

County of San Mateo Planning & Building Department

Agricultural Advisory Committee

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

MEETING PACKET

Date: Monday, March 13, 2017

Time: 7:30 p.m.

Place: Half Moon Bay Historic Train Depot

110 Higgins Canyon Road, Half Moon Bay, California

AGENDA

- 1. Call to Order
- Member Roll Call
- Public Comments for Items Not on the Agenda
- 4. Consideration a Coastal Development Permit and Planned Agricultural District Permit to allow construction of four new Farm Labor Housing units, associated septic system, a domestic well, and the construction of three new non-soil dependent greenhouses and the legalization of one temporary farm stand. The property is located at 950 La Honda Road in the unincorporated San Gregorio area of San Mateo County. The project is appealable to the California Coastal Commission. County File No. PLN2016-00495 and PLN2016-00496 Owner: Peninsula Open Space Trust; Applicant: Lisa Grote
- 5. Consideration of the Action Minutes for the February 13, 2017 regular meeting.
- 6. Community Development Director's Report
- 7. Adjournment Next meeting April 10, 2017

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 a 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. 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 – March 13, 2017													
Agricultural Advisory Committee Attendance 2016-2017													
	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
VOTING MEMBERS													
Brenda Bonner Public Member	Х		Х		Χ			Х	Х	Х	Х	Χ	
BJ Burns Farmer, Vice Chair	Х	Х	Х		Χ	Х	Х	Х	Х	Х	Х	Х	
Robert Cevasco Farmer	Х	Х	Х					Х			Х	Х	
Louie Figone Farmer	Х	Χ	Х		Х	Х	Χ		Х	Х	Х	Χ	
Marilyn Johnson Public Member	Х		Х		Χ	Х	Х	Х	Χ		Х	Χ	
John Vars ** Farmer												Х	
Peter Marchi Farmer	Х	Х	Х		Х	Х	Х	Х	Х	Х	Х	Х	
Doniga Markegard Farmer									Х		Х	Х	
Robert Marsh Farmer, Chair	Х	Х	Х		Х	Х	Х	Х	Х	Х	Х	Х	
Vacant* Conservationist		Χ	Х		Χ					Х	Х		
Vacant Ag Business													
Natural Dansura													
Natural Resource Conservation Staff													
San Mateo County Agricultural Commissioner	Х	Χ					Х	Х	Х		Х	Х	
Farm Bureau Executive Director	Х	Х	Х			Х	Х	Х	Х	Х	Х	Х	
San Mateo County Planning Staff	Х	Х	Х		Χ	Х	Х	Х	Х	Х	Х	Χ	
UC Co-Op Extension Representative											Χ		

X: Present

Blank Space: Absent or Excused

Grey Color: No Meeting

* As of 2/1/17 ** As of 2/1/17

COUNTY OF SAN MATEO PLANNING AND BUILDING DEPARTMENT

DATE: March 13, 2017

TO: Agricultural Advisory Committee

FROM: Planning Staff

SUBJECT: Consideration of a Coastal Development Permit and Planned

Agricultural District Permit to allow construction of four (4) new Farm Labor Housing units, associated septic system, a domestic well, construction of three (3) new non-soil dependent greenhouses and the legalization of one temporary farm stand. The property is located at 950 La Honda Road in the unincorporated San Gregorio area of San Mateo County. The project is appealable to the California Coastal

Commission.

County File Number: PLN 2016-00495 and PLN 2016-00496

PROPOSAL

The applicant is proposing to construct four (4) new Farm Labor Housing (FLH) units, each 850 square feet in size with three bedrooms, with an associated septic system and domestic well (PLN2016-00495) and construction of three (3) new non-soil dependent greenhouses, each 3,600 square feet in size, and the legalization of one permanent farm stand (PLN2016-00496). The construction of the new FLH units, septic system, greenhouses, and farm stand would be located in the disturbed area around the existing farm center on the property. The proposed domestic well on the property would be located in close proximity to an existing farm road.

DECISION MAKER

Planning Commission

QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE

- 1. Will the development, including the new FLH units, non-soil dependent green houses, septic system, domestic well, and farm stand, 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, 650/363-1857

Owner: Peninsula Open Space Trust

Applicant: Lisa Grote

Location: 950 La Honda Road, San Gregorio

APN: 081-250-020

Parcel Size: 74 acres

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

General Plan Designation: Agriculture/Rural

Williamson Act: The project site is not under the Williamson Act.

Existing Land Use: Row crops, retention pond, farm center with a farmhouse, shed and

trailer.

Water Supply: The applicant is proposing a new domestic well on the property to use for the FLH units.

Sewage Disposal: The existing septic system on the site has been decommissioned and demolished as the system was no longer useable. A new septic system to serve the four FLH is proposed as part of this project.

Setting: The project parcel is accessed via a driveway located off of La Honda Road. The property has a developed area that consists of a farm center. Fifty eight (58) acres of the property are used for mixed row crops including Brussel sprouts, strawberries, beans, squash, pumpkins, broccoli, cauliflower, artichokes, onions, leeks, pears, cabbage, and cover crops. The developed farm center includes a farm stand, farmhouse, farm sheds and parking area. San Gregorio Creek runs along portions of the eastern and southern edges of the property. A drainage ditch runs along the portion of the property that abuts La Honda Road. The parcels to the north, east south, west, of the subject property are used for agriculture uses.

Will the project be visible from a public road?

The site is visible from La Honda Road and is located in the Cabrillo Highway State Scenic Corridor. The FLH units and three non-soil dependent greenhouses will be visible from La Honda Road. The applicant is proposing native vegetation screening for

both the FLH units and greenhouses. The FLH units will be painted a neutral earth tone to blend into the surrounding soil and vegetation. Exterior lighting is not proposed on the site. Two information signs will be visible from La Honda Road. These signs will be informational, stating that the agricultural uses and the riparian corridor is protected by POST. The signs will comply with the sign criteria for scenic corridors. Due to the proposed vegetation screening on the site, color of the FLH units, and distance from La Honda Road, staff concludes that there will be minimal visual impact to the Cabrillo Highway State 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. The project area is located in an already disturbed area of the farm center, which has not historically been used for agricultural production. Per the biological report submitted by the applicant, no riparian vegetation will be removed. The proposed FLH units will be located outside of the required riparian buffer zone.

Is there prime soil on the project site?

The project site is located on prime soils (Class II). The project property contains approximately 71 acres of prime soils, out of the 74 acre parcel. The location of the proposed developed is on an area that is already disturbed and converted. The area proposed for both the FLH units, greenhouses, and septic system is in the farm center, which has not historically been farmed. The location of the non-prime soils on the site is the area that is adjacent to San Gregorio Creek and the riparian drainage area along La Honda Road. Location of the structure elsewhere on the site could impact the on-going agriculture crops planted on the property. The location of the proposed domestic well will be located in close proximity to the existing farm roads to minimize soil conversion. The applicant will maintain a 5-foot buffer between the FLH units and the existing deer fence on the property as well as keep an 11-foot buffer between the greenhouses and the cover crops.

