



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

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

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## MEETING PACKET

**Date:** Monday, September 12, 2016  
**Time:** 7:30 p.m.  
**Place:** Half Moon Bay Historic Train Depot  
110 Higgins Canyon Road, Half Moon Bay, California

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## AGENDA

1. Call to Order
2. Member Roll Call
3. Public Comments for Items Not on the Agenda
4. Consideration of the Action Minutes for the July 11, 2016 and August 8, 2016 regular meetings
5. Venue Change/Meeting Protocol/Future Meeting Agenda Topics
6. Consideration of a Coastal Development Permit, Planned Agricultural District Permit, Use Permit, and Architectural Review, pursuant to the County Zoning Regulations, to construct a 35 ft. high public radio tower and equipment cabinet located at 510 Hill Road, in the unincorporated Pescadero area of San Mateo County. This project is appealable to the California Coastal Commission.
7. Consideration of a Coastal Development Permit and a Planned Agricultural Permit, pursuant to Sections 6328.4 and 6353 of the San Mateo County Zoning Regulations, for one new Farm Labor Housing unit. The property is located in the unincorporated San Gregorio area of San Mateo County. The project is appealable to the California Coastal Commission.
8. Consideration of a project to comprehensively update the County's Subdivision Regulations that would: 1) incorporate changes made to the State Subdivision Map Act and relevant case law; 2) identify how to better implement County General Plan policies and the County's Local Coastal Program, such as creating more flexibility to achieve affordable housing, protecting environmental resources and other community goals; 3) integrate new subdivision types; and (4) clarify, augment, and streamline the subdivision ordinance, and the subdivision application and review process, to enhance their ease of use, within a collaborative stakeholder process.
9. Adjournment

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Agricultural Advisory Committee meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting; or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact the County Representative at least five (5) working days before the meeting at (650) 363-1857, or by fax at (650) 363-4849, or e-mail [rbartoli@smcgov.org](mailto:rbartoli@smcgov.org). Notification in advance of the meeting will enable the Committee to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it.

## ROLL SHEET – September 12, 2016

Agricultural Advisory Committee Attendance 2015-2016

	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
<b>VOTING MEMBERS</b>													
Brenda Bonner	X	X	M	M	M	X	X		X	M	X		
BJ Burns	X	X	E	E	E	X	X	X	X	E	X	X	
Robert Cevasco		X	E	E	E		X	X	X	E			
Louie Figone	X	X	T	T	T	X	X	X	X	T	X	X	
Marilyn Johnson		X	I	I	I	X	X		X	I	X	X	
Vacant			N	N	N					N			
Peter Marchi	X	X	G	G	G	X	X	X	X	G	X	X	
Doniga Markegard		X				X							
Robert Marsh	X	X	C	C	C	X	X	X	X	C	X	X	
April Vargas	X	X	A	A	A	X		X	X	A	X		
Vacant			N	N	N					N			
<b>NON-VOTING MEMBERS</b>													
Natural Resource Conservation Staff			C	C	C					C			
San Mateo County Agricultural Commissioner		X	E	E	E	X	X	X		E			
Farm Bureau Executive Director			L	L	L	X	X	X	X	L		X	
San Mateo County Planning Staff	X	X	E	E	E	X	X	X	X	E	X	X	
UC Co-Op Extension Representative		X	D	D	D	X				D			



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**Meeting Minutes**  
**Regular Meeting July 11, 2016**

**1. Call to Order**

Robert Marsh, Committee Chairman, called the Regular Meeting of the Agricultural Advisory Committee (AAC) to order at 7:31 p.m. at the San Mateo County Farm Bureau Conference Room in Half Moon Bay, California.

**2. Member Roll Call**

Robert Marsh, AAC Chairman, called the roll. A quorum (a majority of the voting members) was present, as follows:

Regular Voting Members Present

Brenda Bonner

BJ Burns

Louie Figone

Marilyn Johnson

Peter Marchi

Robert Marsh

April Vargas

Regular Voting Members Absent

Robert Cevalco

Teresa Kurtak

Doniga Markegard

Nonvoting Members Present

Steven Rosen

Nonvoting Members Absent

Jess Brown

Fred Crowder

Jim Howard

Virginia Lj Bolshakova

**3. Guest Roll Call**

Guests Present

Kerry Burke

Lorene Burns

Joey Figone  
Paul MacGregor  
Leslie Phipps  
Dante Silvestri

**4. Public Announcements/Comments for Items not on the Agenda**

7:34 Steven Rosen asked for a volunteer from the AAC to attend meetings held by the working group revising the County's tree protection regulations.

7:35 Dante Silvestri opened a discussion of the Pescadero fire station replacement project, stating that the AAC should participate in the site selection process because the high school site is on prime farmland.

7:46 Bob Marsh opened a discussion on the project at 513 Stage Road. The AAC discussed the project, and Bob Marsh stated that he would attend the Planning Commission hearing on the project.

8:08 BJ Burns asked about the Williamson Act contract status of lands crossed by the cable in PLN2014-00194.

**5. Consideration of a project to comprehensively update the County's Subdivision Regulations that would: 1) incorporate changes made to the State Subdivision Map Act and relevant case law; 2) identify how to better implement County General Plan policies and the County's Local Coastal Program, such as creating more flexibility to achieve affordable housing, protecting environmental resources and other community goals; 3) integrate new subdivision types; and (4) clarify, augment, and streamline the subdivision ordinance, and the subdivision application and review process, to enhance their ease of use, within a collaborative stakeholder process.**

8:25 Steven Rosen explained the status of the subcommittee and the laws governing its meetings. Marilyn Johnson moved to place the item on the agenda of each month's Agricultural Advisory Committee meeting and to dissolve the subcommittee. Louie Figone seconded the motion. It was approved unanimously.

8:32 Steven Rosen described the status of the project.

8:36 Louie Figone asked about additional public outreach.

8:38 Dante Silvestri said that he wanted the AAC to see a new State Parks plan.

8:42 Kerry Burke said that land subject to buffers protecting sensitive habitats, unstable hillsides, and land otherwise designated as undevelopable should not be excluded from density analysis, that drainage requirements written

for urban land are often inapplicable to rural land, and that lot retirement goes against housing affordability, that impact fees unfairly impact agricultural subdivisions that are not intended for development, and that the revision must recognize the differences between rural and urban subdivisions.

- 8:57 April Vargas stated that excluding sensitive and undevelopable areas from the minimum lot area could prevent the creation of lots where development could only be within those areas because no other place existed. April Vargas then discussed the purpose of lot retirements.
- 9:10 BJ Burns discussed agricultural subdivisions and the use of land trusts' density credits. The AAC and guests discussed POST's intentions for prime agricultural lands and hillsides.
- 9:27 The AAC reviewed the bullet points within the AAC section of the Planning Commission staff report.
- 9:45 Marilyn Johnson moved to designate April Vargas to send revised "Issues and Concerns Offered by Stakeholders" bullet points to the Planning Commission. Peter Marchi seconded the motion. The AAC approved the motion unanimously.
- 6. Consideration of the Action Minutes for the May 9, 2016, regular meeting.**
- 9:48 Marilyn Johnson moved to approve the minutes as mailed. BJ Burns seconded the motion. The motion was approved unanimously.

**Adjournment (9:48)**



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**Meeting Minutes**  
**Regular Meeting August 8, 2016**

**1. Call to Order**

Robert Marsh, Committee Chairman, called the Regular Meeting of the Agricultural Advisory Committee (AAC) to order at 7:30 p.m. at the San Mateo County Farm Bureau Conference Room in Half Moon Bay, California.

**2. Member Roll Call**

Robert Marsh, AAC Chairman, called the roll. A quorum (a majority of the voting members) was not present, as follows:

Regular Voting Members Present

BJ Burns  
Louie Figone  
Peter Marchi  
Robert Marsh  
Robert Cevalasco

Regular Voting Members Absent

Brenda Bonner  
Teresa Kurtak  
Doniga Markegard  
April Vargas  
Marilyn Johnson

Nonvoting Members Present

Steven Rosen  
Fred Crowder

Nonvoting Members Absent

Jess Brown  
Jim Howard  
Virginia Lj Bolshakova

**3. Guest Roll Call**

Guests Present

Ben Rams  
Mark Williams

Ben Wright  
Ron Stergen

Kerry Burke  
Lorene Burns  
Leslie Phipps  
Dante Silvestri  
Bob Marsh  
Rob Bartoli

**4. Public Announcements/Comments for Items not on the Agenda**

Peter Marchi stated that he would leave his cell phone on during the meeting as there is a fire near his property.

Kerry Burke stated that project at 513 Stage Road was approved by the Planning Commission. Chair Marsh and Kerry Burke spoke at the Planning Commission meeting regarding their concerns on the project. A conversation occurred regarding if the compliance of the property with the Williamson Act and the certification process for organic farming. There was also concern about why the septic system and the re-rocking of the road on the property were not reviewed by the AAC.

Dante Silvestri opened a discussion of the Pescadero fire station replacement project, stating that the AAC should participate in the site selection process because the high school site is on prime farmland. He wanted to the County to present the project to the AAC. He wanted this item on the agenda for an upcoming meeting. Chair Marsh wanted to share the AAC's concern with County staff about the use of the site and the impact on prime farmland. Vice Chair Burns wanted to understand why this property was being selected for the fire station.

Ben Rams gave an update regarding a purchase of a property by POST.

**5. Consideration of a project to comprehensively update the County's Subdivision Regulations that would: 1) incorporate changes made to the State Subdivision Map Act and relevant case law; 2) identify how to better implement County General Plan policies and the County's Local Coastal Program, such as creating more flexibility to achieve affordable housing, protecting environmental resources and other community goals; 3) integrate new subdivision types; and (4) clarify, augment, and streamline the subdivision ordinance, and the subdivision application and review process, to enhance their ease of use, within a collaborative stakeholder process.**

Steven Rosen explained the status the AAC has asked for this item to be a standing item on the agenda.

Kerry Burke gave an overview of a presentation that County staff made at a recent Planning Commission meeting. She stated that County staff does not yet have a draft of the subdivision ordinance. She stated that County staff will come back and share the draft with the AAC.

