may result in the revocation of this permit. Temporary signs shall be removed by November 7.

The applicant/property owner shall monitor all parking associated with this project within the Verde Road right-of-way. The applicant/property owner shall coordinate with Cal-Fire and the DPW to mark sections of Verde Road along which parking is allowed, as well as the individual 58 parking spaces to promote efficient parking. As required by Condition No. 32, the applicant shall contact the County Sheriff’s Office immediately if there are violations of the “No Parking” zones. Furthermore, as required by Condition No. 32, the applicant shall hire security guards and after-hour police/sheriff’s officers to ensure that the “No Parking” zones are adequately enforced.

32. Prior to the start of operation, the applicant/property owner shall restrict parking on Verde Road by complying with the following requirements, subject to the approval of the Department of Public Works (non-compliance with this condition may result in the revocation of this permit):

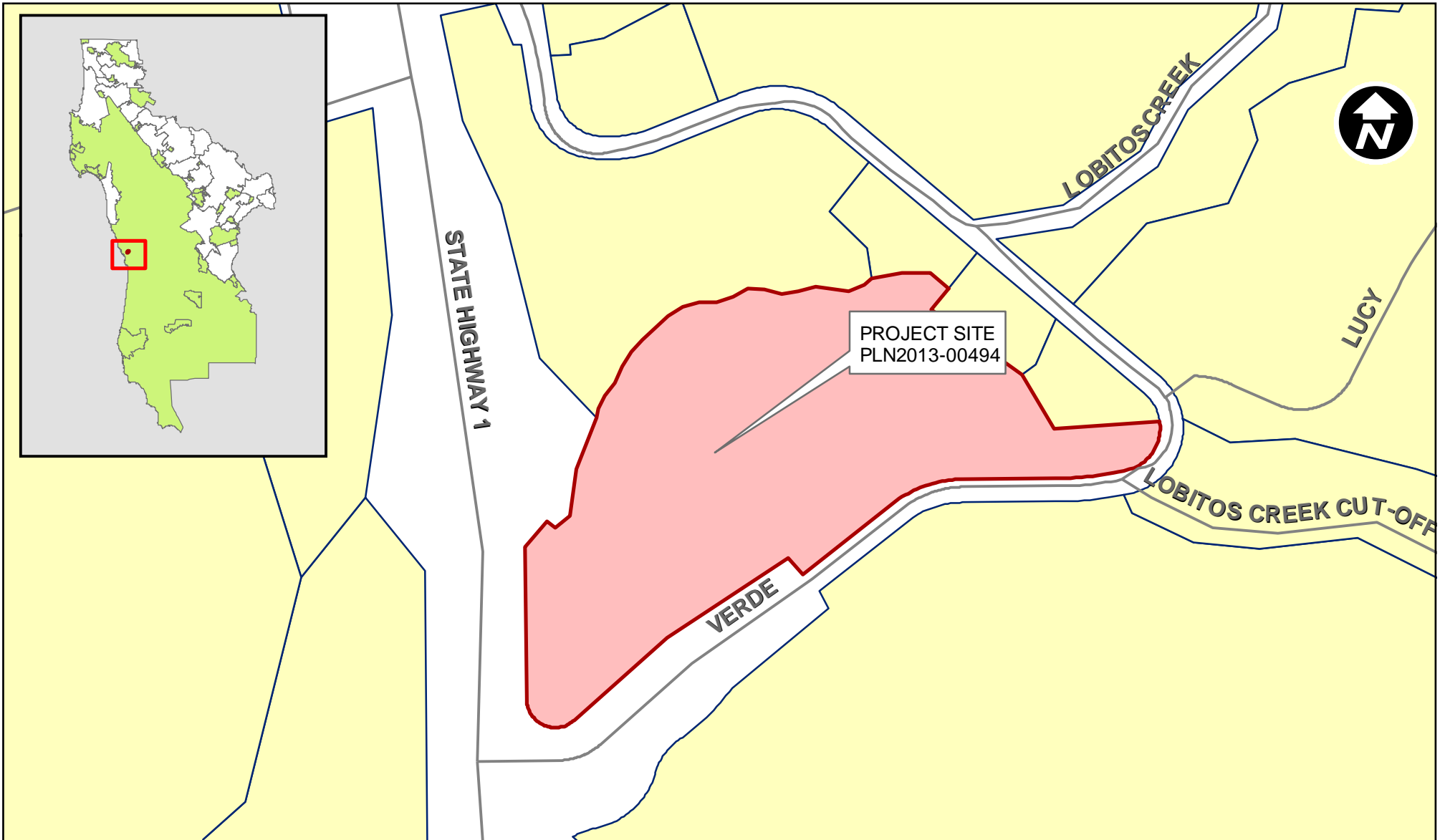
- a. Prior to the start of operation each year, the applicant shall obtain a Special Events Road Closure/Encroachment Permit for Verde Road from the Department of Public Works and comply with all applicable requirements of the permit. The applicant shall submit a plan, subject to the DPW review and approval, to restrict parking within the closed off section of Verde Road and ensure adequate pedestrian safety along Verde Road (no pedestrians are allowed on Cabrillo Highway). Issuance of the permit requires proof of authorization by the California Highway Patrol (CHP), the County Sheriff's Office, and Cal-Fire. The applicant shall pay the applicable fee to the Sheriff's Office for the adequate enforcement of the parking plan (hourly or bihourly passing checks and ticketing as necessary). For all weekends of the month of October, the applicant shall utilize a minimum of six (6) parking attendants to ensure adequate levels of enforcement. The Road Closure Permit will allow local traffic, parking of patrons along designated areas of Verde Road, and access by emergency vehicles. The applicant shall maintain a minimum road clearance of 20 feet for emergency vehicles at all times.

- b. At no time should street parking block driveways to properties or impede vehicles turning along Verde Road (i.e., at Lobitos Creek Cutoff). The applicant shall coordinate with a fire service representative to mark the limits of parking along Verde Road prior to October 1 of each year or commencement of venue operations, whichever is later.