DISCUSSION

A. KEY ISSUES

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

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.

- a. All development permitted on a site shall be clustered.
- b. 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.
- c. 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.
- d. Where possible, structural uses shall be located away from prime agricultural soils.

The proposed project would be located on prime soils, however it is in an existing farm center ,which totals 3 acres, where the soil is already disturbed and has not be utilized for agricultural production. The development would cluster the construction of the FLH units, greenhouses, and associated utilities within the existing farm center, allow the majority of the site, 60 acres of the 74 acre parcel, available for agricultural uses. The clustering of development near the existing farm center minimizes the impacts of vehicle traffic on the site.

Criteria for the Conversion of Prime Agriculture Land

As stated, the project site, is not covered with prime soils, as the soil in the area, mixed alluvial land, has a land capability classification of Class VII. The PAD regulations allow the conversion of all lands suitable for agriculture and other lands with a PAD Permit when it can be demonstrated that:

a. That no alternative site exists for the use.

Staff Response: The proposed location for the FLH units, greenhouses, and associated utilities, is within an existing farm center area. The farm center has not historically been farmed and is comprised of already disturbed soils. The project property contains approximately 71 acres of prime soils, out of the 74-acre parcel. The majority of the 3 acres that are not prime soils are riparian vegetation located near San Gregorio Creek and a drainage area adjacent to La Honda Road. Location of the project on other areas of the property would impact the on-going agriculture operations on the site.

b. Clearly defined buffer areas are provided between agriculture and non-agricultural uses.

<u>Staff Response</u>: The applicant has stated that they will maintain a 5-foot buffer between the FLH units and the existing deer fence on the property as well as keep an 11-foot buffer between the greenhouses and the cover crops. The existing location of the row crops will not be impacted.

c. The productivity of any adjacent agricultural land will not be diminished.

Staff Response: The property is separated from adjacent parcels where agricultural operations are occurring by fences, a creek, and La Honda Road. The proposed FLH units and greenhouses will not substantially increase the amount of vehicle trips to the site. The farm stand that is proposed for the site is already in operation. Parking for the farm stand is located on the property within the farm center. The farm stand is proposed to be open from 10 am to 5 pm on Saturdays and Sundays from April through November. It is not anticipated that the use of the farm stand will impact adjacent agricultural land due to the limited nature of the facility. The proposed development on the site will not impact the use of adjacent lands for agriculture.

d. Public service and facility expansion and permitted uses will not impair agricultural viability, including by increased assessment costs or degraded air and water quality.

Staff Response: The proposed FLH units and greenhouses do not require public service or facility expansion. Water will be provided by a new domestic well on the parcel and the project parcel contains soils that can safely accommodate a septic system. La Honda Road will not require significant improvement to accommodate the proposed FLH units and greenhouses. The development is completely located on the subject parcel and does not limit the agricultural viability of the parcel. The proposed project will not degrade air and water quality as conditioned.

2. <u>General Plan Policies</u>:

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 addition will be located on prime soils within an existing developed farm center. The development would cluster the construction of the FLH units, greenhouses, and associated utilities within the existing farm center, allow the majority of the site, 60 acres of the 74 acre parcel, available for agricultural uses. All development associated with the project will be located in a developed area to retain agriculture land on the property. The proposed septic system and domestic well will be reviewed by Environmental Health prior to approval of the addition.

3. <u>Local Coastal Program (LCP) Agriculture Policies</u>

Policy 5.5 (*Permitted Uses on Prime Agricultural Lands Designated as Agriculture*) conditionally allows Farm Labor Housing units and non-soil dependent greenhouse provided the criteria in Policy 5.8 (*Conversion of Prime Agricultural Land Designated as Agriculture*) are met:

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

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

ATTACHMENTS

- A. Vicinity Map of Project Parcel
- B. Project Plans
- C. Pictures of Farm Stand
- D. Prime Soils Map

RJB:aow – RJBBB0074_WAU.DOCX

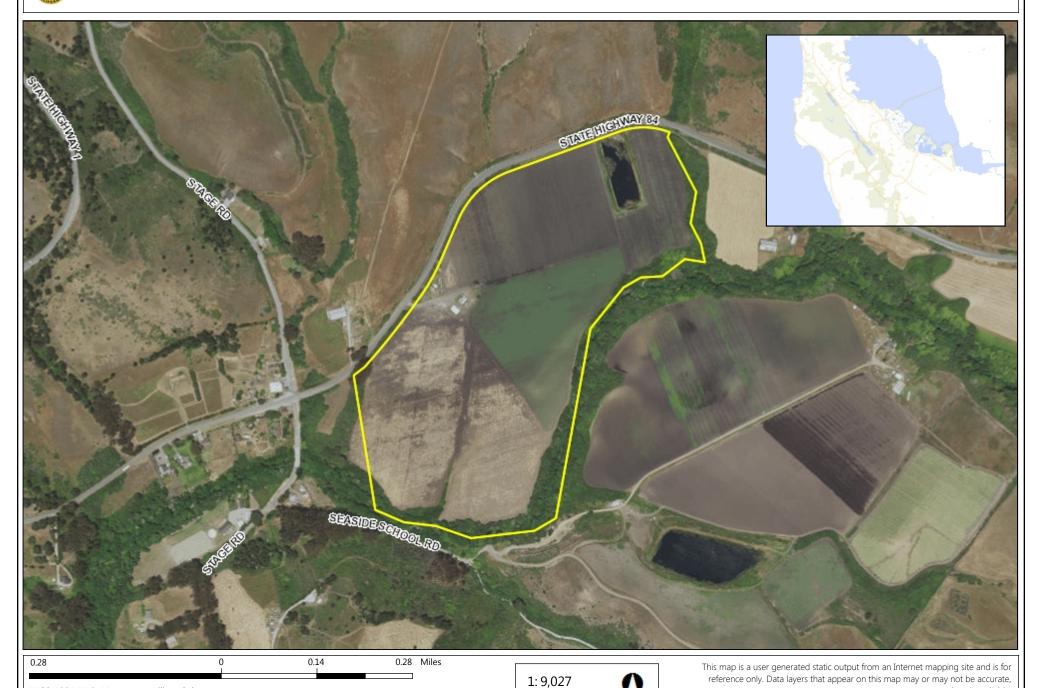
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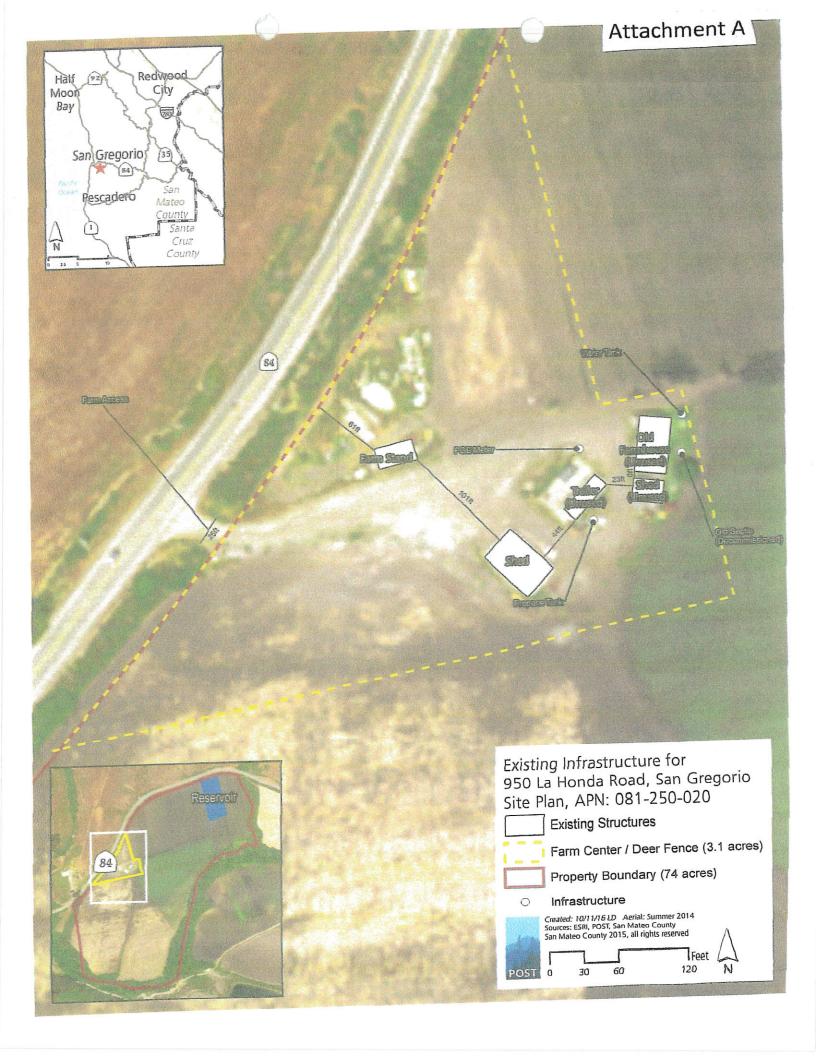
© Latitude Geographics Group Ltd.