Chair Marsh asked if the ordinance would be consistent with the PAD regulations.

Steven Rosen described the status of the project.

Vice Chair Burns asked about if parcel legality will be impacted by the subdivision ordinance update and how the Williamson Act works regarding subdivisions. He would like there to be new contracts when Williamson Act parcel are subdivided instead of keep the parcels under one contract.

Ron Sterging asked Kerry Burke what the AAC should focus on regarding this issue. He stated that the subdivision cannot trump the General Plan and zoning.

Kerry Burke stated that the how the subdivision ordinance will affect the PAD regulations. She stated the subdivision process is very mechanical and deals with what is needed on the required subdivision map, while the zoning dictates the use of the property.

A conversation ensued regarding the subdivision of a property in the PAD where there are portions of the property that are prime soils and portions of a property that has non-prime soils and what can be subdivided.

A discussion occurred about agricultural uses on properties and how the proposed subdivision ordinance could impact those uses. This included owning vs renting farm land for farmers.

**6. New Meeting Location.**

Steve Rosen stated that the next meeting of the AAC will be at the Half Moon Bay Historic Train Depot on Higgins Canyon Road. He announced that this will be his last AAC meeting. Rob Bartoli will be staff from the County Planning Department to the AAC. More information about the September meeting will be upcoming. Chair Marsh thanked Steve Rosen for work with the Committee.

**7. Consideration of the Action Minutes for the May 9, 2016, regular meeting.**

Action on the minutes for the July 11, 2016 were continued to the September 12, 2016 meeting due to lack of a quorum. Dante Silvestri had one correction of the minutes regarding his statement regarding the



Pescadero Fire. The statement should read that the fire station is on prime farm land, not near.

**Adjournment (8:38 p.m.)**

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

**DATE:** September 12, 2016

**TO:** Agricultural Advisory Committee

**FROM:** Dave Holbrook, Senior Planner, Planning Staff, (650) 363-1837

**SUBJECT:** Consideration of a Coastal Development Permit, Planned Agricultural District Permit, Use Permit, and Architectural Review, pursuant to the County Zoning Regulations, to construct a 35 ft. high public radio tower and equipment cabinet located at 510 Hill Road, in the unincorporated Pescadero area of San Mateo County. This project is appealable to the California Coastal Commission.

**PROPOSAL**

The applicant has applied for a Coastal Development Permit, Planned Agricultural District Permit (PAD), Use Permit, and Architectural Review, to construct a 35 ft. high community FM public radio tower (supported by guy wires and placed upon an 8' x 10' concrete slab), which would include a small radio equipment cabinet (36" wide x 52" tall x 29" deep). Structurally, the tower is of a nearly 12" equilateral triangle design. A chain link fence for security (and as required by the FCC) would be placed around the facility. The radio tower facility would be located about 90 feet from the southeast corner of an existing (but unused) agricultural storage building and located at the terminus of an existing access road into the parcel. Power to the radio tower facility would be via underground conduit leading from the nearby storage building to the tower equipment cabinet. Once installation of the tower facility is completed, minimal use of the site will be required. The antenna will broadcast 89.3 KPDO Pescadero Community Radio (currently broadcasting from 1956 Pescadero Creek Rd.) at a strength of 100 watts, whose content will be both entertainment and crucial community information and announcements. No trees or significant vegetation shall be disturbed. No grading (except minor for undergrounding of conduit) is required. No water is required. Due to the remote nature of the Pescadero area, radio station transmissions are not possible; this facility will bridge that transmission and service gap.

**DECISION MAKER**

Planning Commission

**QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE**

1. Will the project have any negative effect on surrounding agricultural uses? If so, can any conditions of approval be recommended to minimize any such impact?

2. What position do you recommend that the Planning Department staff take with respect to the application for this project?

## **BACKGROUND**

Report Prepared By: Dave Holbrook/Senior Planner

Applicant: Pescadero Community Radio Station (KPDO)

Owners: Bruce & Sandra Durham

Location: 510 Hill Rd., Pescadero

APNs: 086-171-050

Size: Approximately 20 acres

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

General Plan Designation: Agriculture

Williamson Act Contract Status: The subject parcel is not under a Williamson Act contract.

Parcel Legality: The parcel is Lot 21 of the "Peninsula Farm Company's Subdivision No. 1", recorded in County Records January 8, 1923. Subsequent development constructed on this parcel (the agricultural storage structure, built in the 1940s, which still exists) confirms its legal status.

Existing Land Use: Unused agricultural storage building; no other activity on parcel

Water Supply: N/A (No potable or non-potable water source or well exists);

Sewage Disposal: N/A

Flood Zone: FEMA Flood Insurance Rate Map designation indicates parcel as Zone X, Area of 0.2% annual chance of flood, Community Panel No. 06081C0451E, dated October 16, 2012.

Environmental Evaluation: Mitigated Initial Study/Negative Declaration, to be completed and circulated for the requisite 21-day review period at a later date, but prior to the Planning Commission's consideration.

Setting: The 20-acre parcel is vacant, except for an old agricultural storage building that has apparently been there since the 1940s. The parcel's topography is gentle, with its elevation decreasing in a westerly direction. The parcel's access is taken from the

western terminus of Hill Rd, itself accessible via Reservoir and Artichoke Roads. While a PAD/CDP application was submitted to legalize a mobile home for the purpose of farm labor housing (Case No. PLN2012-00102), that application was closed and the FLH unit subsequently removed from the site. Otherwise, the parcel has not been farmed in a long time. The existing storage building has power, fed to it from a legally installed utility line from a utility pole along Hill Road. While many of the surrounding parcels are farmed, none have residences on them.

*Will the project be visible from a public road?*

Yes. The 35 ft. high radio tower would be located approximately 2,250 lineal feet (measuring perpendicularly) from Cabrillo Highway. While the tower would be visible, its impact as seen from the highway at that distance is minimal; the nearby PG&E power pole (just to the north) is far more noticeable.

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

No. The radio tower facility would be located in an area previously occupied by a mobile home trailer, which has since been removed. There is no vegetation that needs to be removed, nor is there any habitat in the immediate proximity that would be threatened or impacted by the project.

*Is there prime soil on the project site?*

Yes. Prime soils (Class III) cover a significant portion of the parcel, including where the radio tower facility is proposed. The only areas of the parcel that aren't covered with prime soils are to the far east and far west of the property. See discussion below under "Compliance with PAD Regulations".

## **DISCUSSION**

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

1. Compliance with PAD Regulations:

Zoning Regulations Chapter 24; Use Permits), Section 650(b) allows the location of public service uses (which a public radio transmission tower is considered) when found to be necessary for the public health, safety, convenience or welfare. The provision of a public radio station is considered a critically necessity to serve the Pescadero area residents. That said, such a facility is allowable in the PAD upon issuance of a Use Permit and PAD permit.

Pursuant to PAD regulations, Section 6355 (*Substantive Criteria for Issuance of a PAD Permit*), a PAD permit requires evidence that demonstrates that any conversion of prime lands (which this project

involves) from an agricultural use (or in this case potential agricultural use) will result in uses which are consistent with the purpose of the PAD (Section 6350), which are upheld per the discussion below. Of the PAD criteria, the following are applicable here:

a. "General Criteria" - a) the encroachment of all development upon land which is suitable for agricultural use is minimized, since the tower is located at the terminus of an existing access road, leaving all surrounding land on the parcel available for agricultural use; b) all development is clustered; the tower and equipment box is located together and 90 feet from the storage building; c) every project conforms with the Development Review Criteria (Zoning Regulations; Chapter 20A.2); the project, given its location and scale, qualifies and/or poses no adverse impacts to this Chapter's Environmental Quality, Site Design, Cultural Resources, Hazards to Public Safety, Primary Scenic Resources, Primary Fish and Wildlife Habitat Areas, Agricultural Resources Area, Primary Water Resources Area, or Primary Natural Vegetative Areas criteria.

b. "Criteria for Conversion of Prime Agricultural Lands" - As stated, most of the parcel, including the project site, is covered with Prime (Class III) soils. The only areas of the parcel that aren't covered with prime soils are to the far east and far west of the property. However, the PAD regulations allow the conversion of prime soils with a PAD permit when it can be demonstrated that:

(1) No alternative site exists on the parcel for the use.

*Staff Response:* The tower facility and the driveway leading to it are designated as Prime Soils, but are previously disturbed and already accessible area, in close proximity to the nearby storage building, from which it would be fed power via underground conduit. Locating the facility behind and to the west of the storage building (where there are no prime soils) is not an option, due to the lower topography, thus inhibiting the tower's transmission ability. Location off prime soils farther to the parcel's western-most boundary would require additional disturbance of the soils from an extended access road, as well as the added distance to run the underground power to a facility located further from its power source. Locating it off prime soils to the parcel's eastern-most boundary would also trigger the same extended disturbance.

(2) Clearly defined buffer areas are provided between agricultural and non-agricultural uses.

*Staff Response:* While there are no ongoing agricultural uses occurring on the parcel, the radio tower's location at the terminus of an access road

generally provides a delineation between it and any future agricultural uses. Given the parcel's size, there is ample room for the provision of agriculture and related uses on the remainder.

(3) The productivity of an adjacent agricultural land will not be diminished.

*Staff Response:* While the lands to the north and east of the subject parcel are farmed, they are separated by Hill and Reservoir Roads, and thus their agricultural productivity would not in any way be diminished. The lands to the west and south are far enough away such that their farm productivity would also not be diminished.

(4) Public service and facility expansions...will not impair agricultural viability, including by increased assessment costs or degraded air and water quality.

*Staff Response:* With the radio tower facility being considered a “public service”, this criteria applies. Its location on a 20-acre parcel, as previously discussed, will not impair the agricultural viability of the subject parcel or of any surrounding lands, it should not affect the parcel’s assessment, nor – being an unmanned radio tower – result in any degraded air or water quality impacts.