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Vicinity Map

0 80 160 320 480 640 Feet

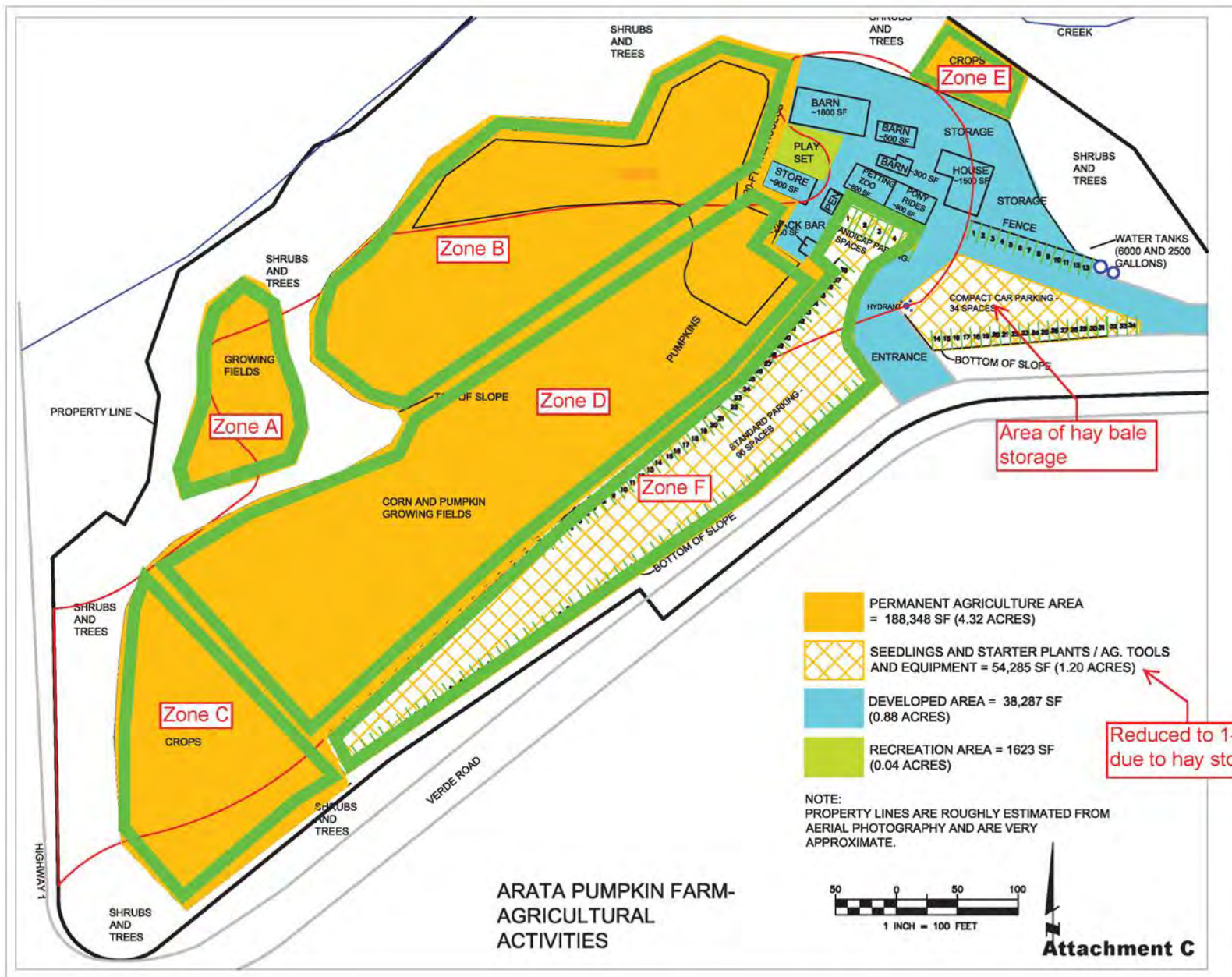


San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

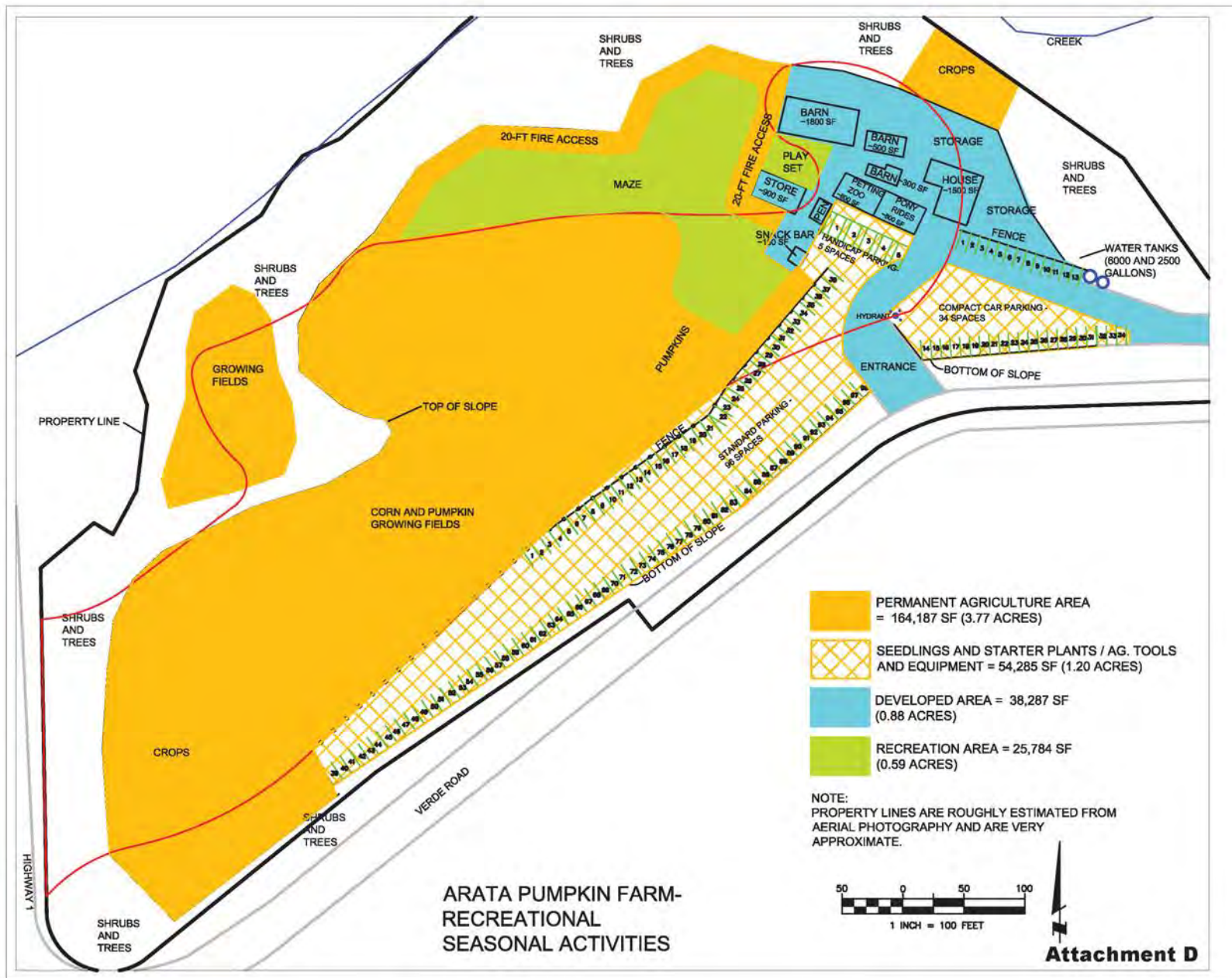


San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:

PLANTING ZONES ANNUAL ACTIVITY/MONTH					
	A	B	C	D	E
December	Fallow/Cover Crop				
January					
February					
March					
April	Plowing, Discing, Rolling, Planting				
May	Rye Grass	Peas* Stone Pines*	Fava Beans	Corn Pumpkins*	Corn Pumpkins*
June	Hoeing, Aerating, Cultivating, and Re-planting				
July					
August					
September	Harvesting, Sales, Promotion, Cleaning Up & Field Prep				
October					
November					
December					
*Entire zone planted, excluding areas of the hay maze for the month of August. Note: Crop type may change, as long as an active agricultural use is maintained.					

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



"AS-CONDITIONED" SITE PLAN

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



This document includes pages 6 and 7 which were inadvertently omitted in the Answers to Questions portion of this document as well as corrections to dates of operation on page 2 of the Notice of Intent document.

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: *Planned Agricultural Permit and Coastal Development Permit*, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2010-00207

OWNER: Gary Arata/Lillian Arata

APPLICANT: Chris and Sunneva Gounalakis

ASSESSOR'S PARCEL NO.: 066-310-080

PROJECT LOCATION: 185 Verde Road, Half Moon Bay

PROJECT DESCRIPTION: Consideration of a Planned Agricultural Permit and a Coastal Development Permit to allow the incorporation of project activities at the Arata Farm site. Such activities include a hay maze, pony rides, train rides, hay rides, haunted barn, pumpkin sales and private parties.

These activities have been in existence for approximately ten (10) years without the benefit of permits, which the applicant is proposing to remedy by this application. The site is developed with a 1,500 sq. ft. single-family residence, three (3) barns measuring 1,800, 500 and 300 sq. ft., respectively, and a 900 sq. ft. store which sells packaged snacks, agricultural sales and local miscellaneous crafts. A Confined Animal Exemption for the keeping of four (4) ponies has previously been applied for and approved on the subject property.

The following table describes the applicant's requested months and time periods of operation, Staff has presented an alternative recommendation in order to lessen any negative impacts on the surrounding neighborhood.

Elements/Structures of the Facility	Proposed	Staff Recommendation
Hours of Operation	May – November Daily: 8:30 a.m. – 11:00 p.m.	July – November (excepting October) Monday-Friday 9:00 a.m. - 6:00 p.m. Saturday: 9:00 a.m. – 9:00 p.m. Sunday: 9:00 a.m. – 8:00 p.m. October Monday – Friday: 9:00 a.m. – 7:00 p.m. Saturday: 9:00 a.m. – 11:00 p.m. Sunday: 9:00 a.m. – 8:00 p.m.
Ponies/Rides	May - November	July – November
Maze/Labyrinth/Coliseum	May - November	July – November
Train Ride	May - November	July – November
Petting Zoo	May - November	July – November
Air Jumpers	May - November	July – November
Private Party Rentals	May - November	July – November
School Field Trips	May - November	July – November
Pumpkin Picking	September - November	September – November
Haunted Barn	September - November	September – November
Movie Nights	October (Friday and Saturday) Sunset – 11:30 p.m.	October (Saturday) Sunset – 11:00p.m.

The project parcel which is located on the east side of Cabrillo Highway is developed with a 1,500 sq. ft. single-family residence, three barns measuring 1,800, 500 and 300 sq. ft., respectively, and a 900 sq. ft. store building which is being used for pumpkin sales. The parcel has been a Williamson Act contract County File Number AP67-39, since 1968. The areas for project activities are located throughout the entire parcel with some of those activities occurring on prime soils.

The area for growing of pumpkins and corn is located toward the western portion of the parcel that is designated as prime soil. Parking for 144 vehicles is located toward the southern portion of the parcel. Lobitos creek runs along the northeast perimeter of the parcel and intersects with School House Creek intersects at the northwest portion of the property. Neither creek is impacted by the activities contained on the subject parcel.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.

3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.
 - b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
 - c. Create impacts for a project which are individually limited, but cumulatively considerable.
 - d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

Mitigation Measure 1: The applicant shall not be allowed to utilize more than 3 acres of the total area of land to activities not producing agriculture. At such time that the farm related uses cease, any structures (other than the barns and single-family dwelling) shall be removed and the land made available for agricultural purposes.