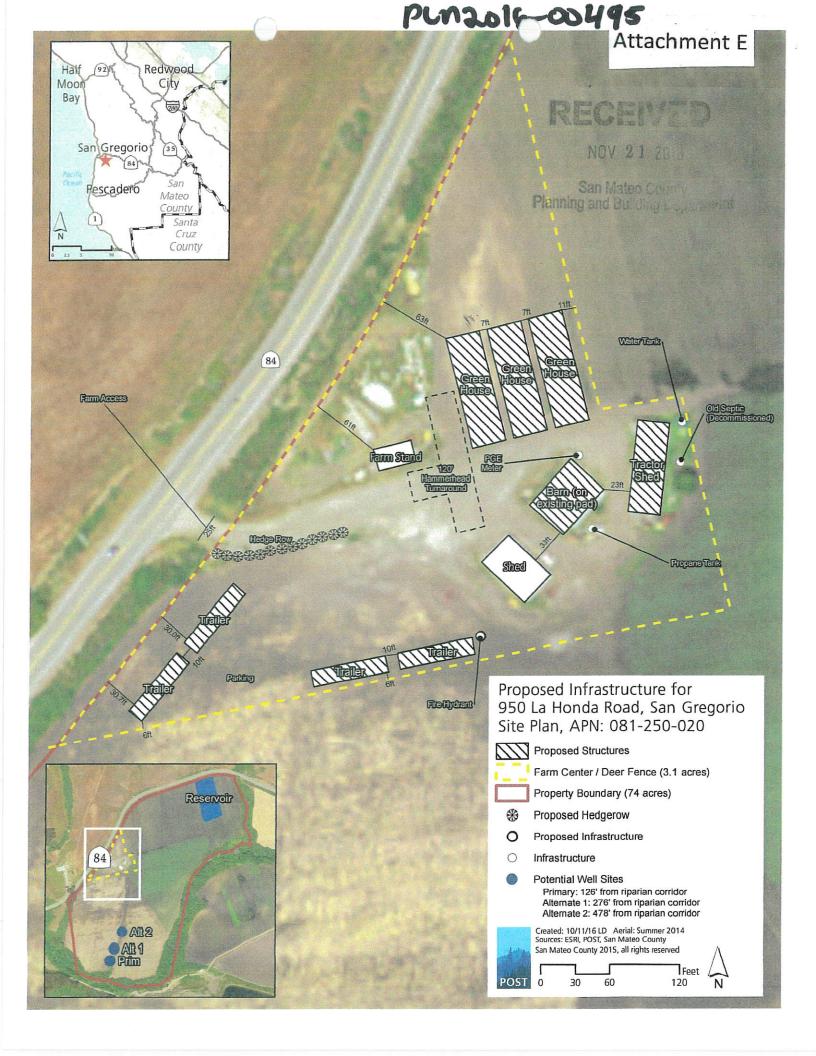
Map for 950 La Honda Road

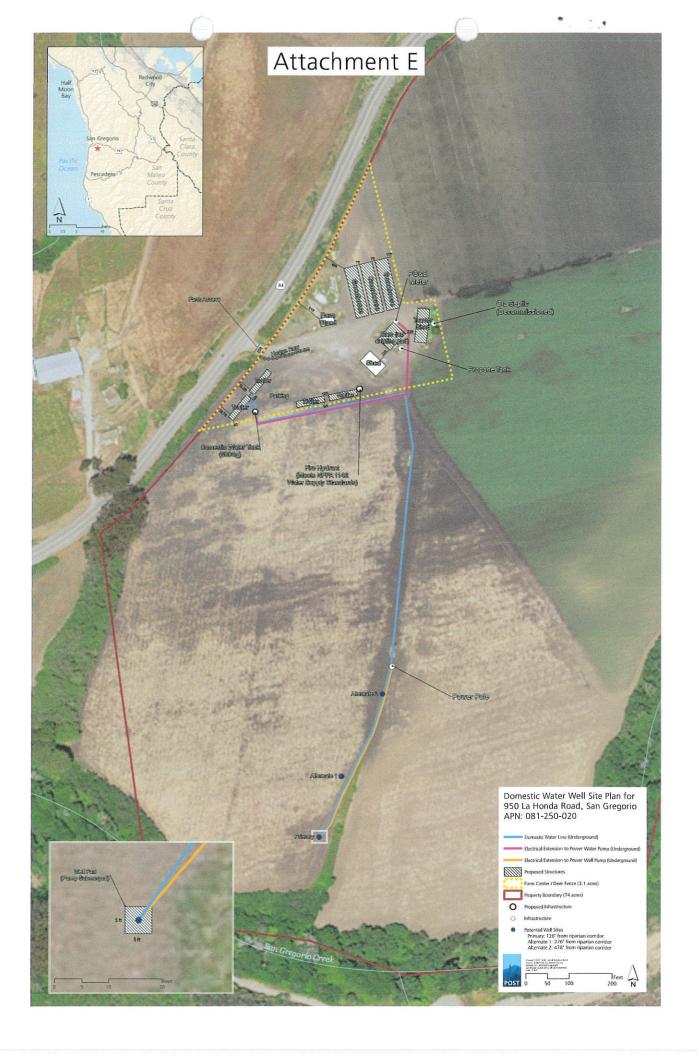
current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