## 2. Compliance with Local Coastal Program (LCP) Policies:

The applicable LCP policies are found under the “Agriculture” and “Visual Resources” Components; the “Sensitive Habitat” Component is not applicable, since no such habitat or resources exist in the project’s immediate vicinity.

a) Agriculture. As previously stated, the subject parcel is predominantly covered with Prime (Class III) soils, with the remaining soils (to the far east and west ends of the parcel) considered “Lands Suitable For Agriculture and Other Lands”. The project’s compliance with LCP Policies 5.5 (*Permitted Uses on Prime Agricultural Lands Designated as Agriculture*) and 5.8 (*Conversion of Prime Agricultural Land Designated as Agriculture*) is as previously discussed Section 1 (Compliance with PAD Regulations) of this report. The project will not consume any agriculturally used land or otherwise diminish the parcel’s potential for such use in the future.

b) Visual Resources. As previously stated, the radio tower is located within and will be visible from Cabrillo Hwy, a State Scenic Corridor. However, is compliant with Policies 8.18 (Development Design) and 8.31 (Regulation of Scenic Corridors in Rural Areas) due to: (1) its distance of 2,250 ft from the Highway, (2) its 35 ft. height and narrow structural shape, (3) its relatively small footprint on the ground, and (4) its power source will be via

undergrounded conduit. Thus its visibility from and impact to the scenic resources along Cabrillo Hwy would be minimal.

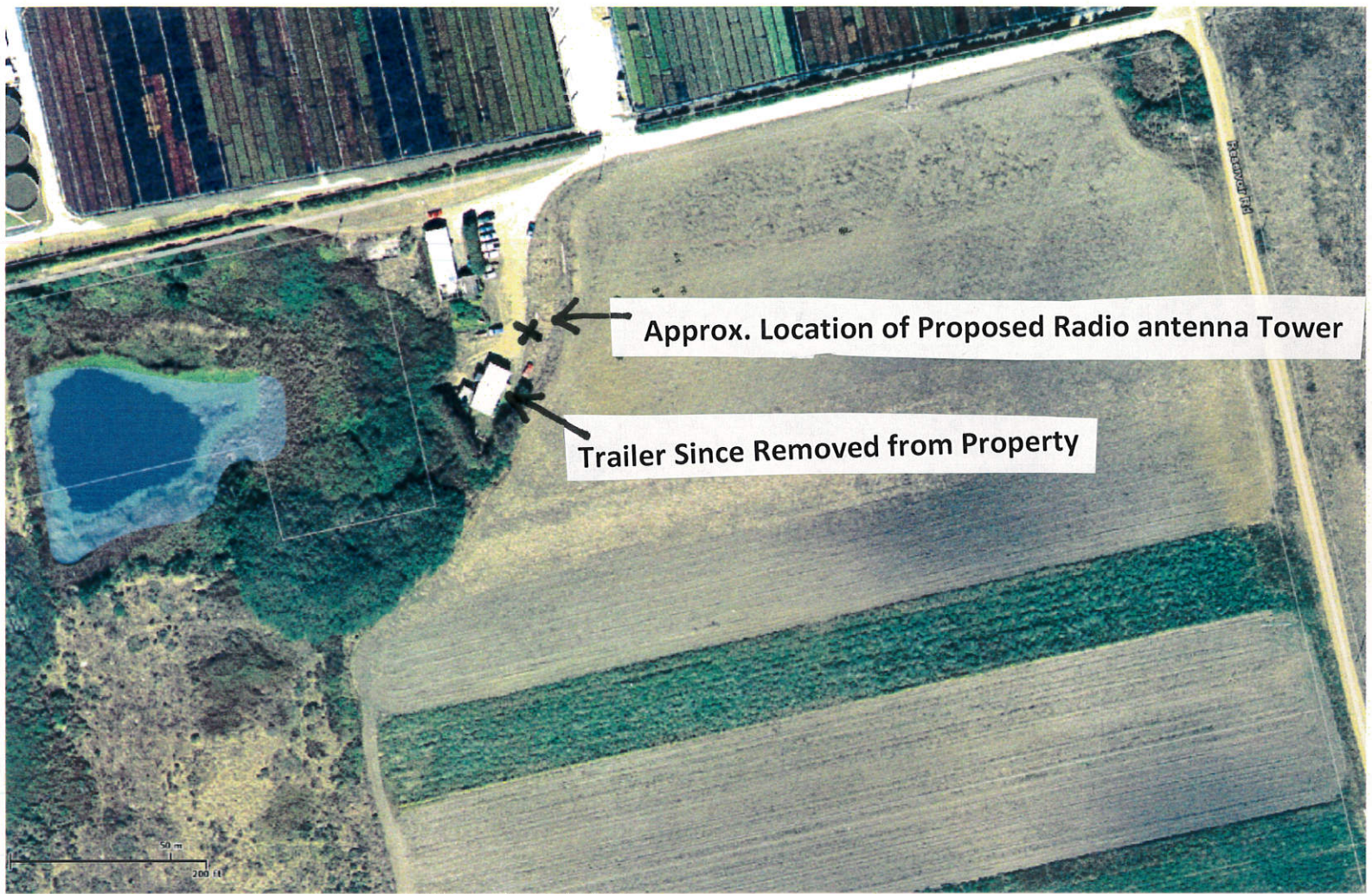
3. Compliance with the Williamson Act:

The subject property is not under an existing Williamson Act contract.

**ATTACHMENTS**

- A. Project Location Map
- B. Prime Soils Map
- C. Site Plan & Tower Elevations
- D. FM Antenna Detail