Mitigation Measure 2: During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the designated parking area on the site. During the Halloween/Pumpkin Festival season, the applicant shall install no more than four directional signs within the property for the purposes of directing traffic. Such signs may be double-sided and each sign shall not exceed twenty (20) sq. ft. in area.

Mitigation Measure 3: The applicant shall maintain the 144 parking spaces within the property. All spaces shall be clearly marked with chalk prior to September 1; the applicant shall submit to the Planning Department for review and approval a parking management plan that includes placement of attendants and vehicular movement within the site. At no time shall vehicles be allowed to park along Cabrillo Highway or along Verde Road.

During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the property site.

During the Halloween/Pumpkin festival season (September 15 to October 31), the applicant no more than four signs within the property for the purposes of directing traffic only. Signs may be double-sided and each sign shall not exceed 20 sq. ft. in area.

Mitigation Measure 4: During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of vehicular movement from and to Cabrillo Highway, and within the site.

Mitigation Measure 5: The applicant shall be responsible for ensuring that all visitors have left the premises within 30 minutes of the site activities closing time.

Mitigation Measure 6: The months, days and hours of operation are as follows: July 1 to November 30 (excepting October), Monday – Friday, 9:00 a.m. – 6:00 p.m., Saturday 9:00 a.m. – 9:00 p.m., and Sunday 9:00 a.m. – 8:00 p.m.

During the month of October, Monday - Friday 9:00 a.m. – 7:00 p.m., Saturday 9:00 a.m. – 11:00 p.m. and Sunday 9:00 a.m. – 8:00 p.m.

Mitigation Measure 7: During the Halloween/Pumpkin Season (September 15 to October 31) the applicant is permitted to temporarily install up to four (4) directional traffic signs, maximum 2 ft. x 3 ft. each visible from Cabrillo Highway. Such signs shall be installed on-site and not in the public right-of-way. No signage shall be allowed on or along Cabrillo Highway.

RESPONSIBLE AGENCY CONSULTATION

None.

INITIAL STUDY

The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: April 20, 2011 to May 2, 2011

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., May 2, 2011.**

CONTACT PERSON

Tiare Peña, Project Planner
Telephone 650/363-1850



Tiare Peña, Project Planner

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County of San Mateo
Planning and Building Department

INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST
(To Be Completed By Current Planning Section)

I. BACKGROUND

Project Title: Arata Pumpkin Farm/Seasonal Recreational Activities

File No.: PLN 2010-00207

Project Location: 185 Verde Road, Half Moon Bay

Assessor's Parcel No.: 066-310-080

Applicant/Owner: Chris Gounalakis/Gary Arata and Lillian Arata

Date Environmental Information Form Submitted: April 2010

PROJECT DESCRIPTION

Consideration of a Planned Agricultural Permit and a Coastal Development Permit to allow the incorporation of seasonal and recreational activities into the normal pumpkin selling activities to occur at the Arata Farm site from July 1 through November 31. Such activities include a hay maze, pony rides, train rides, hay rides, haunted barn, pumpkin sales and private parties.

These activities have been in existence for approximately ten (10) years without the benefit of permits, which the applicant is proposing to remedy by this application. The site is developed with a 1,500 sq. ft. single-family residence, three (3) barns measuring 1,800, 500 and 300 sq. ft., respectively, and a 900 sq. ft. store which sells packaged snacks, agricultural sales and local miscellaneous crafts. A Confined Animal Exemption for the keeping of four (4) ponies has previously been applied for and approved on the subject property.

II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 11 and 12.

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
1. LAND SUITABILITY AND GEOLOGY						
Will (or could) this project:						
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay?	X					B,F,O
b. Involve construction on slope of 15% or greater?	X					E,I
c. Be located in an area of soil instability (subsidence, landslide or severe erosion)?	X					Bc,D
d. Be located on, or adjacent to a known earthquake fault?	X					Bc,D
e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?		X				M
f. Cause erosion or siltation?	X					M,I
g. Result in damage to soil capability or loss of agricultural land?		X				A,M
h. Be located within a flood hazard area?	X					G
i. Be located in an area where a high water table may adversely affect land use?	X					D
j. Affect a natural drainage channel or streambed, or watercourse?	X					E

	IMPACT				SOURCE
	NO	Not Significant	YES		
Significant Unless Mitigated			Significant	Cumulative	
2. <u>VEGETATION AND WILDLIFE</u>					
Will (or could) this project:					
a. Affect federal or state listed rare or endangered species of plant life in the project area?	X				F
b. Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?	X				I,A
c. Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?	X				F
d. Significantly affect fish, wildlife, reptiles, or plant life?	X				I
e. Be located inside or within 200 feet of a marine or wildlife reserve?	X				E,F,O
f. Infringe on any sensitive habitats?	X				F
g. Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?	X				I,F,Bb
3. <u>PHYSICAL RESOURCES</u>					
Will (or could) this project:					
a. Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or topsoil)?	X				I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
b. Involve grading in excess of 150 cubic yards?	X					I
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement?		X				I
d. Affect any existing or potential agricultural uses?			X			A,K,M
4. <u>AIR QUALITY, WATER QUALITY, SONIC</u> Will (or could) this project:						
a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?	X					I,N,R
b. Involve the burning of any material, including brush, trees and construction materials?	X					I
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?		X				Ba,I
d. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?	X					I
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?	X					A,Ba,Bc
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?	X					I

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
g. Generate polluted or increased surface water runoff or affect groundwater resources?	X					I
h. Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?	X					S
5. <u>TRANSPORTATION</u>						
Will (or could) this project:						
a. Affect access to commercial establishments, schools, parks, etc.?	X					A,I
b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?	X					A,I
c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?			X			I
d. Involve the use of off-road vehicles of any kind (such as trail bikes)?	X					I
e. Result in or increase traffic hazards?			X			S
f. Provide for alternative transportation amenities such as bike racks?	X					I
g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway?			X			S

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
6. LAND USE AND GENERAL PLANS						
Will (or could) this project:						
a. Result in the congregating of more than 50 people on a regular basis?	X					I
b. Result in the introduction of activities not currently found within the community?	X					I
c. Employ equipment which could interfere with existing communication and/or defense systems?	X					I
d. Result in any changes in land use, either on or off the project site?	X					I
e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?	X					I,Q,S
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?	X					I,S
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity?		X				I,S
h. Be adjacent to or within 500 feet of an existing or planned public facility?	X					A

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
i. Create significant amounts of solid waste or litter?	X					I
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)?	X					I
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?	X					B
l. Involve a change of zoning?	X					C
m. Require the relocation of people or businesses?	X					I
n. Reduce the supply of low-income housing?	X					I
o. Result in possible interference with an emergency response plan or emergency evacuation plan?	X					S
p. Result in creation of or exposure to a potential health hazard?	X					S
7. <u>AESTHETIC, CULTURAL AND HISTORIC</u>						
Will (or could) this project:						
a. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?			X			A,Bb
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads?	X					A,I
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height?	X					I

	IMPACT				SOURCE	
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
d. Directly or indirectly affect historical or archaeological resources on or near the site?	X					H
e. Visually intrude into an area having natural scenic qualities?	X					A,I

III. **RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)			
State Water Resources Control Board			
Regional Water Quality Control Board			
State Department of Public Health			
San Francisco Bay Conservation and Development Commission (BCDC)			
U.S. Environmental Protection Agency (EPA)			
County Airport Land Use Commission (ALUC)			
CalTrans			
Bay Area Air Quality Management District			
U.S. Fish and Wildlife Service			
Coastal Commission			
City			
Sewer/Water District:			
Other:			

IV. MITIGATION MEASURES

<u>Yes</u>	<u>No</u>
<u> X </u>	<u> </u>
<u> </u>	<u> X </u>

Mitigation measures have been proposed in project application.

Other mitigation measures are needed.

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

Mitigation Measure 1: The applicant shall not be allowed to utilize more than 3 acres of the total area of land to activities not producing agriculture. At such time that the farm related uses cease, any structures (other than the barns and single-family dwelling) shall be removed and the land made available for agricultural purposes.

Mitigation Measure 2: During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the designated parking area on the site. During the Halloween/Pumpkin Festival season, the applicant shall install no more than four directional signs within the property for the purposes of directing traffic. Such signs may be double-sided and each sign shall not exceed twenty (20) sq. ft. in area.

Mitigation Measure 3: The applicant shall maintain the 144 parking spaces within the property. All spaces shall be clearly marked with chalk prior to September 1; the applicant shall submit to the Planning Department for review and approval a parking management plan that includes placement of attendants and vehicular movement within the site. At no time shall vehicles be allowed to park along Cabrillo Highway or along Verde Road.

During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the property site.

During the Halloween/Pumpkin festival season (September 15 to October 31), the applicant no more than four signs within the property for the purposes of directing traffic only. Signs may be double-sided and each sign shall not exceed 20 sq. ft. in area.