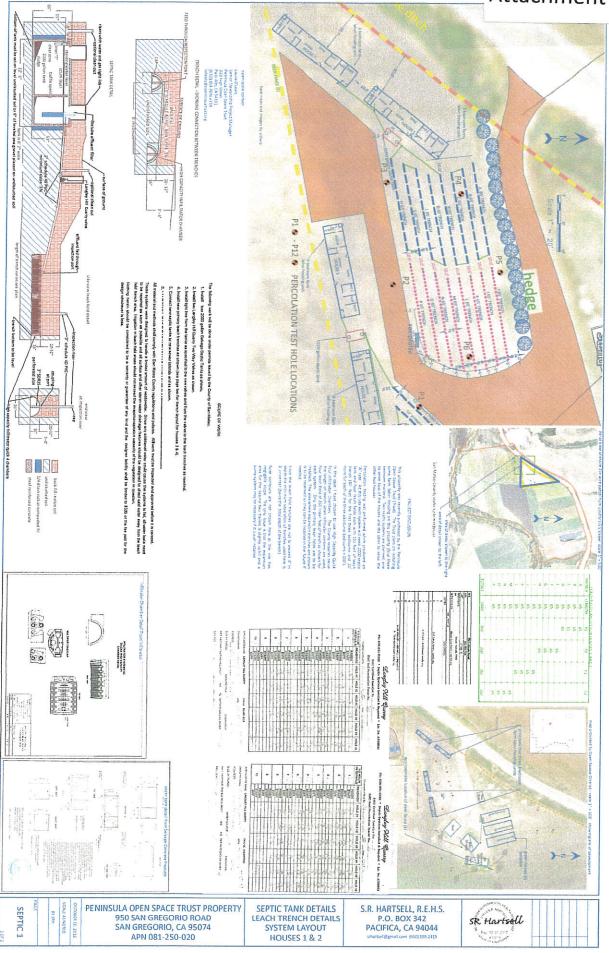




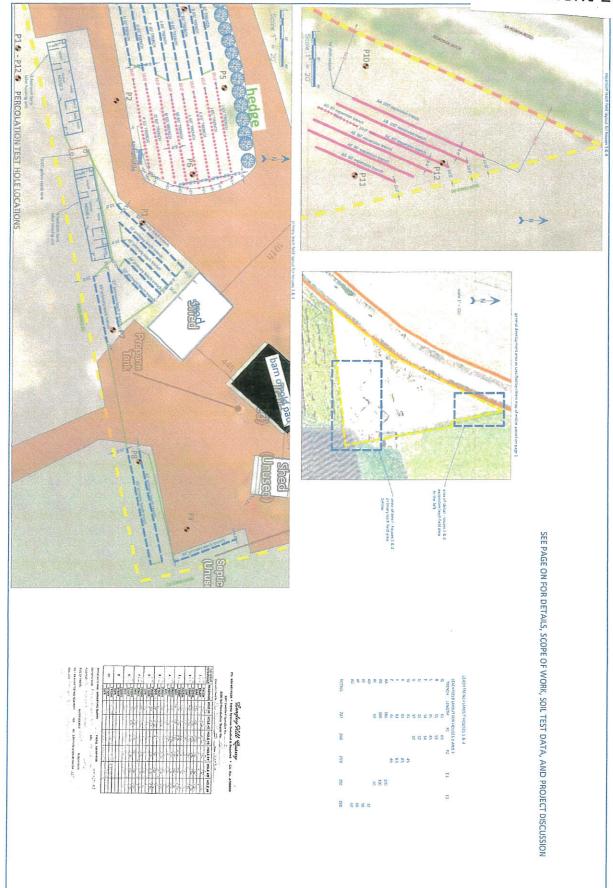




Attachment E



Attachment E



SEPTIC 2

PENINSULA OPEN SPACE TRUST PROPERTY 950 SAN GREGORIO ROAD SAN GREGORIO, CA 95074 APN 081-250-020

SEPTIC SYSTEM LAYOUT FOR HOUSES 3 & 4

S.R. HARTSELL, R.E.H.S. P.O. BOX 342 PACIFICA, CA 94044



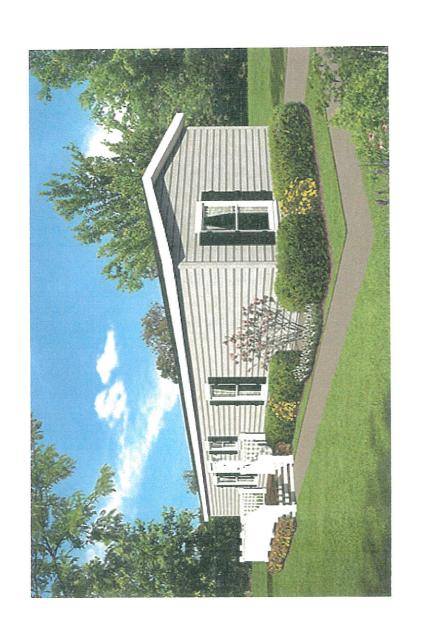


PLN2016-00495

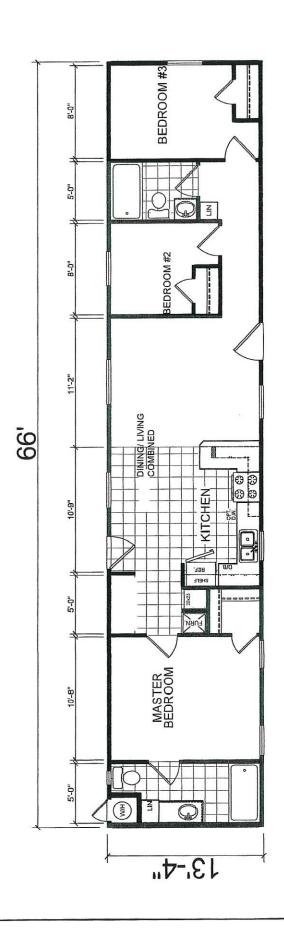
RECEIVED

NOV 21 2016

San Mateo County Planning and Building Department



APPLICABLE MODEL# HITCH END ELEVATION REAR ELEVATION FRONT ELEVATION BACK ELEVATION





Door and End Installation

3000 Series

NOV

San N

Planning

Sliding Door

num frames, 7'2" tall by 7'8" wide, and mounted with wheels are supplied complete and ready to be mounted with film, tarp, shade For a more secure and controllable environment, a sliding door for each end of the high tunnel is available. For each structure, four alumicloth or screen. The doors are hung from a channel mounted to the first hoop stretcher tube.