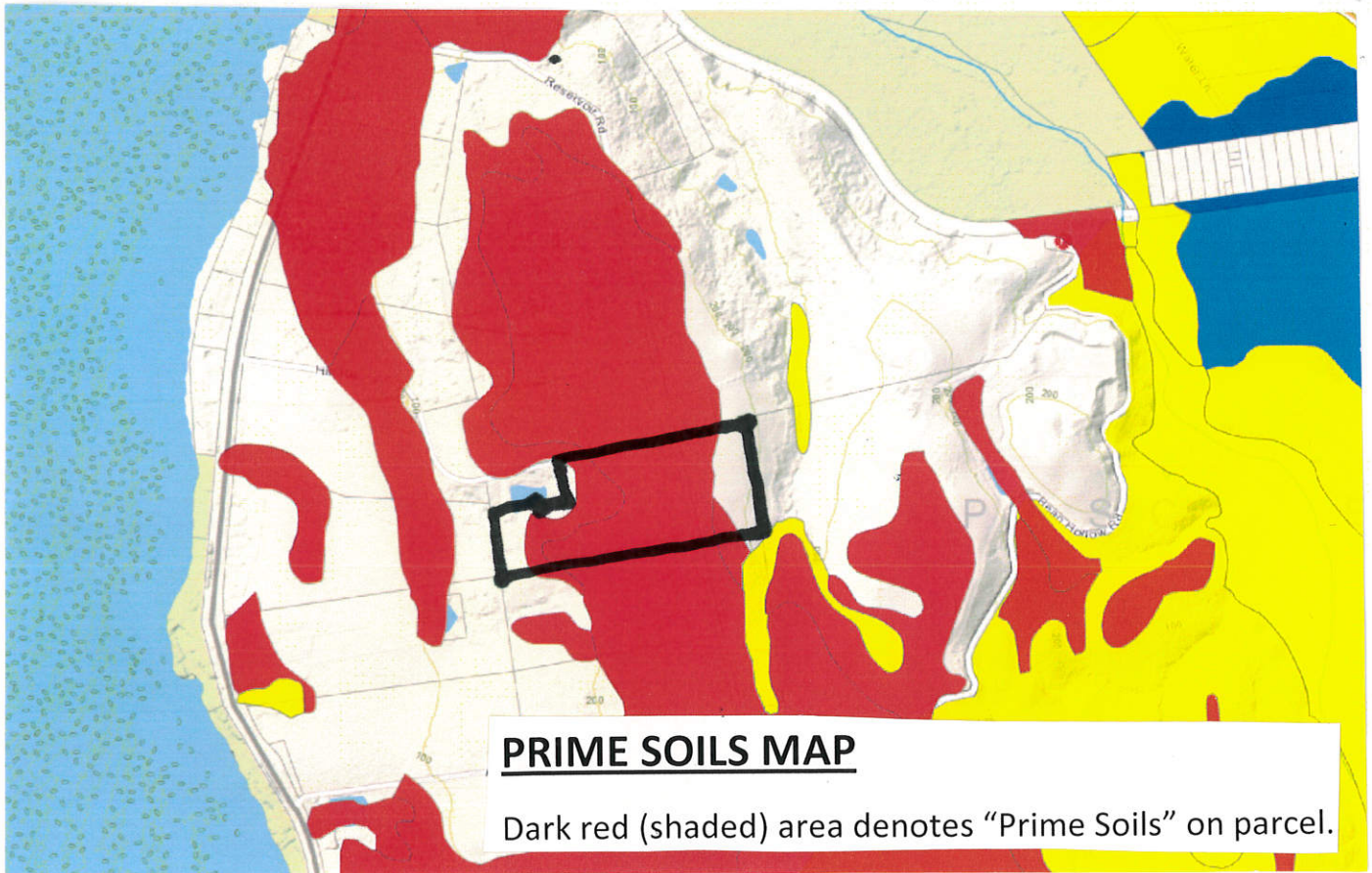




Approx. Location of Proposed Radio antenna Tower

Trailer Since Removed from Property

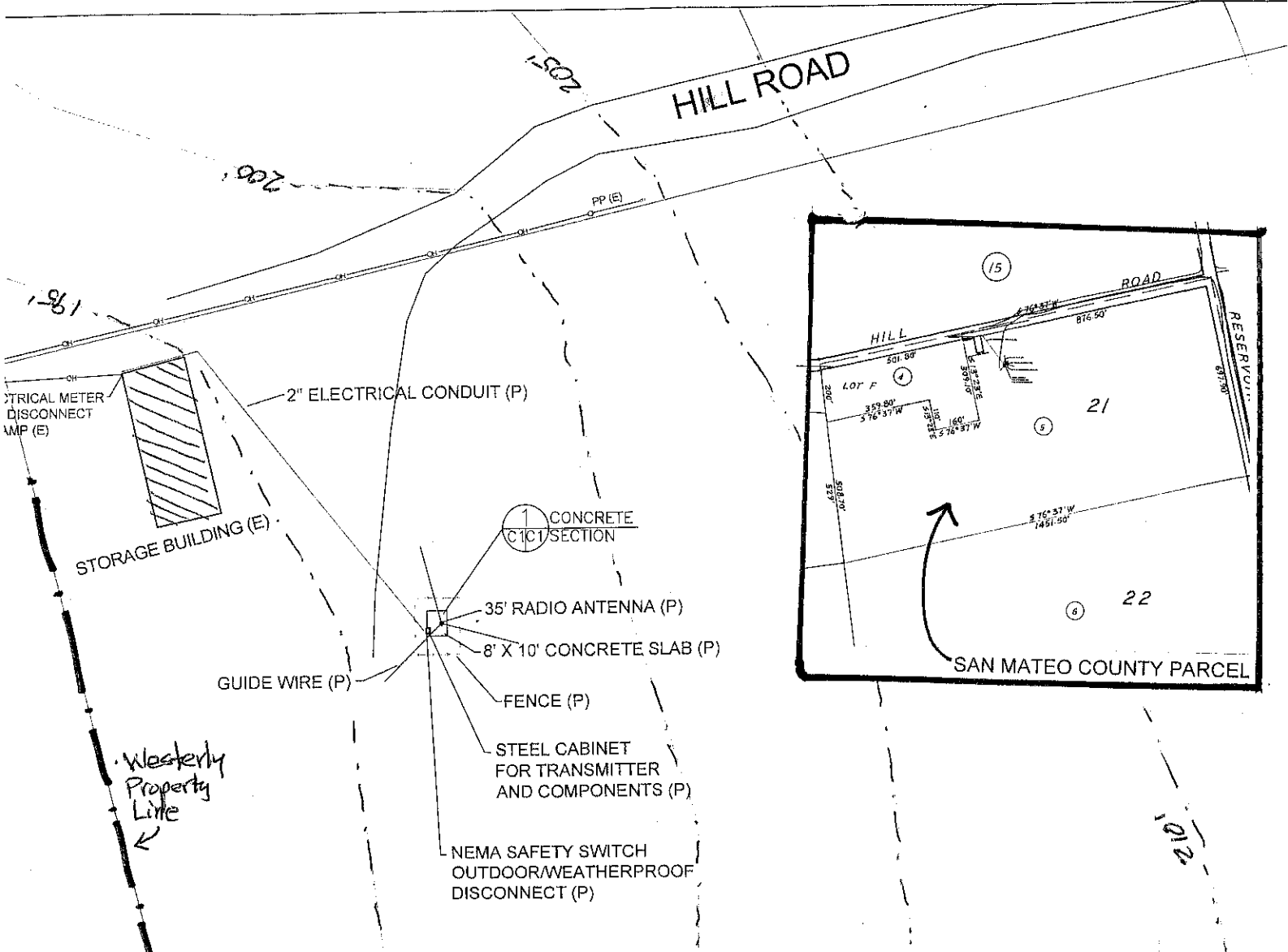
Disclaimer: Information displayed here is for reference. For precise boundary data or information, consult official records. Printed Wed Aug 24 2016 01:48:25 PM.



**PRIME SOILS MAP**

Dark red (shaded) area denotes "Prime Soils" on parcel.





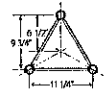
**GUYED TOWERS - 25G**

**STANDARD 25G GUYED TOWER**      **STANDARD 25G GUYED TOWER SECTIONS**

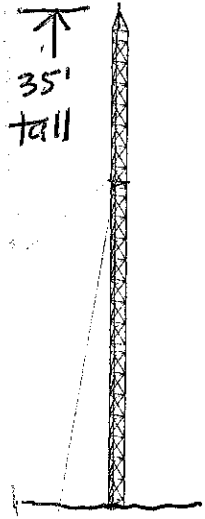
**ROHN 25G**  
The first. The original.



**25G**



QUICK REFERENCE	
PARTS & ACCESSORIES	PAGE 3
GROUNDING INFORMATION	PAGE 4
FOUNDATION INFORMATION	PAGES 4



**GENERAL USE**

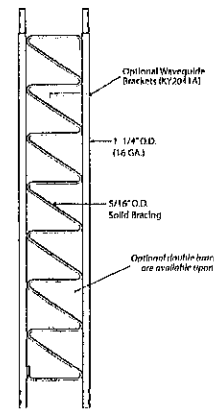
The 25G is available in the standard 10' section length and a 7' length which is UPS shippable. The 25G uses double bolted joints, proven to be the best method of joining tower sections for sturdiness and dependability. As a guyed structure, the 25G standard designs rise to a height of 190'.

**FEATURES**

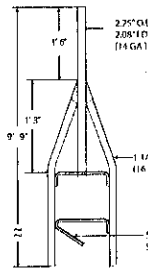
- Completely hot-dip galvanized after fabrication
- Built on an 11 1/4" equilateral triangle design.
- High strength tubular legs joined by Zip-Zag® cross members
- Each 7' or 10' section contains all required nuts and bolts shipped with section
- Continuous solid round steel bracing

**CAUTION**  
Mixing copies of ROHN towers with ROHN towers is dangerous and voids all engineering and warranty data supplied by ROHN. Materials used by others are not the same quality and have not been tested or engineered by ROHN. Mixing ROHN tower sections with non-ROHN products may cause tower failure or injury.

For Rohn G requirements, any structure greater than 10' requires a climber safety device. Please see page 40 for ordering information.



STANDARD SECTION - 25G - 10' Section  
OPTIONAL 7' SECTION - 25G 7' Section (the 7' section is UPS shippable)



STANDARD TOP SECTION - 25A02

Additional 25G top sections are shown on page 37.



CONCRETE BASE PLATE - RUC 25GP FOR USE WITH ANY Rohn 25G GUYED TOWER STRUCTURE. Additional base information available please see page 18.

\* Towers mounted on these bases must be braced or gapped at all times. Temporary steel bracing may also be necessary during erection and dismantling.

**RADIO TOWER ELEVATION**

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

**DATE:** September 12, 2016

**TO:** Agricultural Advisory Committee

**FROM:** Rob Bartoli, Planning Staff, 650/363-1857

**SUBJECT:** Consideration of a Coastal Development Permit and a Planned Agricultural Permit, pursuant to Sections 6328.4 and 6353 of the San Mateo County Zoning Regulations, for one new Farm Labor Housing unit. The property is located in the unincorporated San Gregorio area of San Mateo County. The project is appealable to the California Coastal Commission.

County File Number: PLN2016-00257

**PROPOSAL**

The applicant is proposing to construct one new 1,538 s/f Farm Labor Housing unit with 3 bedrooms and 2 bathrooms that will be located 1906 Pomponio Creek (APN 087-180-150).

**DECISION MAKER**

Planning Commission

**QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE**

1. Will the proposal for a new Farm Labor Housing unit have any negative effect on surrounding agricultural uses? If so, can any conditions of approval be recommended to minimize any such impact?
2. What position do you recommend that the Planning Department staff take with respect to the application for this project?

**BACKGROUND**

Report Prepared By: Rob Bartoli, Project Planner

Location: 1906 Pomponio Creek, San Gregorio

APN: 087-180-150

Parcel Size: 105 acres

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

General Plan Designation: Agriculture/Rural

Williamson Act: Contracted (AP66-40). The parcel and the three other parcels that are under the contract (APN: 087-180-160, 087-180-170, and 087-180-170) were reviewed in 2014 and deemed to be complaint.

Existing Land Use: Existing cattle ranch and grazing fields. Across the road to the north of the parcel, there is an existing barn, bridge, and domestic well.

This parcel is part of a larger ranch consisting of 400 acres. The ongoing agricultural operations consist of cattle grazing.

Water Supply: The ranch relies on water from a nearby reservoir and an existing spring water system. The domestic water source for the proposed Farm Labor Housing is an existing domestic well located at APN 087-180-170.

Sewage Disposal: A new septic system on the property is proposed to support the new Farm Labor Housing unit.

Setting: The project parcel is accessed via Pomponio Creek Road. Pomponio Creek, located in the north of the property. The proposed area of development is a relatively flat area of the property. The western, eastern, and southern portions of the property consist of hillsides where cattle are grazed. The property is adjacent to agricultural use and open space on all sides. The property north of Pomponio Creek Road is developed with a barn and a domestic well.

*Will the project be visible from a public road?*

The site is visible from Pomponio Creek Road. The subject property is located within a small valley approximately 3 miles from Stage Road. Due to the topography and distance, staff concludes that there will be no visual impact to the Stage Road County Scenic Corridor

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

No tree or vegetation removal is necessary to accommodate the project. While there is riparian habitat is present along the ephemeral drainage on the property, which runs north to south, there are no sensitive habitats supported by the vegetation. Another riparian corridor is located to the property to the north of Pomponio Creek Road. The

development that is proposed will be outside of the riparian setbacks required per the LCP.

*Is there prime soil on the project site?*

The project site is located on prime soils (has a Storie Index Rating of great than 80.. On the 105 acre parcel, approximately 1.5 acres are prime soils. The majority of the property consists of hillsides that are used for grazing. Per the applicant, the area that is proposed to be converted for the Farm Labor Housing unit has never been used for agricultural uses. The area for the project is in close proximity to the road and will not impact the cattle grazing on the property.

## **DISCUSSION**

### 1. Zoning Regulations

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 applicable and as delineated in Section 6355 of the Zoning Regulations. As proposed and to be conditioned, the proposal complies with the following applicable policies, which will be discussed further in the project staff report to be prepared for the Planning Commission.

- The encroachment of all development upon land which is suitable for agricultural uses and other lands shall be minimized;
- All development permitted on a site shall be clustered;
- 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 is maintained to the maximum extent practicable.
- No use, development or alteration shall substantially detract from the scenic and visual quality of the County; or substantially detract from the natural characteristics of existing major water courses, established and mature trees and other woody vegetation, dominant vegetative communities or primary wildlife habitats.
- Where possible, structural uses shall be located away from prime agricultural soils.