Mitigation Measure 4: During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of vehicular movement from and to Cabrillo Highway, and within the site.

Mitigation Measure 5: The applicant shall be responsible for ensuring that all visitors have left the premises within 30 minutes of the site activities closing time.

Mitigation Measure 6: The months, days and hours of operation are as follows: July 1 to November 30 (excepting October), Monday – Friday, 9:00 a.m. – 6:00 p.m., Saturday 9:00 a.m. – 9:00 p.m., and Sunday 9:00 a.m. – 8:00 p.m. During the month of October, Monday - Friday 9:00 a.m. – 7:00 p.m., Saturday 9:00 a.m. – 11:00 p.m. and Sunday 9:00 a.m. – 8:00 p.m.

Mitigation Measure 7: During the Halloween/Pumpkin Season (September 15 to October 31) the applicant is permitted to temporarily install up to four (4) directional traffic signs, maximum 2 ft. x 3 ft. each visible from Cabrillo Highway. Such signs shall be installed on-site and not in the public right-of-way. No signage shall be allowed on or along Cabrillo Highway.

V. **MANDATORY FINDINGS OF SIGNIFICANCE**

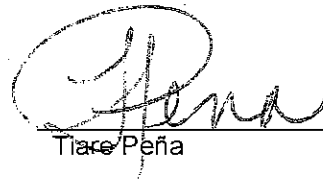
	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?		X
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable?		X
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?		X

On the basis of this initial evaluation:

_____ I find the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared by the Current Planning Section.

 X I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A **NEGATIVE DECLARATION** will be prepared.

_____ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.



Tiara Peña

Project Planner
(Title)

 4/15/2011
Date

VI. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
 - a. General Plan Chapters 1-16
 - b. Local Coastal Program (LCP) (Area Plan)
 - c. Skyline Area General Plan Amendment
 - d. Montara-Moss Beach-EI Granada Community Plan
 - e. Emerald Lake Hills Community Plan
- C. County Ordinance Code
- D. Geotechnical Maps
 - 1. USGS Basic Data Contributions
 - a. #43 Landslide Susceptibility
 - b. #44 Active Faults
 - c. #45 High Water Table
 - 2. Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H.)
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map – National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Dietz, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties – 36 CFR 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Aerial Photography or Real Estate Atlas – REDI
 - 1. Aerial Photographs, 1941, 1953, 1956, 1960, 1963, 1970
 - 2. Aerial Photographs, 1981
 - 3. Coast Aerial Photos/Slides, San Francisco County Line to Año Nuevo Point, 1971
 - 4. Historic Photos, 1928-1937

- L. Williamson Act Maps
- M. Soil Survey, San Mateo Area, U.S. Department of Agriculture, May 1961
- N. Air Pollution Isopleth Maps – Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F. and H.)
- P. Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R. Environmental Regulations and Standards:
 - Federal
 - Review Procedures for CDBG Programs 24 CFR Part 58
 - NEPA 24 CFR 1500-1508
 - Protection of Historic and Cultural Properties 36 CFR Part 800
 - National Register of Historic Places
 - Floodplain Management Executive Order 11988
 - Protection of Wetlands Executive Order 11990
 - Endangered and Threatened Species
 - Noise Abatement and Control 24 CFR Part 51B
 - Explosive and Flammable Operations 24 CFR 51C
 - Toxic Chemicals/Radioactive Materials HUD 79-33
 - Airport Clear Zones and APZ 24 CFR 51D
 - State
 - Ambient Air Quality Standards Article 4, Section 1092
 - Noise Insulation Standards
- S. Consultation with Departments and Agencies:
 - a. County Health Department
 - b. City Fire Department
 - c. California Department of Forestry
 - d. Department of Public Works
 - e. Disaster Preparedness Office
 - f. Other

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COUNTY OF SAN MATEO
Planning and Building Department

Initial Study Pursuant to CEQA
Project Narrative and Answers to Questions for the Negative Declaration
File Number: PLN 2010-00207
Arata Pumpkin Farm/Seasonal Recreational Activities

PROJECT DESCRIPTION

Consideration of a Planned Agricultural Permit and a Coastal Development Permit to allow the incorporation of seasonal and recreational activities into the normal pumpkin selling activities to occur at the Arata Farm site from July 1 through November 30. Such activities include a hay maze, pony rides, train rides, hay rides, haunted barn, pumpkin sales and private parties.

These activities have been in existence for approximately ten (10) years without the benefit of permits, which the applicant is proposing to remedy by this application. The site is developed with a 1,500 sq. ft. single-family residence, three (3) barns measuring 1,800, 500 and 300 sq. ft., respectively, and a 900 sq. ft. store which sells packaged snacks, agricultural sales and local miscellaneous crafts. A Confined Animal Exemption for the keeping of four (4) ponies has previously been applied for and approved on the subject property.

ANSWERS TO QUESTIONS

1. LAND SUITABILITY AND GEOLOGY

- a. **Will (or could) this project involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands or San Francisco Bay?**

No Impact. The project site is located on the east side of Cabrillo Highway and does not involve a unique landform or biological area.

- b. **Will (or could) this project involve construction on slopes of 15% or greater?**

No Impact. The project area is relatively flat and no permanent construction is proposed.

- c. **Will (or could) this project be located in an area of soil instability (subsidence, landslide or severe erosion)?**

No Impact. There are no known soil instability issues on this subject parcel.

- d. **Will (or could) this project be located on, or adjacent to, a known earthquake fault?**

ANSWERS TO QUESTIO.

County File No. PLN 2010-00207

Page 2

Yes, Not Significant. The San Andreas Fault is located approximately 13 miles northeast of the subject site. The proposed hay maze/coliseum will be constructed in compliance with current building codes and standards, therefore, no mitigation is necessary in the event of an earthquake.

- e. **Will (or could) this project involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?**

Yes, Significant. The eight (8) acre parcel is designated as prime soils on the San Mateo Area Prime Soils Map specifically "Loamy Soil." This soil consists of sand, silt and clay to some extent. The proposed uses upon this soil are temporary by nature and no additional permanent structures are proposed.

- f. **Will or could this project cause erosion or siltation?**

No Impact. Breakdown is a natural occurring outcome of hay as it ages, the applicant spreads the spent hay throughout the site after each pumpkin season, therefore, the project is not expected to cause an unusually significant amount of erosion or siltation.

- g. **Will (or could) this project result in damage to soil capability or loss of agricultural land?**

Yes, Not Significant. The proposed uses are temporary and do not require conversion of prime soils; therefore, no loss of agricultural lands is expected.

- h. **Will or could this project be located within a flood hazard area?**

No Impact. The project site is located within Flood Zone C (area of minimal flooding) as defined by the Federal Emergency Map Act (FEMA) map number 060311 0225 C.

- i. **Will (or could) this project be located in an area where a high water table may adversely affect land use?**

No Impact. There is no indication of the presence of a high water table occurring in this area.

- j. **Will (or could) this project affect a natural drainage channel or streambed, or watercourse?**

No Impact. The proposed uses are located at least 100 feet away from both Lobitos Creek and School House Creek which run along the northeast and northwest perimeters of the parcel; therefore, no impact is identified.

2. **VEGETATION AND WILDLIFE**

- a. **Will (or could) this project affect federal or state listed rare or endangered species of plant life in the project area?**

No Impact. The project site is not located within or adjacent to a sensitive plant habitat, as determined by review of the California Natural Diversity Database (CNDDDB).

- b. **Will (or could) this project involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?**

No Impact. No tree removal is proposed or required as part of this project.

- c. **Will (or could) this project be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?**

No Impact. The project site is not located within or adjacent to a sensitive plant habitat, as determined by review of the California Natural Diversity Database (CNDDDB).

- d. **Will (or could) this project affect fish, wildlife, reptiles, or plant life?**

No Impact. The project will not have a significant effect on fish, wildlife, reptiles, or plant life.

- e. **Will (or could) this project be located inside or within 200 feet of a marine or wildlife reserve?**

No Impact. The proposed project is not located within 200 feet of a marine or wildlife preserve.

- f. **Will (or could) this project infringe on any sensitive habitats?**

No Impact. There are no identified sensitive habitats within the project site.

- g. **Will (or could) this project involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?**

No Impact. No grading is proposed or required for the proposed project.

3. PHYSICAL RESOURCES

- a. **Will (or could) this project result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or topsoil)?**

No Impact. No removal of natural resources are proposed or required.

- b. **Will (or could) this project involve grading in excess of 150 cubic yards?**

No Impact. This project does not involve grading.

- c. **Will (or could) this project involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement?**

Not Significant. The project site is under a Williamson Act (AP 67-39). The site is an active farm producing pumpkins and corn.

- d. **Will (or could) this project affect any existing or potential agricultural uses?**

Yes, Significant Unless Mitigated. The property measures 8.37 acres, of which 2.2 acres has been designated for uses associated with project activities. However, the following mitigation measure is proposed to address the agricultural uses on the project site.