Film mounted on an aluminum frame

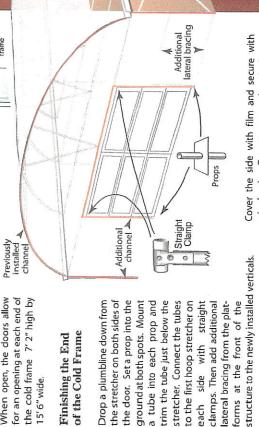
← Channel

When open, the doors allow for an opening at each end of the cold frame 7'2" high by 15' 6" wide.

of the Cold Frame Finishing the End

the door. Set a prop into the ground at both spots. Mount the stretcher on both sides of trim the tube just below the stretcher. Connect the tubes to the first hoop stretcher on forms at the front of the Drop a plumbline down from a tube into each prop and each side with straight clamps. Then add additional lateral bracing from the platAttach wiggle wire channel to the stretcheracross the top of the door, the two vertical tubes and to the front platforms (shown in red in the illustration).

film over the top of the cold frame, install a from the channel that is already securing the second wiggle wire over the exisiting wiggle wire. Trim the film close to the vertical tubes wiggle wire. Do not remove the wiggle wire and the stretcher.



PLn2016-00495

Duiedan Polv Film

Quiedan 3000 Series Cold Frame

Our largest enclosed growing space

IR Rated Tunnel & Greenhouse Film Increased Light Transmission

Increased UV Transmission

Increased Nighttime Temperature Retention

Superior Resistance to Wind



Quiedan delivers multi-layer - IR Films with high mechanical strength, optimum light transmission and extended service life.

life by enabling the film to better survive high winds. Customer trials in areas subjected to Quiedan's Premium films superior performance. The new "Super Premium Film" is the strongest film that Quiedan has brought to market. It outperforms the competition with-A Strong Film Last Longer - Mechanical strength contributes to extended service Santa Ana winds have consistently proven out sacrificing transmission properties.

sphere. IR Rated film increase growth and tion for plants. Growers report better fruit set Why IR Rated Film?: IR rated film helps retain heat that is stored in the ground and in the plants from "radiating" back to the atmoearliness by providing superior cold protecwith less burn.

have a significant effect on the growing canopy. Quiedan's formulation allows excellent light transmission while our UV protection allows more beneficial UV light to pass Quality of Light: The quality of light can through to the canopy and offers a higher

olerance to sulfur.

Value is getting the best product for your money. Quiedan Film provides the greatest value; it's the highest quality film at an affordable price. Beware of cost comparisons based on dollars/thousand square feet. They can only be useful if you know that all comparison samples weigh the same. An underweight sample produces a lower dollars per thousand square feet which is misleading.

and protected. The structure also features a sliding door at each end that open an access 15 feet wide by 8

feet high. This cold frame offers a remarkably spa-

cious protected agricultural work space.

structed in sets allowing for vast areas to be enclosed

8 feet high - with up to 6 1/2 feet more space above the

lateral trusses. In addition, the 3000 can be con-

diffused; and 2, 3 or 4 year service life. Film thickness 2.7 mil to 8 mil (0.0027" - 0.008"). Options include anti condensate, clear vs.

Learn more about film: Visit www.quiedan.com



A sturdy sheet steel, interlocking gutter system is mounted directly on top of the platforms and is strong sides of the top of the gutter allow for a nearly seam-

less continuous roof over the growing area.

steel plate platform top which straddles and is bolted to

he installed platform post.

Much of what can be done with this cold frame model is due to the design and development of a two part

> long to help with irregular or very Ouiedan Poly Film is now available in master rolls of 2000 feet large installations.

Table of Contents

machinery, the Quiedan 3000 Series Cold Frame is the

answer. The 3000 gives the grower an enclosed unobstructed space that is 30 feet wide by 120 feet long and