The proposed unit would be located on prime agricultural land. There are currently no other structures on this property, as it is used for cattle grazing. The

area of the prime soils is the flattest location on the property, hence minimizing the amount of grading and soil disturbance on the parcel. The project is in close proximity to Pomponio Creek Road, minimizing conversion of soils for required access on the property. The total area of disturbance is estimated to be 0.3 acres of the 105 acre site. The proposed unit is located in close proximity to existing development on adjacent parcels, will use domestic water from a neighboring property, and will maintain a large area of the property for continued cattle grazing. All new development on the site will be clustered together.

“Criteria for Conversion of Prime Agricultural Lands” - As stated, a portion of the parcel, including the project site, is covered with Prime soils, as the soil in the area, Lockwood loam, has a Storie Index Rating of great than 80. However, the PAD regulations allow the conversion of prime soils with a PAD permit when it can be demonstrated that:

- (1) No alternative site exists on the parcel for the use.

*Staff Response:* The FLH unit and driveway leading to it are designated as Prime Soils, but are an already accessible area, in close proximity to the Pomponio Creek Road. Locating off prime soils farther to the parcel’s south, east, or west boundaries would require additional disturbance of the soils from an extended access road, as well as the added distance to run the power and water to the unit.

- (2) Clearly defined buffer areas are provided between agricultural and non-agricultural uses.

*Staff Response:* The on-going grazing operations will not be impacted by the construction of the FLH unit. The grazing operation occurs in the hillsides of the property to the east, south, and west of the project site. Given the parcel’s size, there is ample room for the provision of agriculture and related uses on the remainder.

- (3) The productivity of an adjacent agricultural land will not be diminished.

*Staff Response:* While the lands to the north and east of the subject parcel are farmed, they are separated by Hill and Reservoir Roads, and thus their agricultural productivity would not in any way be diminished. The lands to the west and south are far enough away such that their farm productivity would also not be diminished.

## 2. General Plan Agriculture Policies

Policy 9.23 (*Land Use Compatibility in Rural Lands*) and Policy 9.30 (*Development Standards to Minimize Land Use Conflicts with Agriculture*) encourages compatibility of land uses in order to promote the health, safety and economy, and seeks to maintain the scenic and harmonious nature of the rural

lands; and seeks to (1) promote land use compatibility by encouraging the location of new residential development immediately adjacent to existing developed areas, and (2) cluster development so that large parcels can be retained for the protection and use of vegetative, visual, agricultural and other resources.

The subject parcel has a General Plan land use designation of "Agriculture." The proposed unit will be located on prime soils, however, the area that will be disturbed will be 0.3 acres of the 105 acre parcel. All development associated with the project will be clustered together in order to retain the remaining acreage for agricultural uses. The new septic system and water connection will be reviewed by Environmental Health prior to approval for the Farm Labor Housing unit.

### 3. Local Coastal Program (LCP) Agriculture Policies

Policy 5.5 (*Permitted Uses on Prime Agricultural Lands Designated as Agriculture*) conditionally allows farm labor housing provided the criteria in Policy 5.8 (*Conversion of Prime Agricultural Land Designated as Agriculture*) are met:

- 1) That no alternative site exists for the use.
- 2) Clearly defined buffer areas are provided between agriculture and non-agricultural uses.
- 3) The productivity of any adjacent agricultural land will not be diminished
- 4) Public service and facility expansion and permitted uses will not impair agricultural viability, including by increases assessment costs or degraded air and water quality.

As discussed in Section 1, above, the project meets these requirements.

### 4. Compliance with Farm Labor Housing Guidelines

The Farm Labor Housing Application Process guidelines, as approved by the Planning Commission on October 8, 2014, allow for permanent housing structures in specific situations where there is an on-going long-term need for farm workers. The guidelines require the Planning Commission to review applications for new permanent farm labor housing and limits the use of these structures for the housing of farm workers and, if the uses ceases, the structure must either be demolished or used for another permitted use pursuant to a permit amendment. The unit that is proposed is for a ranch hand for the cattle operation on the property and surrounding properties.

### 5. Compliance with the Williamson Act

The property is under Williamson Act Contract (AP66-38) entered into by Carver Ranch in 1966. The existing horse breeding, cattle grazing, and hay production

are considered agricultural uses. The proposed Farm Labor Housing unit would be consistent with the Williamson Act Contract as it would be creating a residential unit that would house an individual that would be working on the property in support of the agricultural uses. The contract covers four parcels, for a total of 409.54 acres

	<b>Williamson Act Program Requirements</b>	<b>Planning Review</b>	<b>Compliance</b>
Land Use Designation	Open Space or Agriculture	Agriculture	Yes
Zoning <sup>1</sup>	PAD, RM, or RM-CZ	PAD	Yes
Parcel Size <sup>2</sup>	40 Acres	409.54 Acres	Yes
Prime Soils <sup>3</sup>	N/A	35.15 Acres	N/A
Non-Prime Soils	N/A	374.39 Acres	N/A
Crop Income <sup>4,6</sup>			
Grazing Utilization <sup>5,6</sup>	307.15 Acres (75%)	394 Acres (96%)	Yes
Horse Breeding			
1. Zoning designations: "PAD" (Planned Agricultural District), "RM" (Resource Management), and "RM-CZ" (Resource Management-Coastal Zone).			
2. Minimum parcel size required is determined by the presence of Prime Agricultural Lands and/or Non-Prime Agricultural Lands. Parcel size taken from the San Mateo County Assessor's Office records.			
3. Prime soils: Class I or Class II (U.S. Department of Agriculture Soil Conservation Service Land Use Capability Classification), Class III (lands capable of growing artichokes or Brussels sprouts, and lands qualifying for an 80-100 Storie Index Rating taken from the Planning and Building Department GIS data).			
4. Required income calculated per Income Requirements for Crops (Uniform Rule 2.A.6).			
5. Grazing land utilization is 75% of parcel acreage (Uniform Rule 2.A.7).			
6. Crop income and grazing data taken from Assessor's Office Agricultural Preserve Questionnaire response using the highest income and grazing acreage of the previous three years for purposes of this review. Contracted parcels are required to meet the minimum commercial crop income, commercial grazing land utilization, or commercial horse breeding.			

The parcel meets the minimum eligibility requirements and is compliant with the requirements for grazing.

a. Minimum Requirement for Grazing

75% of the acreage (307.15 acres) of the four parcels under contract must be used for grazing operations. Per Planning's staff review of the Williamson Act Contract in 2014, there are grazing operations on the four parcels utilize 96% of the acreage (394 acres) of the four parcels, meeting the minimum requirements for the Williamson Act. This Williamson Act Contract was reviewed by the AAC at the September 8, 2014 and October 14, 2014 meeting where the AAC recommend to the San Mateo County Board of Supervisors that the appeal to the 2011 County-initiated Notice of Non-Renewal for the Williamson Act contract for parcel be upheld and the parcel be retained under the Williamson Act contract. The Board of Supervisors upheld the appeal and the parcel remains under Williamson Act Contract.

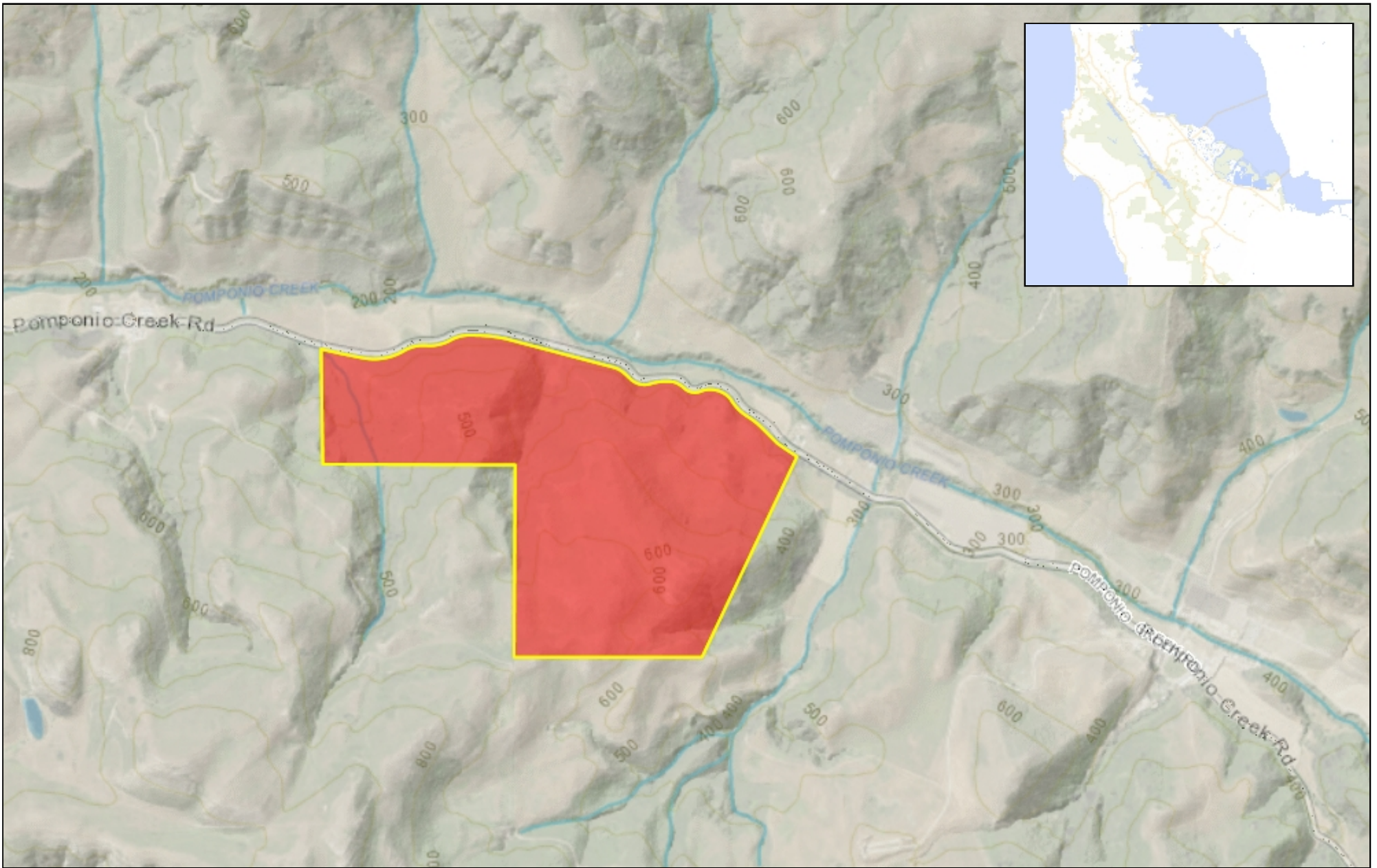
b. Determination of Compatibility

All of the uses on the four parcels, currently and proposed, are considered to be agricultural uses. There are no uses on the property that are need to be reviewed for compatibility with the Williamson Act Contract.