Mitigation Measure 1: The applicant shall not be allowed to utilize more than 3 acres of the total area of land to activities not producing agriculture. At such time that the commercial recreational uses cease, any structures (other than the barns and single-family dwelling) shall be removed and the land made available for agricultural purposes.

4. AIR QUALITY, WATER QUALITY, SONIC

- a. **Will (or could) this project generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?**

No Impact. No pollutants will be generated by the farm related uses on the site.

- b. Will (or could) this project involve the burning of any material, including brush, trees and construction materials?**

No Impact. The project does not involve the burning of any material.

- c. Will or could this project be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?**

Not Significant. During the pumpkin season, visitors to the site will generate some noise, however, such noise shall not exceed the levels determined appropriate according to the County Noise Ordinance standard.

- d. Will (or could) this project involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?**

No Impact. The project does not involve the application, use or disposal of potentially hazardous materials.

- e. Will (or could) this project be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?**

No Impact. There are no adjacent or nearby noise sources in excess of levels determined appropriate according to the County Noise Ordinance that would affect the project site and activities

- f. Will (or could) this project generate noise levels determined appropriate according to the County Noise Ordinance standard?**

Yes, Not Significant. The project activities would produce noise levels that would exceed the limits of the County Noise Ordinance standard. Implementation of Mitigation Measures 5 and 6 will limit site noise levels to the site and will ensure that they will not create a significant impact beyond the operating hours of the daily project activities.

- g. Will (or could) this project generate polluted or increased surface water runoff or affect groundwater resources?**

No Impact. There is no anticipated polluted or increased surface water runoff.

- h. Will (or could) this project require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?**

No Impact. The installation of a septic tank/leachfield or hookup to an existing collection system is not required. The applicant provides portable facilities for use by visitors to the farm.

5. **TRANSPORTATION**

- a. **Will (or could) this project affect access to commercial establishments, schools, parks, etc.?**

No Impact. The project will not affect access to commercial establishments, schools, parks or other amenities or services.

- b. **Will (or could) this project cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?**

No Impact. All pedestrian traffic will be contained on the farm; no increase in pedestrian traffic will be on any adjacent property.

- c. **Will (or could) this project result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?**

Yes, Significant Unless Mitigated. During the pumpkin season it is anticipated that the volume of traffic will increase at the entrance and exit of the farm and along Cabrillo Highway, therefore, the following mitigation is proposed to address vehicular traffic.

Mitigation Measure 2: During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the designated parking area on the site. During the Halloween/Pumpkin Festival season, the applicant shall install no more than four directional signs within the property for the purposes of directing traffic. Such signs may be double-sided and each sign shall not exceed twenty (20) sq. ft. in area. Signage shall be removed within thirty (30) days of the end of the seasonal activities.

- d. **Will (or could) this project involve the use of off-road vehicles of any kind (such as trail bikes)?**

No Impact. The project will not involve the use of off-road vehicles of any kind.

- e. **Will (or could) this project result in or increase traffic hazards?**

Yes, Significant Unless Mitigated. During the weekends of the Halloween/Pumpkin Festival season (September 15 to October 31), it is anticipated that traffic will increase, therefore, to mitigate any possible traffic hazards the following mitigation measure is proposed:

Mitigation Measure 3: The applicant shall maintain the 144 parking spaces within the property. All spaces shall be clearly marked with chalk prior to September 1; the applicant shall submit to the Planning Department for review and approval a parking management plan that includes placement of attendants and vehicular movement within the site. At no time shall vehicles be allowed to park along Cabrillo Highway or along Verde Road.

During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the property site.

During the Halloween/Pumpkin festival season (September 15 to October 31), the applicant no more than four signs within the property for the purposes of directing traffic only. Signs may be double-sided and each sign shall not exceed 20 sq. ft. in area.

- f. **Will (or could) this project provide for alternative transportation amenities such as bike racks?**

No Impact. The applicant is not proposing to provide for alternative transportation amenities at the site.

- g. **Will (or could) this project generate traffic which will adversely affect the traffic carrying capacity of any roadway?**

Yes, Significant Unless Mitigated. During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), it is anticipated that traffic will increase and affect carrying capacity along Cabrillo Highway, therefore, to mitigate any possible traffic hazards the following mitigation measure is proposed:

Mitigation Measure 4: During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of vehicular movement from and to Cabrillo Highway, and within the site.

6. **LAND USE AND GENERAL PLAN**

- a. **Will (or could) this project result in the congregating of more than 50 people on a regular basis?**

Yes, Significant Unless Mitigated. The number of visitors congregating at the farm will vary with the ebb and flow of the nature of the farm related activities on the site; it could exceed 50 people at any given time. The following mitigation measures are proposed to address any significant impacts to the surrounding area.

Mitigation Measure 5: The applicant shall be responsible for ensuring that all visitors have left the premises within 30 minutes of the site activities closing time.

Mitigation Measure 6: The months, days and hours of operation are as follows: July 1 to November 30 (excepting October), Monday – Friday 9:00 a.m. – 6:00 p.m., Saturday 9:00 a.m. – 9:00 p.m., and Sunday 9:00 a.m. – 8:00 p.m. During the month of October, Monday – Friday 9:00 a.m. – 7:00 p.m., Saturday 9:00 a.m. – 11:00 p.m. and Sunday 9:00 a.m. – 8:00 p.m.

- b. **Will (or could) this project result in the introduction of activities not currently found within the community?**

No Impact. While unincorporated Half Moon Bay is home to many farms that incorporate farm entertainment activities during the Halloween/Pumpkin Festival season, most of those farms are located along San Mateo Road. Further, the applicant has been providing these activities on the site for approximately ten (10) years.

- c. **Will (or could) this project employ equipment that could interfere with existing communication and/or defense systems?**

No Impact. This project will not employ equipment that could interfere with existing communication and/or defense systems.

- d. **Will (or could) this project result in any changes in land use, either on or off the project site?**

No Impact. This project will result in any changes in the current use of the land.

- e. **Will (or could) this project serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?**

No Impact. This project will not encourage off-site development.

- f. Will (or could) this project adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?**

Not Significant. This project will not adversely affect the capacity of any public facilities. Cal-Fire, Environmental Health and the County Sheriff's Office, which are familiar with the activities on the site, conduct field inspections to confirm that the site meets with all requirements.

- g. Will (or could) this project generate any demands that will cause a public facility or utility to reach or exceed its capacity?**

Not Significant. This project will not generate such demands. See discussion in previous question (6.f).

- h. Will (or could) this project be adjacent to or within 500 feet of an existing or planned public facility?**

No Impact. The project site is not adjacent to or within 500 feet of an existing or planned public facility.

- i. Will (or could) this project create significant amounts of solid waste or litter?**

No Impact. Any solid waste associated with the project will be contained in a portable facility and removed from the site. Both the County Sheriff's Office and Environmental Health, which are familiar with the activities on the site, conduct field inspections to confirm that the site meets with all requirements.

- j. Will (or could) this project substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)?**

No Impact. This project will not substantially increase fossil fuel consumption.

- k. Will (or could) this project require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?**

No Impact. This project does not require any amendments or exceptions.

- l. Will (or could) this project involve a change in zoning?**

No Impact. This project does not involve a change in zoning.

- m. **Will (or could) this project require the relocation of people or business?**

No Impact. This project will not require the relocation of people or businesses.

- n. **Will (or could) this project reduce the supply of low-income housing?**

No Impact. This project will not reduce the supply of low-income housing.

- o. **Will (or could) this project result in possible interference with an emergency response plan or emergency evacuation plan?**

No Impact. This project will not result in the interference with an emergency response or evacuation plan.

- p. **Will (or could) this project result in creation of or exposure to a potential health hazard?**

No Impact. This project will not result in the creation of or exposure to a potential health hazard.

7. **AESTHETIC, CULTURAL AND HISTORIC**

- a. **Will (or could) this project be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?**

Yes, Significant Unless Mitigated. The project is located on the eastside of Cabrillo Highway a designated Scenic Highway. Signage is not permitted along a Scenic Highway, therefore, staff proposes the following mitigation measure:

Mitigation Measure 7: During the Halloween/Pumpkin Season (September 15 to October 31) the applicant is permitted to temporarily install up to four (4) directional traffic signs, maximum 2 ft. x 3 ft. each visible from Cabrillo Highway. Such signs shall be installed on-site and not in the public right-of-way. No signage shall be allowed on or along Cabrillo Highway.

- b. **Will (or could) this project obstruct scenic views from existing residential areas, public lands, public water body, or roads?**

No Impact. This project will not obstruct scenic views from existing residential areas, public lands, public water bodies or roads.

ANSWERS TO QUESTIONS

County File No. PLN 2010-00207

Page 11

- c. **Will (or could) this project involve the construction of buildings or structures in excess of three stories or 36 feet in height?**

No Impact. This project will not involve the construction of buildings or structures in excess of three stories or 36 feet in height.