the space to the other and easy access for the use

room, a full 8 feet of head room from one side of

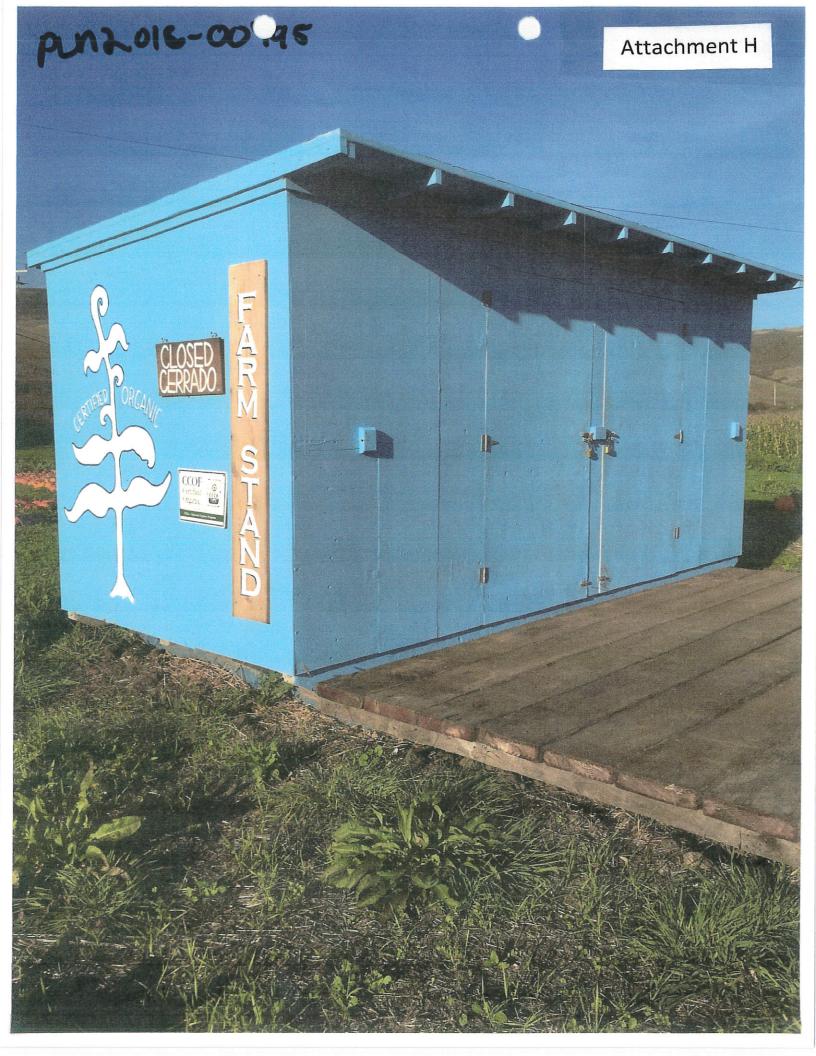
environment requiring maximum head

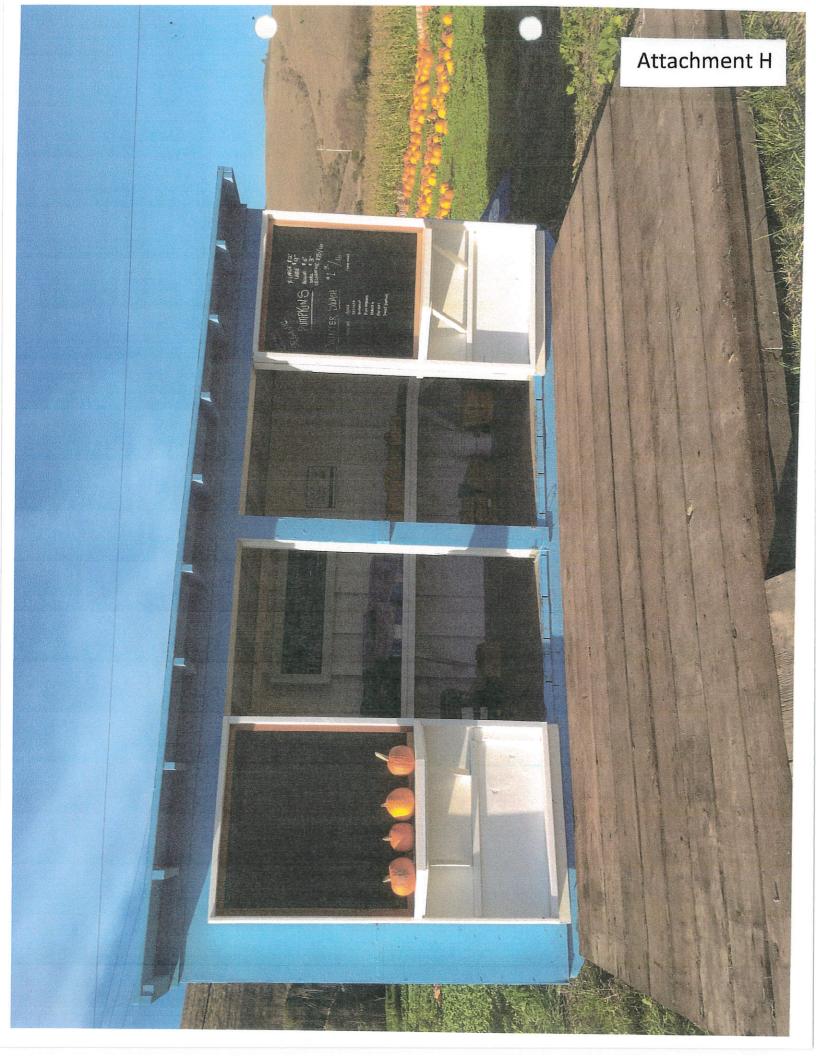
Where an enclosed growing

13 12 9 Ξ Preparing for film installation Setting up the side curtain Setting the platform posts Laying out the cold frame Installing the platforms Installing the purlins nstalling the trusses Installing the gutter Installing the hoops nstalling the film Hoop Bender End Bracing enough to walk in. Film mounting channels on both

QUIEDAN COMPANY 15400 MERIDIAN RD., SALINAS, CA 93907 P.O. BOX 4873, CARMEL, CA 93921 (831) 663-0770 FAX (831) 663-0777

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California Revised Storie Index (CA)—San Mateo Area, California (Storie Index)

MAP LEGEND

Grade 6 - Nonagricultural Not rated or not available Streams and Canals Grade 5 - Very Poor Interstate Highways Major Roads Local Roads **US Routes** Not rated Water Features Transportation Grade 6 - Nonagricultural Not rated or not available Area of Interest (AOI) Grade 5 - Very Poor Grade 1 - Excellent Grade 2 - Good Grade 4 - Poor Grade 3 - Fair Soil Rating Polygons Not rated Area of Interest (AOI) Soil Rating Lines

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,000.

misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting Enlargement of maps beyond the scale of mapping can cause soils that could have been shown at a more detailed scale. Warning: Soil Map may not be valid at this scale.

Please rely on the bar scale on each map sheet for map measurements. Source of Map: Natural Resources Conservation Service Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov Coordinate System: Web Mercator (EPSG:3857)

distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts calculations of distance or area are required. This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Aerial Photography

Background

Grade 1 - Excellent

Grade 2 - Good

Grade 3 - Fair

Soil Survey Area: San Mateo Area, California Survey Area Data: Version 9, Sep 3, 2015

Date(s) aerial images were photographed: Oct 26, 2010—Sep 17,

Soil map units are labeled (as space allows) for map scales 1:50,000

Grade 6 - Nonagricultural

Not rated

Grade 5 - Very Poor

Grade 4 - Poor

Not rated or not available

Grade 1 - Excellent

Soil Rating Points

Grade 2 - Good

Grade 3 - Fair

Grade 4 - Poor

imagery displayed on these maps. As a result, some minor shifting The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background of map unit boundaries may be evident.

California Revised Storie Index (CA)

Map unit symbol Map unit name		Rating	Component name (percent)	Acres in AOI	Percent of AOI	
CsA	Corralitos sandy loam, nearly level	Grade 1 - Excellent	Corralitos (85%)	9.8	13.6%	
DuA	Dublin clay, nearly level	Grade 3 - Fair	Dublin (85%)	54.3	75.6%	
DuC2	Dublin clay, sloping, eroded	Grade 4 - Poor	Dublin (85%)	3.9	5.4%	
Ма	Mixed alluvial land	Grade 3 - Fair	Mixed alluvial land (90%)	3.7	5.1%	
TeE3	Tierra loam, steep, severely eroded	Grade 3 - Fair	Tierra (85%)	0.0	0.0%	
TuC2	Tunitas clay loam, sloping, eroded	Grade 2 - Good	Tunitas (85%)	0.2	0.3%	
Totals for Area of I	nterest	71.8	100.0%			

San Mateo Area, California

DuA—Dublin clay, nearly level

Map Unit Setting

National map unit symbol: h9wl Elevation: 20 to 1,500 feet

Mean annual precipitation: 10 to 35 inches Mean annual air temperature: 57 to 63 degrees F

Frost-free period: 225 to 300 days

Farmland classification: Prime farmland if irrigated

Map Unit Composition

Dublin and similar soils: 85 percent Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the

mapunit.

Description of Dublin

Setting

Landform: Alluvial fans, flood plains

Landform position (two-dimensional): Backslope, toeslope

Landform position (three-dimensional): Tread, talf

Down-slope shape: Linear Across-slope shape: Linear Parent material: Alluvium

Typical profile

H1 - 0 to 43 inches: clay H2 - 43 to 60 inches: clay loam

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches Natural drainage class: Moderately well drained

Runoff class: High

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: About 0 inches

Frequency of flooding: Rare Frequency of ponding: None

Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to

2.0 mmhos/cm)

Available water storage in profile: High (about 9.1 inches)

Interpretive groups

Land capability classification (irrigated): 2w Land capability classification (nonirrigated): 3w

Hydrologic Soil Group: C/D



Minor Components

Soquel

Percent of map unit: 5 percent

Corralitos

Percent of map unit: 5 percent

Tunitas

Percent of map unit: 4 percent

Unnamed

Percent of map unit: 1 percent Landform: Depressions

Data Source Information

Soil Survey Area: San Mateo Area, California Survey Area Data: Version 9, Sep 3, 2015

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County of San Mateo Planning & Building Department

Agricultural Advisory Committee

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

Meeting Minutes Regular Meeting February 13, 2017

1. Call to Order

Robert Marsh, Committee Chairman, called the Regular Meeting of the Agricultural Advisory Committee (AAC) to order at 7:11 p.m. at the Half Moon Bay Historic Train Depot, 110 Higgins Canyon Road, Half Moon Bay, CA.

