



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

Natalie Sare, Chair  
John Vars, Vice Chair  
Daniel Theobald  
Cole Mazariegos-Anastassiou

Crystal Chaix  
James Oku  
Jess Brown  
Jim Howard

Dr. Igor Lacan  
Koren Widdel  
Peter Marchi  
Ryan Casey

County Office Building  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, California 94063  
650/363-1825  
[planning.smcgov.org](http://planning.smcgov.org)

### Regular Meeting

**Date:** Monday, September 9, 2024  
**Time:** 6:00 p.m. to 8:00 p.m.  
**Place:** Ted Adcock Community Center – South Day Room  
535 Kelly Avenue, Half Moon Bay, California

#### **\*\*\*IN-PERSON WITH REMOTE PUBLIC PARTICIPATION AVAILABLE\*\*\***

This meeting of the Agricultural Advisory Committee will be at the Ted Adcock Community Center, South Day Room, at 535 Kelly Avenue, Half Moon Bay, California. Members of the public will be able to participate in the meeting in person at the Ted Adcock Community Center, South Day Room, or remotely via the Zoom platform. For information regarding how to participate in the meeting, either in person or remotely, please refer to the instructions below.

#### **Public Participation**

The Agricultural Advisory Committee meeting may be accessed remotely by members of the public through Zoom online at: <https://smcgov.zoom.us/j/85719880714>. **The meeting ID is:** 857 1988 0714. The meeting may also be accessed via telephone by dialing +1 669-900-6833 (Local). **Enter the meeting ID:** 857 1988 0714 and then press #. Members of the public can also attend this meeting physically in the Ted Adcock Community Center – South Room, 535 Kelly Ave, Half Moon Bay.

\*Written public comments may be emailed to [oboo@smcgov.org](mailto:oboo@smcgov.org), and such written comments should indicate the specific agenda item on which you are commenting.

\*Spoken public comments will be accepted during the meeting in-person or remotely through Zoom at the option of the speaker. Public comments in-person will be taken first, followed by speakers on Zoom.

**\*Please see instructions for written and spoken public comments at the end of this agenda.**

#### **ADA Requests**

Individuals who require special assistance or a disability related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the meeting, should contact Olivia Boo, Planning Liaison, as early as possible but no later than 10:00 a.m. on the business day before the meeting at (650) 363-1818 and/or [oboo@smcgov.org](mailto:oboo@smcgov.org). Notification in advance of the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting, the materials related to it, and your ability to comment.

## AGENDA

1. **Call to Order**
  2. **Member Roll Call**
  3. **Oral Communications** to allow the public to address the Committee on any matter not on the agenda. If your subject is not on the agenda, the Chair will recognize you at this time. Speakers are customarily limited to 3 minutes. See instructions explained at the end of this agenda regarding instruction for public comment. *Please note that the Committee cannot discuss or act on an item not on the agenda.*
  4. **Consideration of Meeting Minutes** for the July 8, 2024 AAC meeting.
  5. **Committee Member Update(s) and/or Questions** to allow Committee Members to share news and/or concerns for items not on the agenda.
  6. **Planning and Building Department Director's Report.** (*Planning Liaison*)
- 

### Consent Agenda

7. **Applicant/Owner:** David Repetto/Dolores Togneri Et Al Trust  
**File Number** PLN 2024-00187  
**Location:** 12331 San Mateo Rd, Half Moon Bay (unincorp.)  
**Assessor's Parcel No.** 056-321-020

Consideration of an Agritourism Event for the Repetto's 2024 October pumpkin selling season, starting on October 1, 2024 and ending on October 31, 2024. Proposed days and hours of operation are as follows: Daily from 9:00 a.m. to sunset. Proposed Event elements include a pumpkin patch and corn maze; no operational changes from last season. Parking will occur in an existing 1-acre open field on the 15-acre property. Project Planner: Tiffany Gee, [TGee@smcgov.org](mailto:TGee@smcgov.org).