- d. **Will (or could) this project directly or indirectly affect historical or archaeological resources on or near the site?**

No Impact. This project will not directly or indirectly affect historical or archaeological resources on or near the site.


- e. **Will (or could) this project visually intrude into an area having natural scenic qualities?**

Not Significant. Although the proposed project is visible along Cabrillo Highway, the visual aspects of the project seek to blend with the rural scenic qualities of the site. The use of hay, corn and pumpkins grown on the site supports the goal of the preservation and continued farming along the San Mateo County Coastside.

ATTACHMENTS

- A. Initial Study Environmental Evaluation Checklist, March 30, 2011
- B. Site Plan
- C. Prime Soils Map
- D. Distance to Creeks Map

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<p>Recorded at the Request of, and When Recorded Return to: Melissa Ross, Project Planner Planning and Building Department 455 County Center, 2nd Floor Mail Drop PLN122 Redwood City, CA 94063 County File. No.: PLN 2012-00178</p>	<p>For Clerk</p> <p>2013-034269</p> <p>2:45 pm 03/04/13 WC Fee: NO FEE Count of Pages 6 Recorded in Official Records County of San Mateo Mark Church Assessor-County Clerk-Recorder</p>  <p>* R 0 0 0 1 6 1 1 3 2 8 *</p>
<p>Exempt from Fees Pursuant to Government Code § 27383</p>	

County of San Mateo
Planning and Building Department

6p

**CALIFORNIA LAND CONSERVATION CONTRACT
(AMENDED)**

On June 15, 2012, the County of San Mateo Planning and Building Department received a request from the property owner of APN 066-310-080 to amend the existing California Land Conservation Contract (File No. AP67-39) entered into on March 29, 1967 and recorded in Volume 5502, page 686.

This is an amended contract between the County of San Mateo, a political subdivision of the State of California (the "County"), and Gary Jay Arata, Trust ("Owner").

WITNESSETH:

WHEREAS, Owner is the Owner of certain real property in the County of San Mateo, which property is presently devoted to agricultural use and is described in Exhibit "A" attached hereto; and

WHEREAS, said property is located in an agricultural preserve that the County proposes to establish or has heretofore established; and

WHEREAS, both Owner and County desire to limit the use of said property to agricultural purposes in order to discourage premature and unnecessary conversion of such land to urban use, recognizing that such land has substantial public value as open space and that the preservation of such land in agricultural production constitutes an important physical, social, esthetic and economic asset to County; and

WHEREAS, the parties have determined that the highest and best use of such land during the life of the within contract, or any renewal thereof, is for agricultural purposes:

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

1. The within Agreement is made and entered into pursuant to the California Land Conservation Act of 1965, as amended.
2. During the term of this Agreement the above described land shall not be used for any purpose, other than the production of agricultural commodities for commercial purposes and certain compatible uses of the underlying land use designation and zoning of the parcel and subject to applicable permits, as follows: structures that are directly related to and compatible with agricultural use; residence buildings for such individuals as may be engaged in the management of said land, and their families; and agriculturally related seasonal visitor serving uses such as pony rides, hay rides, a farm animal petting zoo, a children's play area (including up to two inflatable play structures), a seasonally decorated barn, a farm-themed children's train ride, and a hay bale maze, provided, however, that for all such seasonal visitor serving uses the Owner will secure, at Owner's expense, private or public agency traffic safety services satisfactory to the Community Development Director, and further provided that no food shall be prepared on site for sale to visitors. Regardless of the applicability of permit requirements, any seasonal installation of compatible use structures and other materials on the parcel is subject to the timely approval by the Community Development Director of a site plan to ensure that annual agricultural productivity of the parcel is not substantially affected by seasonal activities. Nothing in this Agreement shall prohibit the use of the property as a farm education center pursuant to necessary permits issued by the County so long as the farm continues to be dedicated to the production of agricultural commodities for commercial purposes.
3. In the event that an action in eminent domain for the condemnation of any land described herein is hereafter filed by any public agency, the within contract shall be null and void upon the filing of such action and shall not thereafter be binding on any party hereto.
4. This Agreement shall be effective commencing on the 25th day of September, 2012, and shall remain in effect for a period of ten (10) years therefrom.

This Agreement shall be automatically renewed at the end of each year for an additional ten (10) year period, unless notice of non-renewal is given as provided in Section 51245 of the California Government Code.

5. Owner shall not receive any payment from County in consideration of the obligations imposed hereunder, it being recognized and agreed that the


consideration for the execution of the within Agreement is the substantial public benefit to be derived therefrom and the advantage which will accrue to Owner as a result of any reduction in the assessed value of said property due to the imposition of the limitations on its use contained herein.

6. The within Agreement shall run with the land described herein and shall be binding upon the heirs, successors and assigns of the parties hereto.
7. This Agreement may be canceled by mutual agreement of parties to the contract after a public hearing has been held in accordance with the provisions of Section 51284 of the Government Code. Upon such cancellation and as soon thereafter as the land to which it relates is reassessed by the Assessor, the landowner shall pay to the County an amount equal to fifty percent of the new assessed valuation of the property. If at the date of cancellation the Agreement has less than ten years to run, the amount due shall be reduced in proportion to the number of years that the Agreement would have remained in effect had it not been cancelled.

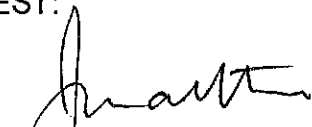
IN WITNESS WHEREOF, the parties hereto have executed the within Agreement on September 25, 2012.

COUNTY OF SAN MATEO


Dated: SEPTEMBER 25, 2012

By: 
Adrienne J. Tissier, President
Board of Supervisors

ATTEST:

By: 
John L. Maltbie
County Manager/Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:

By: 
John C. Beiers
County Counsel

PROPERTY OWNER:

GARY JAY ARATA, TRUST

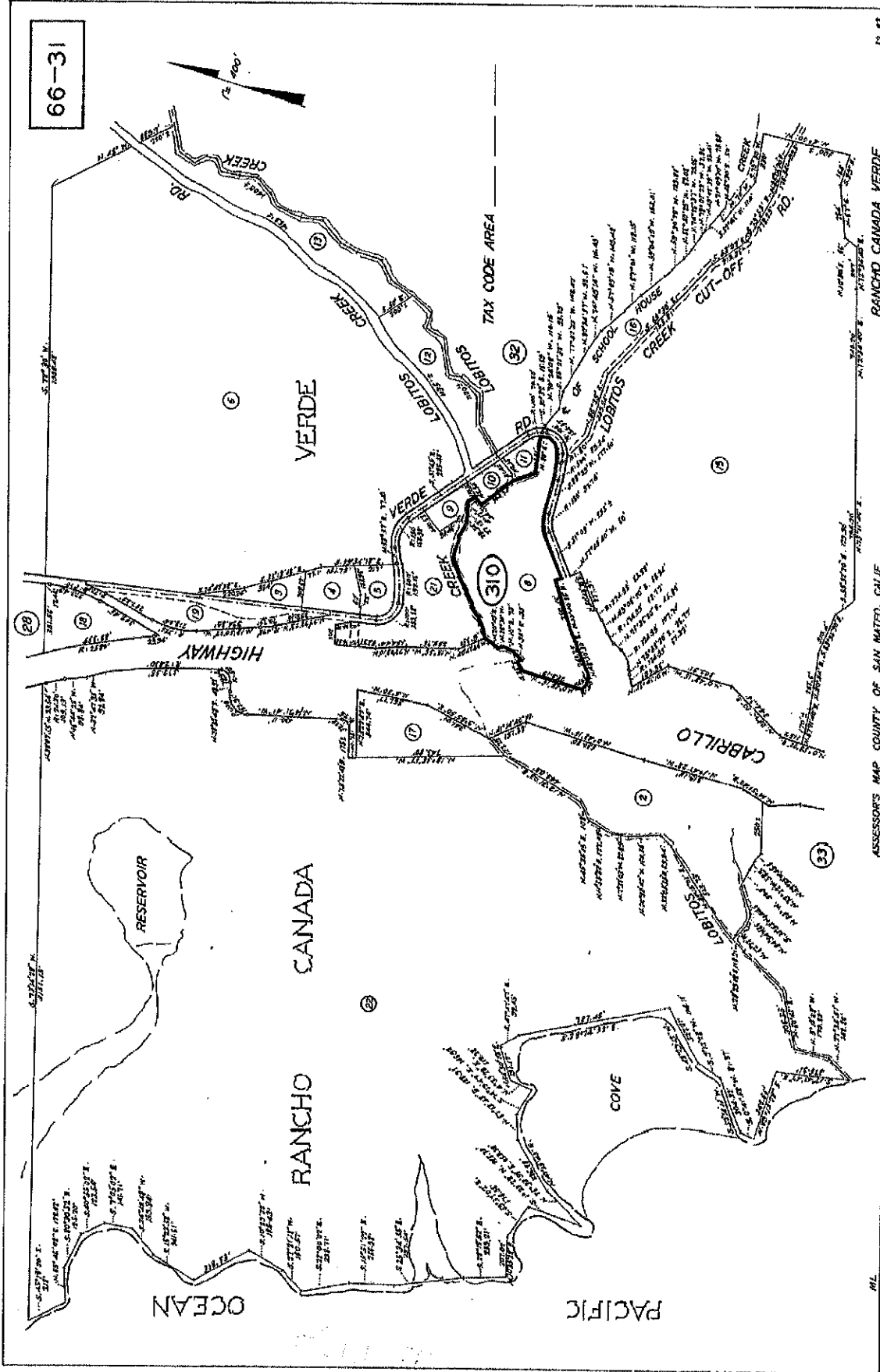
By: *Gary Jay Arata*
Gary Jay Arata, Trustee