### **ATTACHMENTS**

- A. Vicinity Map of Project Parcel
- B. Project Plans
- C. Prime Soils Map





0.45 0 0.22 0.45 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Latitude Geographics Group Ltd.

1: 14,245



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**





**PURPOSE OF WORK**

CREATE NEW FARM WORKER HOUSING (FWH) UNIT.

**LEGEND**

- EXISTING CONTOURS
- PROPOSED CONTOURS
- EXISTING
- PROPOSED

**GENERAL NOTES**

1. PLANS PREPARED AT THE REQUEST OF: CHRIS GIANNINI, RANCH MANAGER, 3300 POMPONIO CREEK ROAD, SAN GREGORIO, CA
2. SURVEY AND TOPOGRAPHY BY SIGMA PRIME, MAY 2016.
3. ELEVATION DATUM ASSUMED.
4. THIS IS NOT A BOUNDARY SURVEY.

**EARTHWORK NOTES**

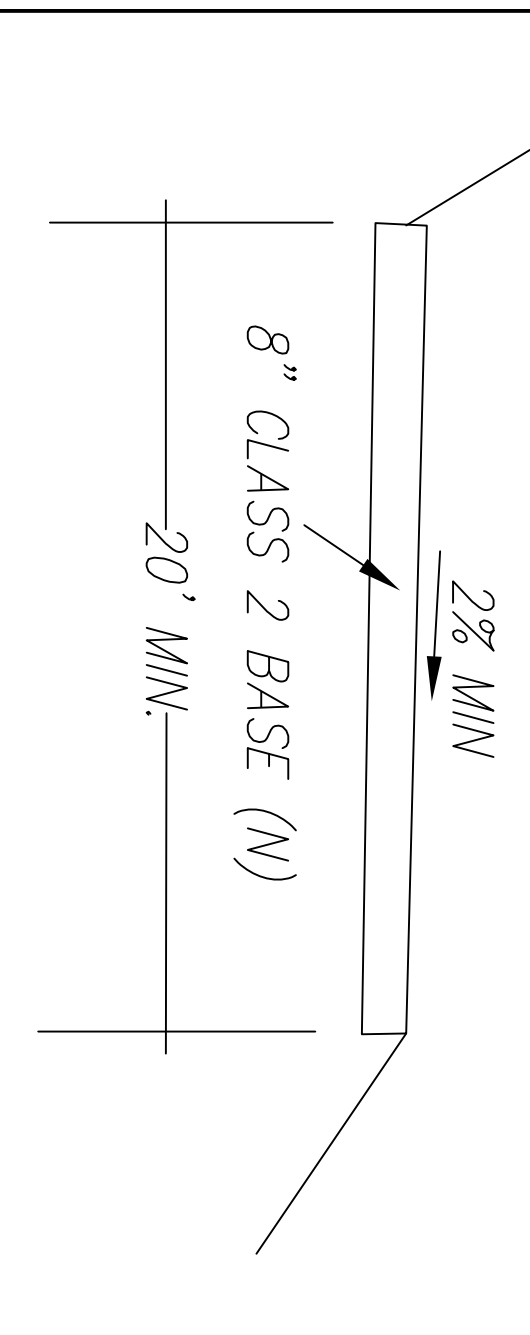
LENGTH OF APPROVED ROAD = 193 FT (INCLUDING FIRE ENGINE TURNAROUND)  
 WIDTH OF NEW ROAD = 20' IN FIRE ENGINE TURNAROUND, 12' ELSEWHERE

SEE SHEET C-2 FOR GRADING QUANTITIES.

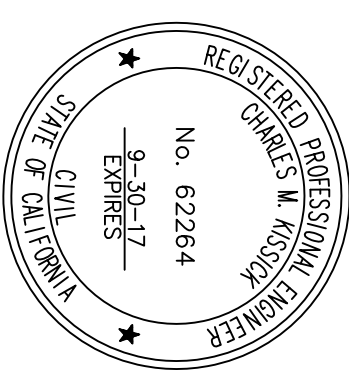
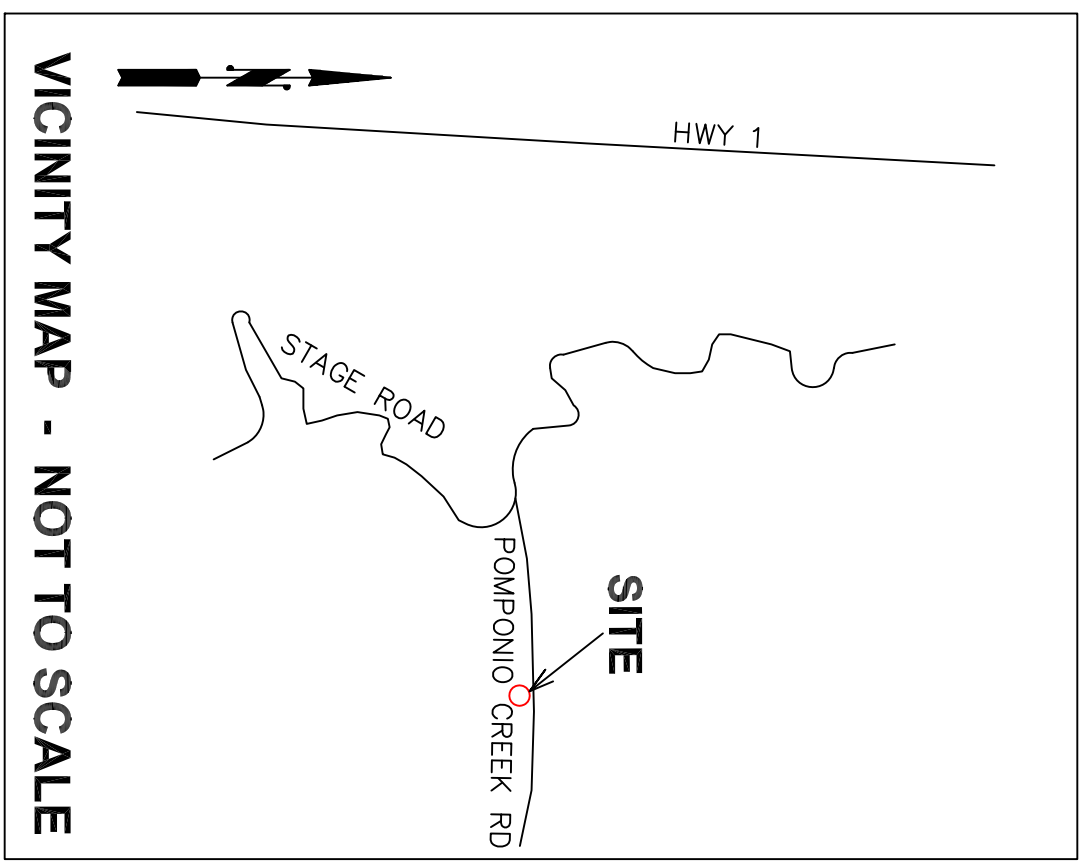
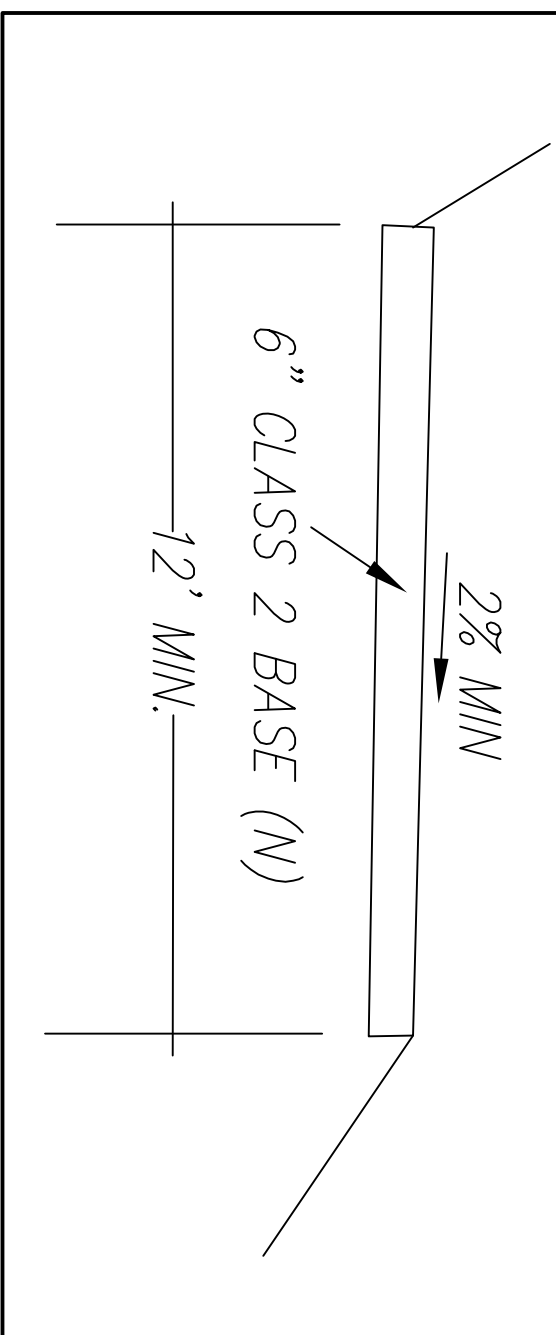
**DRAINAGE NOTES**

1. NEW ROAD SHALL SLOPE OUTWARD TO SHEET RUNOFF UNFORMALLY, WHERE POSSIBLE.

**TYPICAL FIRE ROAD SECTION  
NOT TO SCALE**



**TYPICAL NON-FIRE ROAD SECTION  
NOT TO SCALE**



**Sigma Prime Geosciences, Inc.**

DATE: 06-21-16	DRAWN BY: CMK	CHECKED BY: AZG	REV. DATE:
REV. DATE:	REV. DATE:	REV. DATE:	REV. DATE:

SIGMA PRIME GEOSCIENCES, INC.  
 332 PRINCETON AVENUE  
 HALF MOON BAY, CA 94019  
 (650) 728-3590  
 FAX 728-3593

**FIRE SUPPRESSION AND ACCESS PLAN**

CYPRESS TREE RANCH  
 1906 POMPONIO CREEK ROAD  
 SAN GREGORIO, CALIFORNIA  
 087-180-150

SHEET  
 C-1



**LEGEND**

- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED SPOT ELEVATION
- DOWNSPOUT
- DIRECTION OF SURFACE DRAINAGE FLOW
- 3" SOLID DRAIN PIPE, SDR 35 @ 1% MINIMUM SLOPE.
- EXISTING
- PROPOSED
- FINISH FLOOR ELEV.