2. Member Roll Call

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

Regular Voting Members Present

BJ Burns

Peter Marchi

Robert Marsh

Brenda Bonner

Louie Figone

John Vars

Robert Cevasco

Doniga Markegard

Marilyn Johnson

Regular Voting Members Absent

None

Nonvoting Members Present

Rob Bartoli

Jess Brown

Fred Crowder

Nonvoting Members Absent

Jim Howard

Igor Lacan

3. Oath of Office for Louie Figone and John Vars

Commissioner Crowder administered the oath of office to Committee Members Figone and Vars. Newly appointed Committee Member Vars introduced himself to the AAC members.

4. Public Comments for Items not on the Agenda

Ben Wright from POST stated that there will be a Farmlink Workshop on February 21, 2017.

Kerry Burke, asked for a presentation to the AAC from the County about the new soil maps that the County is using.

Planner Bartoli stated that the maps are not new, but are the Natural Resources Conservation Service maps that illustrate the location of prime soils for both the Storie Index and land classification. The County can update the AAC at a later meeting.

Chief Deputy County Counsel David Silberman stated that this is an item that should only be minimal discussed as it was not agenized for this meeting.

Commissioner Crowder announced there is a nursery trade show at the San Mateo County Event Center on February 15, 2017.

5. Agenda Topics – Brown Act Training

Chief Deputy County Counsel David Silberman presented the item and passed out copies of the PowerPoint presentation to the AAC.

Ron Sturgeon asked what was being passed out to the members of the AAC and if there were copies of the PowerPoint for members of the public.

County Counsel Silberman stated that there copies for the public and handed them out.

County Counsel Silberman gave an overview of the history of the Brown Act, examples of possible Brown Act violations, public record requests, and meeting management practices.

He stated that the Brown Act applies to legislative bodies, including the AAC. The purpose of the Brown Act is to build trust and respect from the public. It allows the public to have the opportunity to know what the government is doing and participate in the public process. The members of the AAC are considered members of the government as they are appointed by the Board of Supervisor. The Brown Act only applies to the voting members of the AAC.

If members of the AAC create a committee that is not comprised of members of the public and does not constitute a majority of the voting members, that body would not be a Brown Act committee.

County Counsel Silberman stated that Kim Marlow is the County Counsel assigned to the AAC.

He then defined what a meeting is. A meeting is whenever a majority of the AAC members come together to talk about items that could or will come before the AAC. Any time there is a majority, and business that could come forward to the AAC constitutes a meeting. This could also relate to an attending a presentation.

Chair Marsh asked about what if a majority of the AAC members attends a Planning Commission or Board of Supervisors meeting.

County Counsel Silberman stated that there are special rules that allow members to do that.

Vice Chair Burns asked about site visits if there is a majority of members that want to visit the site.

County Counsel Silberman stated that yes there is a special way to agenized that site visit that would set a meeting point and allow the public to come on the site visit.

He continued his presentation by talking about serial meetings. He gave an example of a serial meeting via a phone conversation. He also gave an example of the hub and spoke Brown Act violation.

Sarah Rosendahl gave the example of the 950 La Honda presentation that was given to the San Mateo County Farm Bureau

Chair Marsh asked if it is a conflict to be on the AAC and be on the Farm Bureau board.

County Counsel Silberman stated that it is not a conflict.

A conversation occurred about if there was a majority of the AAC members attended the Farm Bureau meeting. The meeting would either need to be agenized as an AAC meeting with 24 hours advance notice, or one of the AAC members would not be able to attend so that the Farm Bureau meeting did not have a majority of AAC members in attendance.

Committee Member Marchi asked if AAC members that attend Farm Bureau meetings could announce that they are not attending the meeting as AAC members.

County Counsel Silberman stated that the difference is the Farm Bureau is not a public meeting. As soon as a majority of AAC members are together an AAC business is discussed, it is a meeting.

AAC members can attend social events and similar events as long as AAC business is not discussed.

Chair Marsh stated that sometimes there are more than five people from the AAC get together because of training or other items.

Committee Member Marchi spoke about the Form 700 requirements and Brown Act requirements. He stated that he does not agree with them.

County Counsel Silberman stated that the Brown Act governs all the voting members of the AAC.

County Counsel Silberman spoke about the agenda requirements for the AAC including regular and special meetings. The agenda has a brief description of the items that are going to be discussed. He stated that every meeting requires a period for public comment. These public comments can have a brief response by the AAC or direct County staff to get more information on the topic.

He suggested that the AAC follow a standard format for hearing and discussing an item on the agenda. He stated that the first action would be hear presentation from staff on the item. Next, the AAC would be able to ask questions of staff. Then the AAC would take public comment before the AAC starts deliberation. The AAC deliberates and then makes a motion, a second, and a vote. At that point the discussion of the item is closed. This is the responsibility of the chair. A conversation occurred about best practices of meeting management. It is best practice to have a set time for public discussions. County Counsel Silberman stated that the Chair is generally responsible for running the meeting.

Chair Marsh stated the AAC and the public do work together on projects.

County Counsel Silberman spoke about conflict of interests. While the AAC is just making recommendations on projects, there still can be the possibility of a conflict of interests on items. If a member believes that they have a conflict of interest and there are enough members to vote on an item, it is his suggestion that the person not vote on the item.

He went on to cover the topics of recording the meetings, public comments on items, and what the rights of the public. He stated that members of the public are not required to sign-up. He also talked about time limits for public comments.

County Counsel Silberman spoke about violations for violating the Brown Act.

Committee Member Marchi asked how he would know if an item that will be discussed by the Farm Bureau will come to the AAC. How would someone know if the item was going to be discussed at both meetings?

Sarah Rosendahl stated that if a presentation about a PAD project will be heard at Farm Bureau meeting, which will eventually be reviewed by the AAC because it is a PAD permit.

County Counsel Silberman stated there are three options about this issue, either agenize the Farm Bureau meeting as an AAC meeting, have just four of the AAC members attend the meeting, or if a fifth AAC member shows up at the meeting, have one of the AAC members leave.

Committee Member Johnson stated that there have been PAD permits announced that they will be brought before the AAC, but that has not happened yet.

Sarah Rosendahl stated that it's not what meeting the project comes to, but that the item will come before the AAC at one point.

County Counsel Silberman stated that if the Farm Bureau meeting is agenized, the whole meeting is open to the public. He suggested that if you are not a Farm Bureau member it may be best not to attend the Farm Bureau meeting if an item is going to eventually come before the AAC that would allow the public and all the members of the AAC to discuss the item. Several examples of the Brown Act and the interaction with Farm Bureau and AAC were discussed. If a Farm Bureau meeting is required to be agenized due to having a majority of the AAC members attend, 24 hour notice needs to be given. This is only if a majority attends the meeting.