Dated: *Feb. 25, 2013*

Exhibits:

A – Property Map and Description

RECEIVED
2013 MAR 13 A 10:11
SAN MATEO COUNTY
PLANNING AND BUILDING
DEPARTMENT



APN: 066-310-080

Legal Description: 8.37 ACS MOL BND WLY & SL Y BY CABRILLO HWY ELY & SELY BY VERDE RD NLY BY LOBITOS CRK PTN OF RANCHO CANADA VERDE CABRILLO UNIFIED SCH DISTRICT

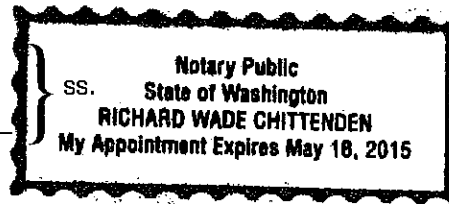
Owner: Arata Gary Jay, Trust

EXHIBIT A

WASHINGTON SHORT-FORM INDIVIDUAL ACKNOWLEDGMENT (RCW 42.44.100)

State of Washington

County of Whitman



I certify that I know or have satisfactory evidence that Gary Jay Arata
Name of Signer

is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: Feb. 25, 2013
Month/Day/Year

Richard W. Chittenden
Signature of Notarizing Officer

Notary Public
Title (Such as "Notary Public")

My appointment expires May 18, 2015
Month/Day/Year of Appointment Expiration

Place Notary Seal and/or Stamp Above

OPTIONAL

Although the information in this section is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT ST, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5260
FAX (415) 904-5400
TDD (415) 597-5885



March 26, 2014

Ms. Camille Leung
Planning and Building Department
455 County Center, 2nd Floor
Mail Drop PLN122
Redwood City, CA 94063

RE: San Mateo County PLN2013-00494 (Arata Pumpkin Farm)

Dear Ms. Leung,

Thank you for forwarding the Planning Permit Application Referral form for PLN2013-00494, Arata Pumpkin Farm, for Commission staff review. A copy of the *Proposed Site Plan* ("Proposed Plan") and the *Off Season Site Plan* were included with the referral that we received on March 4, 2014. Commission staff appreciates the additional time you extended for completion of our review and to submit comments. We also value the time Ms. Camille Leung and Ms. Tiare Peña took to discuss this proposal with Commission staff on March 20, 2014.

We acknowledge the challenging interface between traditional agricultural use of prime soils/agricultural lands and current-day, non-agricultural uses. It is, however, important to ensure that the productivity of these lands is retained to the maximum extent possible. The Coastal Commission is therefore tasked with protecting coastal resources that include Prime Agricultural Lands. San Mateo County's Local Coastal Program (LCP) Policies 5.1, 5.3, 5.5, 5.6, 5.8 along with Chapter 21A of the Zoning Regulations, afford the protection of prime soils/agricultural lands within San Mateo County. The applications submitted by the property owner seek Planned Agricultural and Coastal Development permits (PAP and CDP respectively) for activities located on 8.3 acres of land at 185 Verde Road in Half Moon Bay. The property comprises both Prime Agricultural Lands and Other Lands Suitable for Agriculture, respectively meeting the definitions of LCP policies 5.1 and 5.3. The owner, as indicated on the application forms, is seeking authorization to conduct sales of sprouts and beans, livestock, poultry, and decorative straws; and for seasonal activities such as pony rides, pet zoo, hay rides, maze, haunted barn, train rides, bounce house, erosion control, and compost.

Although the property owner/applicant amended their California Land Conservation Contract with the County to allow many of the uses under consideration for a PAP and CDP, it still remains that the proposed uses must be consistent with the policies and standards of the County's certified LCP. Commission Staff would like to provide the following comments on the permit application currently under the County's review.

The applicant submitted a Proposed Plan and an Off Season Site Plan, as noted above. The Proposed Plan presents a breakdown of uses labeled as "Agriculture", "Developed", "Recreation", and "Agriculture in Summer Recreation in October". For clarification, staff notes that although the application form includes the train ride, this element is not indicated on the Proposed Plan. County staff confirmed, during our discussion on March 20, 2014, that the train and tracks are no longer part of this proposal. The Proposed Plan shows that recreational use and other development (e.g., two entrance routes/roads, two storage locations, three barns, an animal pen, porta-potties, and house) occupy 3.3 acres of area. It is not clear whether the "Agriculture in Summer" category is included in the total number of acres proposed for recreation (2.48 acres) or the total number of acres proposed for agriculture (2.94 acres), or both. Staff suggests that the applicant conduct a complete and comprehensive inventory of all current uses at the property and submit a plan that shows the existing conditions and uses of the site. The Existing Conditions Site Plan should indicate a breakdown of the square-footage area or acreage occupied by each use, i.e., the location of the creek(s), the total acreage of prime soil on the property and acreage of land designated suitable for agriculture, the square footage for each item of existing development, including but not limited to, all storage areas and any structures.

The maze, arena, castle, pet zoo, snack bar, pony rides, fence, some of the parking lot (specifically 44 spaces, either fully or a portion of which encroach into prime soil), porta-potties, three barns, two storage areas, and the house as shown on the Proposed Plan are sited on prime soil. The Arata Pumpkin Farm is within the County's Planned Agricultural District (PAD). The PAD's purpose is to preserve and foster existing agricultural operations within the County in order to retain the maximum amount (acreage) of Prime Agricultural Lands. The purpose of the PAD is more fully outlined in Chapter 21A, Section 6350 of the San Mateo County Zoning Regulations. Commercial Recreation is a permitted use in the PAD, upon issuance of a Planned Agricultural Permit (PAP) pursuant to Section 6353. Such Commercial Recreational activities, however, can only occur on "Lands Suitable for Agriculture and Other Lands" if they are consistent with LCP Policy 5.6 and meet the criteria of Section 6355 of the Zoning Regulations. Commercial Recreation is not a permitted use on Prime Agricultural Lands under the LCP. Only agricultural and agriculturally-related development and conditionally permitted uses as outlined in LCP Policy 5.5 are permitted on Prime Agricultural Lands. The applicant fails to demonstrate that the maze, parking spaces, arena, and castle are agriculturally-related uses or conditionally permitted uses consistent with the LCP. These uses, therefore, are inconsistent with LCP Policy 5.5.

The applicant should be required to remove any proposed uses from Prime Agricultural Lands that are not permitted uses on these lands or are inconsistent with the LCP policies and standards discussed for these lands. These uses may be acceptable as Commercial Recreation (as defined in Zoning Regulations, Chapter 21A) and allowed on Lands Suitable for Agriculture as provided by LCP Policy 5.6 and Section 6353B, as long as they are consistent with Section 6355 and other applicable LCP policies and standards. Furthermore, any Commercial Recreation use at the property cannot be given priority over agricultural use, as provided under LCP Policy 11.5.

The applicant must further demonstrate that the proposed activities do not diminish the productivity of the prime soil/agricultural land at the property, consistent with Section 6350. Measures to restore prime soil productivity where unpermitted development was placed must be

Camille Leung, San Mateo County (Arata Pumpkin Farm)
March 26, 2014
Page 3

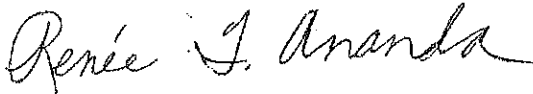
provided. Such measures must be developed by an agricultural specialist familiar with agricultural lands in San Mateo County.

The applicant, as stated above, should be required to remove the castle from prime soil and the westernmost end of the property in order to eliminate the potential for visual impacts to the Scenic Corridor along Highway 1. It must be further demonstrated that the proposed activities do not result in negative effects to visual resources of the area and that the activities are consistent with LCP Policy 8.1.

The applicant must identify measures that will be put in place to protect impacts from the development sited in areas that are Lands Suitable for Agriculture at the property particularly in areas that are directly adjacent to prime soil and creek areas, i.e. identify best management practices or measures that will be implemented to treat storm water runoff from the parking lot. An erosion control plan must be developed for the site and submitted for review and approval.