**GENERAL NOTES**

1. PLANS PREPARED AT THE REQUEST OF: CHRIS GIANNINI RANCH MANAGER 3300 POMONIO CREEK ROAD SAN GREGORIO, CA
2. SURVEY AND TOPOGRAPHY BY SIGMA PRIME, MAY 2016.
3. ELEVATION DATUM ASSUMED.
4. THIS IS NOT A BOUNDARY SURVEY.

**GRADING NOTES**

- CUT VOLUME : 120 CY (FOR ROAD ONLY - NONE FOR FWH UNIT)  
 FILL VOLUME : 20 CY  
 NET VOLUME : 100 CY EXPORT (TO BE OFF-HAULED)
1. ABOVE VOLUMES ARE APPROXIMATE.
  2. MAXIMUM GRADIENT OF ANY MODIFIED SLOPES SHALL BE 2:1 (H/V).
  3. ALL GRADING SHALL CONFORM TO LOCAL CODES AND ORDINANCES.

**DRAINAGE NOTES**

1. DRAINAGE INTENT: IT IS THE INTENT OF THE DRAINAGE SYSTEM TO CONVEY ROOF RUNOFF TO A SAFE LOCATION, AND TO MINIMIZE EXCESSIVE MOISTURE AROUND FOUNDATIONS.
2. DRAIN LINES SHALL LEAD TO DRY WELL, SHOWN.
3. ALL ROOF DRAINAGE PIPES SHALL BE 3" MIN DIAMETER SOLID PIPE SLOPED AT 1% MINIMUM.

**GENERAL EROSION AND SEDIMENT CONTROL NOTES**

- There will be no stockpiling of soil. All excavated soil will be hauled off-site as it is excavated.
- Perform clearing and earth-moving activities only during dry weather. Measures to ensure adequate erosion and sediment control shall be installed prior to earth-moving activities and construction.
- Measures to ensure adequate erosion and sediment control are required year-round. Stabilize all denuded areas and maintain erosion control measures continuously between October 1 and April 30.
- Store, handle, and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
- Control and prevent the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- Use sediment controls or filtration to remove sediment when dewatering site and obtain Regional Water Quality Control Board (RWQCB) permit(s) as necessary.
- Avoid cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
- Limit construction access routes to stabilized, designated access points
- Avoid tracking dirt or other materials off-site; clean off-site paved areas using dry sweeping methods.
- Train and provide instruction to all employees and subcontractors regarding the watershed Protection Maintenance Standards and construction Best Management Practices.
- Placement of erosion materials is required on weekends and during rain events.
- The areas delineated on the plans for parking, grubbing, storage etc., shall not be enlarged or "run over."
- Dust control is required year-round.
- Erosion control materials shall be stored on-site

**EROSION CONTROL POINT OF CONTACT**

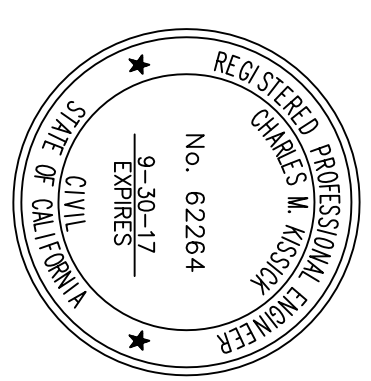
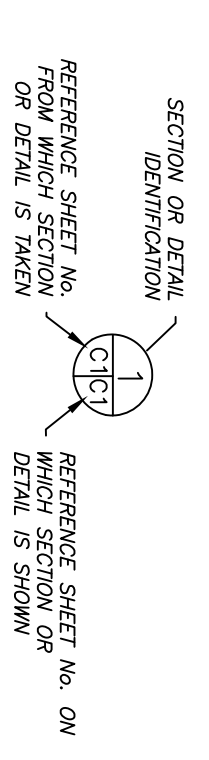
THIS PERSON WILL BE RESPONSIBLE FOR EROSION CONTROL AT THE SITE AND WILL BE THE COUNTY'S MAIN POINT OF CONTACT IF CORRECTIONS ARE REQUIRED.

NAME: CHRIS GIANNINI  
 TITLE/QUALIFICATION: RANCH MANAGER  
 PHONE: 650-726-4325  
 PHONE: \_\_\_\_\_  
 EMAIL: POMONIORANCH@YAHOO.COM

**FIBER ROLL INSTALL AT LOCATIONS SHOWN AFTX AS SHOWN IN DETAIL 1**

1. GRADING MAY TAKE PLACE DURING WET WEATHER AFTER OCTOBER 1 PROVIDED THE FOLLOWING PROVISIONS ARE FOLLOWED.
2. FIBER ROLLING SHALL TAKE PLACE DURING RAINY WEATHER OR FOR A PERIOD OF AT LEAST 24 HOURS FOLLOWING RAIN.
3. ALL EXPOSED SOIL SHALL BE TEMPORARILY PROTECTED FROM EROSION WITH LITE WETTING.
4. ALL STOCKPILED SOIL SHALL BE COVERED AT ALL TIMES AND REMOVED FROM SITE AS SOON AS POSSIBLE, IF SCHEDULED FOR OFF-HAUL.
5. ALL EXPOSED SURFACES SHALL BE PERMANENTLY PROTECTED FROM EROSION WITH MULCH AND/OR LANDSCAPING.

**SECTION AND DETAIL CONVENTION**



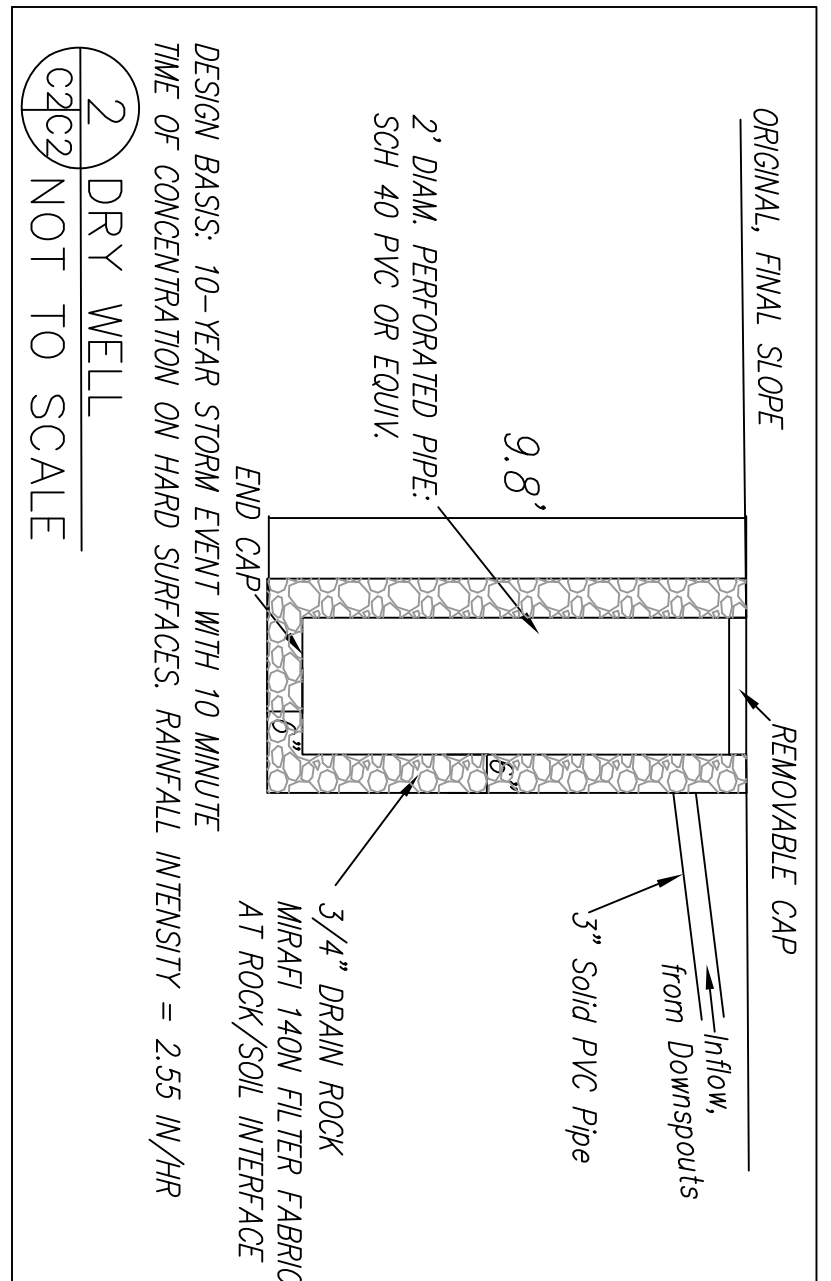
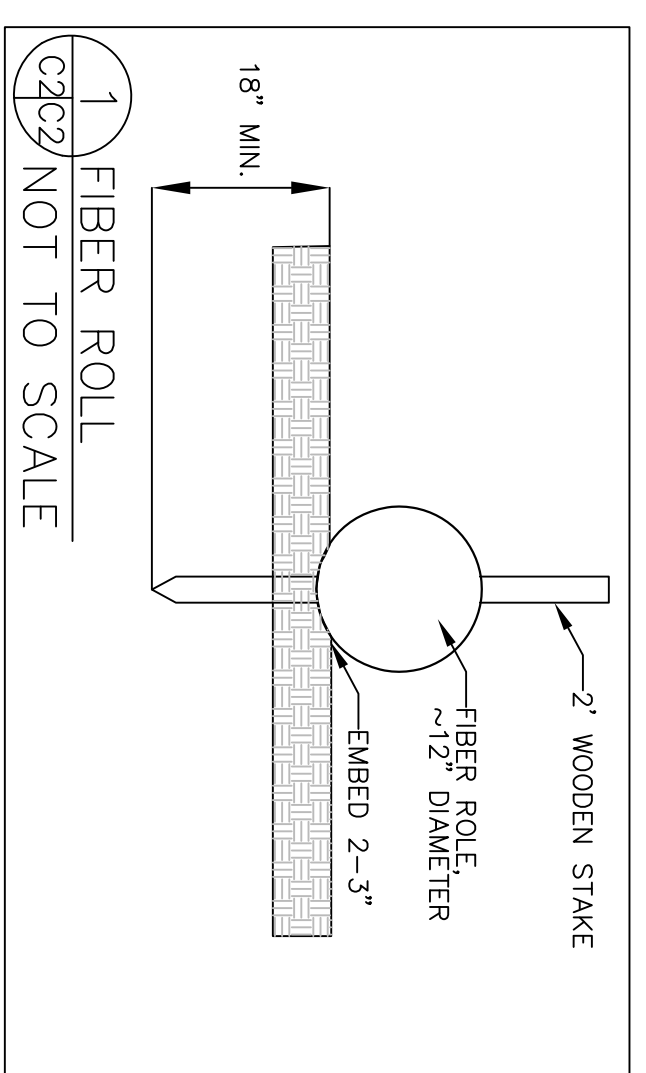
DATE: 06-21-16	<b>Sigma Prime Geosciences, Inc.</b> SIGMA PRIME GEOSCIENCES, INC. 111 VASSAR STREET HALF MOON BAY, CA 94019 (650) 728-3590 FAX 728-3593
DRAWN BY: CMK	
CHECKED BY: AZG	
REV. DATE:	
REV. DATE:	
REV. DATE:	