For questions and comments from the public, if the discussion starts to exceed a couple of minutes and there are more questions being asked on the item, it would be good to have the item come back at a later date and agenized as such.

6. Agenda Topics – Farm Labor Housing Policy

Planner Bartoli presented the item. At the September 12, 2016 meeting, the Agricultural Advisory Committee (AAC) requested a series of agenda items/study sessions that are focused on the regulations applied to projects that come before the Committee. The regulations and policies that staff will present to the Committee over of the next several months include: Planned Agricultural District (PAD) regulations, Farm Labor Housing regulations, Williamson Act Program Uniform Rules and

Procedures, and Agritourism Guidelines. The last topic to be discussed are the Farm Labor Housing regulations.

In 2012, two critical issues had arisen leading up to the need for the changes to the Farm Labor Housing process. The first was that by 2012, staff had a total of 45 FLH applications in various, delayed states of review. The second was that agricultural property owners and farmers were looking for application and permit processes associated with agricultural development – including those around FLH – to be simplified and, where possible, expedited.

He stated that it is the policy of the County to facilitate agricultural productivity in every feasible way. County ordinance allows for the provision of temporary farm labor housing (FLH) units for farms when there is a demonstrable need for such housing.

Planner Bartoli went on to say that on October 8, 2014, the Planning Commission adopted revised "Farm Labor Housing (FLH) Application Process and Procedures in response to the comments from farm community and the general public. Prior to the adoption of the revised FLH policy, the AAC reviewed and commented on the policy at a number of meetings in 2014.

The revised FLH application process and procedures updated a number of items including the removal of the Certificate of Need Process, clarifying the definition of "farm laborer" and income qualification, simplify and consolidated the FLH Applications Forms, extended the FLH Approval Terms, improving coordination with County Environmental Health, and Zoning Hearing Officer approval for renewals of permits.

The role of the AAC in supporting the purpose and intent of the Policy is to review the following:

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?

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

The AAC may also ask the applicant for additional documentation or information as they deem necessary, and/or recommend that, if approved, the FLH permit be brought back for an administrative review (including consideration by the AAC) in one year

Planner Bartoli also presented what the role of the County is regarding FLH applications. Applications for FLH are referred to the various

County departments, bringing the application to the AAC for review, and reviewing the application to make sure it complies with applicable zoning policies. He also briefly went over the requirements for a FLH application. He stated that County staff will also continue to work to update handouts with more information for applicants about what is required foe FLH permits.

For review and termination of FLH, where FLH operations are or will be also reviewed annually by the County EH Division under Employee Housing Permits (5 or more workers), FLH approval terms shall be for a period of 10 years. For all other FLH approvals (4 or fewer workers), the term would be 3 to 5 years, upon recommendation of the AAC. Complaints regarding violations can be made to the Building and Zoning Department.

Currently, the San Mateo County Department of Housing is leading a variety of initiatives with the goal of improving and expanding farmworker housing in the County. Expansion of the Farmworker Housing Rehabilitation and Replacement Pilot Program including loans of up to \$100,000 are available for rehabilitation and replacement and loans of up to \$150,000 are available for creation of new housing. An Agricultural workforce needs assessment and best practices study is currently underway. More information can be found at http://housing.smcgov.org/agricultural-workforce-housing

Vice Chair Burns stated that he has a concern with the FLH permits that have 4 or less workers. He stated that be believes that these permits are being abused and are not being used by farm labors. He stated that the FLH permits with 4 or less workers should be inspected every year, similar to the 5 or more FLH permits.

Chair Marsh opened public comment.

Kerry Burke stated that clarification has helped the FLH process and appreciates the fee waiver. She stated that it does take a long to review FLH permits and that more information is now required during the review process, such as information about septic systems prior to approval by the Planning Department. She also stated that FLH needs to be flagged as a top priority by the County regarding the review process.

Committee Member Cevasco asked how long the process takes.

Kerry Burke stated that for both the Planning and Building permits, the process takes about a year.

Joey Figone stated that during the review of his project, Department of Public Works lost his plans for two months, delaying the project.

Committee Member Figone stated that it seems like the County is trying to make the process better and address the issues.

7. Consideration of the Action Minutes for the January 9, 2017 regular meeting.

Two corrections to the minutes were made by the AAC. On page 2 of the minutes, third paragraph, last sentence, 'be' was corrected to 'been'. On page 6, under item #6, the motion was corrected to reflect that Committee Member Bonner made the motion to approve the minutes.

Vice Chair Burns moved approval the meeting minutes as amended for the January 9, 2016 regular meeting; Committee Member Johnson seconded the motion. The motion was unanimously approved. (9 ayes – 0 noes)

8. Community Development Director's Report

Planner Bartoli presented the Director's Report. As part of the Director's report staff had attached a copy of a draft of an Expectations of Committee Members document. While the item was being presented by staff, Ron Sturgeon stated that he believed that the presentation and discussion of this document would constitute a Brown Act violation as it was not properly agenized and that the County was asking for feedback on the item. Ron Sturgeon stated that the draft document would redefine what the AAC did and what the AAC was.

Planner Bartoli asked Chair Marsh if he would like the presentation to continue or if the item should be brought back at a later meeting. County staff suggested that the item could be brought back at an upcoming meeting.

Chair Marsh agreed to have the item brought up at a later meeting.

Committee Member Johnson asked for more information about the document.

Planner Bartoli stated that the item will be further discussed at a future meeting

Adjournment (8:46 p.m.)

COUNTY OF SAN MATEO PLANNING AND BUILDING DEPARTMENT

DATE: March 13, 2017

TO: Agricultural Advisory Committee

FROM: Planning Staff

SUBJECT: Community Development Director's Report

CONTACT INFORMATION: Rob Bartoli, Planner III, 650-363-1857, rbartoli@smcqov.org

The following is a list of Planned Agricultural District permits and Coastal Development Exemptions for the rural area of the County that have been received by the Planning Department from February 1, 2017 to February 28, 2017.

PLANNED AGRICULTURAL DISTRICT PERMIT OUTCOMES

No PAD applications went to hearing in February.

UPCOMING PLANNED AGRICULTURAL DISTRICT PERMIT PROJECTS

No new applications for a PAD permit were received during the month of February.

COASTAL DEVELOPMENT EXEMPTIONS FOR AGRICULTURAL PROJECTS

See attached report regarding the one rural CDX application that was received by the Planning Department from 2/1/17-2/28/17. Each permit includes the description of the project and the status of the permit. A copy of CDXs are available for public review at the San Mateo County Planning Department.

ADDITIONAL ANNOUNCEMENTS

None

ATTACHMENTS

1) CDX List

RURAL CDX'S FOR 10/1/16-10/31/16

Permit Number	RECORD NAME	DATE OPENED	DESCRIPTION	APN	Address	RECORD STATUS
			CD Exemption for a new agricultural well for fruit trees, vegetable garden, chicken & geese on property.		555 Miramar Dr,	
PLN2017-00039	AG WELL	2/3/2017	Existing agricultural well pump no longer works well.	048071060	Miramar	Approved