Please feel free to contact me regarding this matter. You can reach me by telephone at 415-904-5260; or in writing at the address listed in the letter head or via e-mail at rananda@coastal.ca.gov.

Sincerely,



Renée T. Ananda
Coastal Program Analyst

Enclosure

Cc: Tiare Peña, San Mateo County Planning



BioMaAS

333 Valencia St. #324, San Francisco, CA 94103
 Phone (510)814-0433 Fax (925)887-4702 www.BioMaAS.com

September 12, 2011

Mr. Chris Gounalakis
 Arata's Pumpkin Farm
 185 Verde Road
 Half Moon Bay, CA 94019

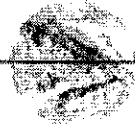
Re: Riparian vegetation along Lobitos Creek

Dear Mr. Gounalakis,

As requested, I have prepared an evaluation of the vegetation along the stretch of Lobitos Creek that lies roughly north of the maze site and runs parallel with it. The question of concern is whether or not the portion of the Lobitos Creek riparian area that is adjacent to the maze site is a "riparian corridor" as defined by San Mateo County Local Coastal Program (SMCLCP) Riparian Corridor Policies, Sensitive Habitat Component, Section 7.7. According to this definition, the boundaries of riparian corridors are to be determined by the "limit of riparian vegetation" and "riparian vegetation" is defined as consisting of red alder, jaumea, pickleweed, big leaf maple, narrow-leaf and broadleaf cattail, arroyo willow, horsetail, creek dogwood, black cottonwood, and box elder. It is further specified, "Such a corridor must contain at least a 50% cover of some combination of the plants listed."

To evaluate the species composition of the vegetation in the riparian area and determine the extent of riparian vegetation, two approaches were taken. First, at the site (on September 9, 2011), a tape was laid along the margin of the vegetation bordering the maze site. Visual estimates of vegetation were made within sequential 30-foot wide swathes (quadrats) extending across the creek along the length of the maze site. Visual observations along the margin of the riparian area were not entirely satisfactory because of the terrain's steepness and impenetrable brush, which, along with trees blocking views, made it difficult and even impossible to see all the area within a quadrat. However, it was possible to record significant components of the vegetation and establish the location of larger features, at least, while also developing a baseline estimate for riparian cover and boundaries.

For the second approach, the data from visual observation were used in conjunction with GoogleEarth to map areas of SMCLCP-defined riparian vegetation onto a recent (5/1/2011) aerial view of the area. With GoogleEarth, areas not visible from the margins of the riparian area could be viewed, but this method also had drawbacks, as discussed below. However, using both



methods together created a more reliable estimate by establishing the likely range of values for percent riparian cover within the area.

Of the listed riparian plant species, only three are present at the site: red alder (*Alnus rubra*), creek dogwood (*Cornus sericea*), and arroyo willow (*Salix lasiolepis*). By far the most abundant of these is red alder. From the visual estimates on site, riparian vegetation comprised 36% of the vegetation in the area (red alder 29%, creek dogwood 5%, and arroyo willow 2%). The balance of vegetation could largely be described as being coastal scrub and/or understory species, e.g., coyote brush (*Baccharis pilularis*), poison oak (*Toxicodendron diversilobum*), California blackberry (*Rubus ursinus*), hedge nettle (*Stachys* sp.), red elderberry (*Sambucus racemosa* var. *racemosa*), cream bush (*Holodiscus discolor*), and asters (*Symphylotrichum* sp.). There were also a number of non-native and/or non-riparian trees: Monterey pine (*Pinus radiata*, both live and dead specimens), Douglas fir (*Pseudotsuga menziesii*), and *Eucalyptus* sp.

Estimating percent cover from the GoogleEarth aerial (map provided in Figure 1, below), total riparian cover was 41% (an estimated 18,100 sq. ft. of 44,000 sq. ft. total area), with red alder comprising 38% of cover, creek dogwood 3%, and arroyo willow 1%. The tendency with this method would be to over-estimate riparian vegetation because resolution in GoogleEarth aerials does not allow for fine distinctions within patches of vegetation. This would be especially true at this site where plant species are so tightly intermingled. For example, it is virtually impossible to distinguish red elderberry from red alder on a GoogleEarth aerial. In addition, estimates of area were made assuming that patches were rectangular in shape, which would also tend to overestimate extent of area. For these reasons, the estimates from GoogleEarth should be considered at the high end of the likely range of values for percent riparian vegetation cover.

Taking both estimates into consideration, total riparian vegetation cover in the riparian area of Lobitos Creek is likely between 36% and 41%. Although elements of riparian vegetation are present, the high level of disturbance apparent in this section of the creek has likely prevented full development of a riparian plant community. My professional opinion would be that this riparian area does not qualify as a riparian corridor as defined by San Mateo County Local Coastal Program (SMCLCP) Riparian Corridor Policies, Sensitive Habitat Component, Section 7.7.

Sincerely,

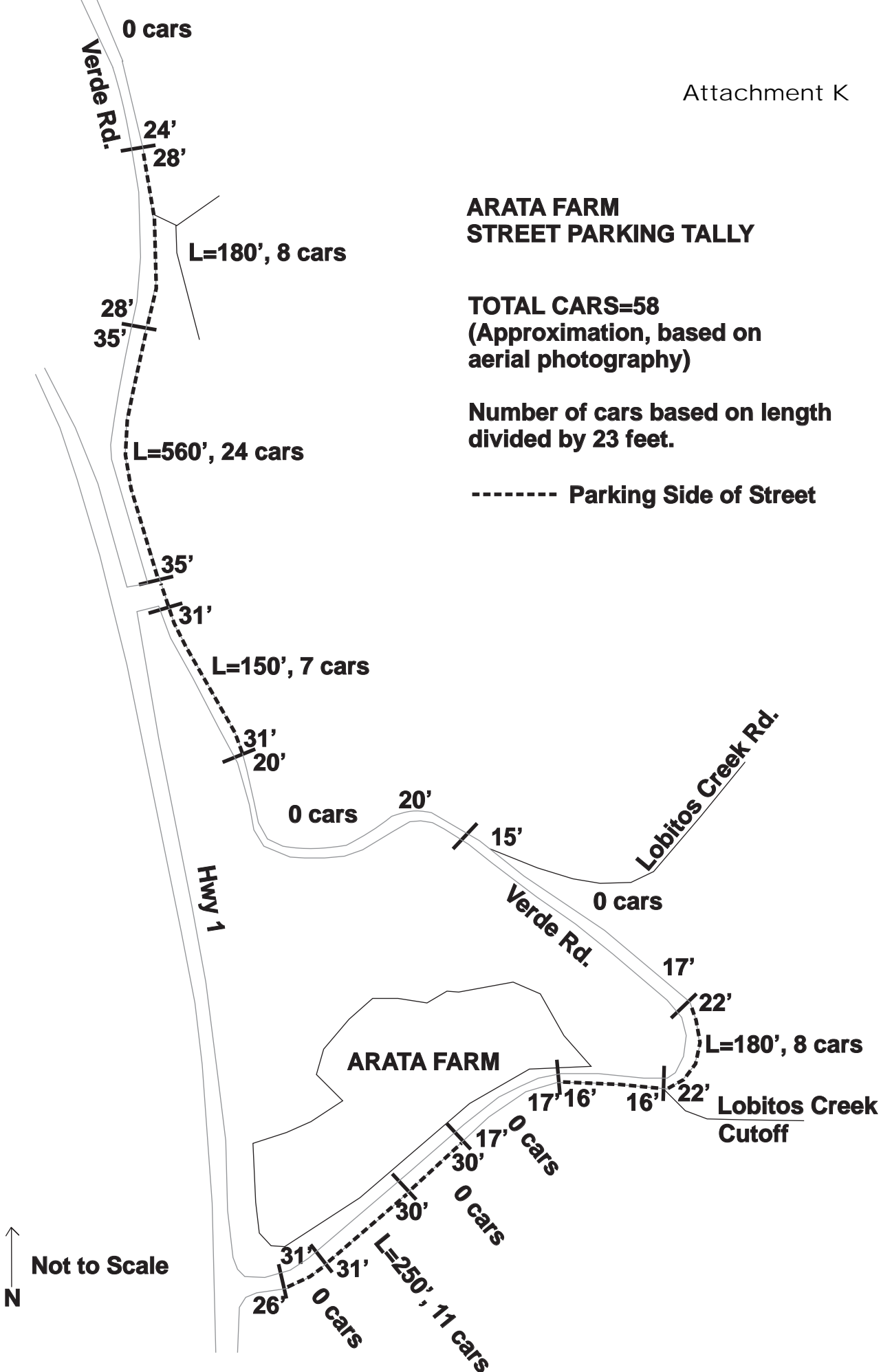
Deborah Petersen
Botanist

ARATA FARM STREET PARKING TALLY

TOTAL CARS=58
(Approximation, based on
aerial photography)

**Number of cars based on length
divided by 23 feet.**

----- Parking Side of Street



N ↑
Not to Scale