**GRADING, DRAINAGE, EROSION CONTROL PLAN**

CYPRESS TREE RANCH  
 1906 POMONIO CREEK ROAD  
 SAN GREGORIO, CALIFORNIA  
 087-180-150

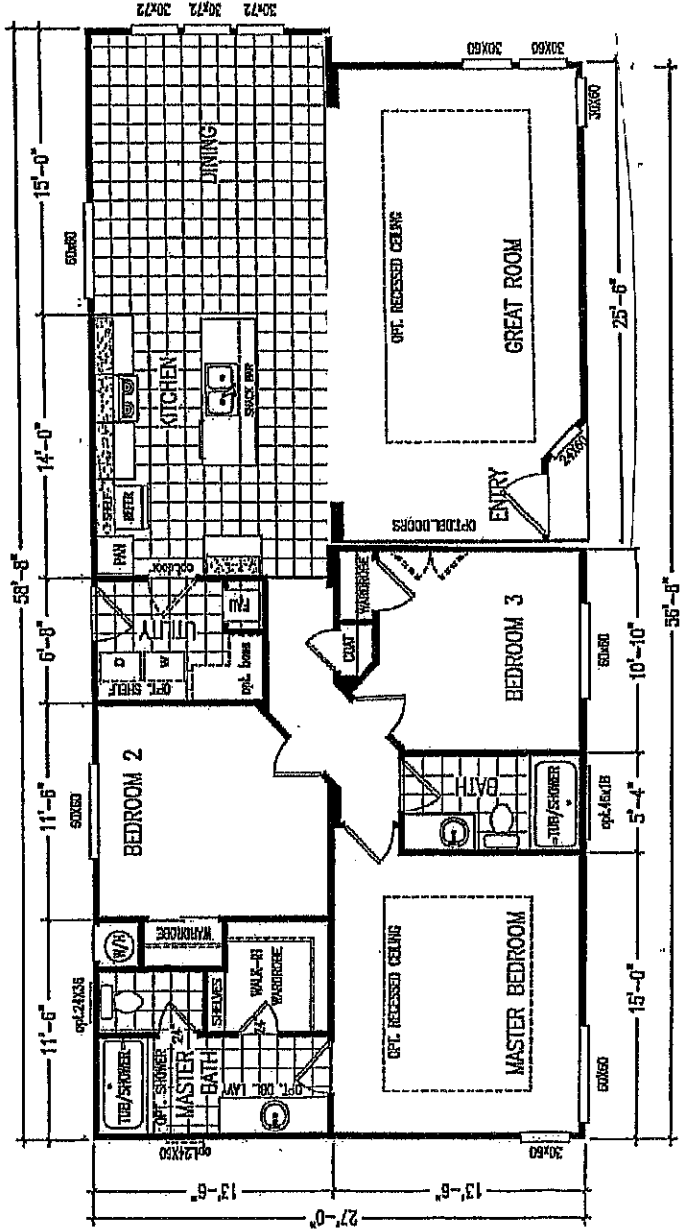
SHEET

C-2





PLN 2016-00257



RECEIVED

JUN 28 2015

Planning Department

STANDARD IMAGE w/ GREAT ROOM



1538

1,489/1,538 SQUARE FEET

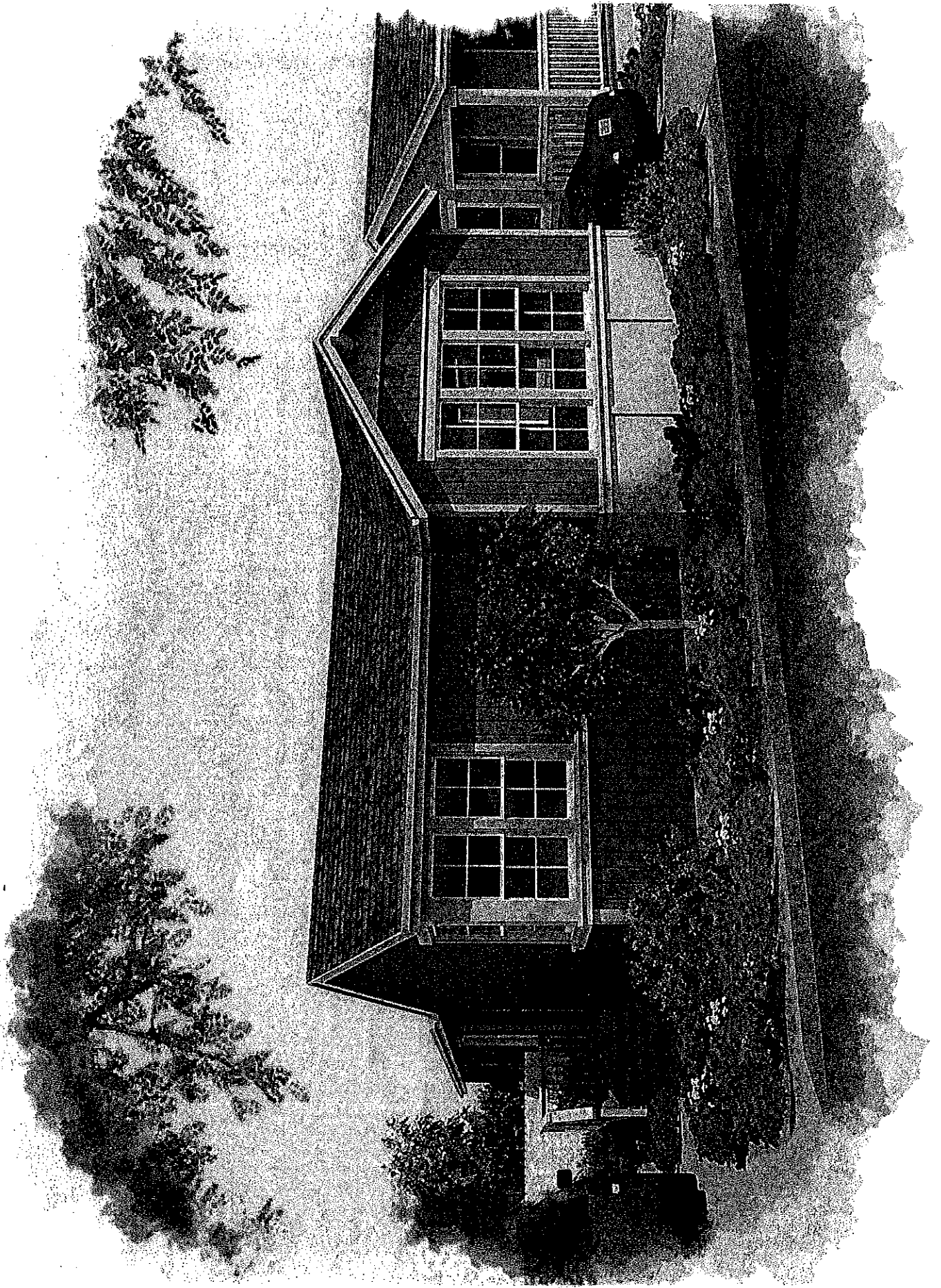
SAN SIMEON

ESH27593C

Because our company has a continuous product, update process, specifications, floor plan, lot, and dimensions shown on this floor plan are subject to change without notice or obligation. Construction and design specifications are well as features presented are conceptual, therefore should not be used as actual construction data, and may not be offered in all states or markets. Our facilities will provide accurate, up-to-date information on available options and specifications for your home.











NRCS Soils Map