**Action Request:** That the AAC provide a recommendation to the Director of Planning and Building.

8. **Applicant/Owner:** John Cozzolino/Vincent J and M A. Cozzonlino Trust  
**File Number** PLN 2024-00228  
**Location:** 12291 San Mateo Rd., Half Moon Bay (unincorp.)  
**Assessor's Parcel No.** 056-331-110

Consideration of an Agritourism Event for the Cozzonlino's 2024 October pumpkin selling season, starting on September 21, 2024 and ending on October 31, 2024. Proposed days and hours of operation are as follows: Monday – Friday from 10:00 a.m. to 5:00 p.m. and Saturday – Sunday from 9:00 a.m. to 6:00 p.m. Proposed Event elements include pumpkin sales, stationary photo ops, harvest festival-type vendors, a pumpkin patch, one food vendor, and (tentatively) a pony ride, petting zoo, and two inflatables; no operational changes from last season. Parking will occur in an existing

large, open field adjacent to the activities accommodating approximately 50 parking spaces. Project Planner: Tiffany Gee, [TGee@smcgov.org](mailto:TGee@smcgov.org).

**Action Request:** That the AAC provide a recommendation to the Director of Planning and Building.

---

### **Regular Agenda**

9.     **Applicant/Owner:**           Rachel Catuiza/Moonrock 2023 LLC  
       **File Number**                PLN 2024-00094  
       **Location:**                   7000 Stage Rd., San Gregorio (unincorp.)  
       **Assessor's Parcel No.**       081-240-050

Consideration of an Agricultural Preserve and a California Land Conservation (Williamson) Act Contract for a 151-acre parcel. Project Planner: Tiffany Gee, [TGee@smcgov.org](mailto:TGee@smcgov.org).

**Action Request:** That the AAC provide a recommendation to the Board of Supervisors on the proposed project.

---

10.    **Discussion items:** (Deferred from the August meeting)
- a.    Pescadero Fire Station Mitigation Measures – Natalie Sare - Committee to review a draft recommendation letter written by the AAC, addressed to the County.
  - b.    Committee Member Chair, Natalie Sare - Drafting steps and paths for the County to help preserve and promote farm labor housing.
  - c.    Committee Member Chair, Natalie Sare – List of methods to help farmers stay in the area, Natalie to send a draft list to Planning staff.
- 

### 11.    **Adjournment**

### **ADDITIONAL INFORMATION**

#### **Materials Presented for the Meeting**

Applicants and members of the public may submit materials to the Agricultural Advisory Committee. All materials (including but not limited to models and pictures) submitted on any item on the agenda are considered part of the administrative record for that item and must be retained by the Committee Secretary, or other designee. If you wish to retain the original of an item, a legible copy must be left with the Committee Secretary, or other designee.

## **Agendas & Staff Reports**

To view the agenda, please visit our website at <https://planning.smcgov.org/agricultural-advisory-committee>. Staff reports will be available on the website one week prior to the meeting. For further information on any item listed below, please contact the corresponding Project Planner indicated. To subscribe to the Agricultural Advisory Committee agenda mailing list, please “subscribe” to email updates at the above website link.

## **Correspondence to the Committee**

Olivia Boo, Agricultural Advisory Committee Liaison  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94062  
(650) 363-1818  
Email: [oboo@smcgov.org](mailto:oboo@smcgov.org)

## **Zoom**

For any questions or concerns regarding Zoom, including troubleshooting, privacy, or security settings, please contact Zoom directly. See instructions below for public comment on Zoom.

## **Next Meeting**

The next regularly scheduled Agricultural Advisory Committee meeting is on October 21, 2024.

## **\*INSTRUCTIONS FOR PUBLIC COMMENT DURING MEETINGS**

Public comments in-person will be taken first, followed by speakers on Zoom.

### **In-person**

If you wish to address the Members of the Agricultural Advisory Committee please raise your hand for the Chair to acknowledge you. Once acknowledged, please start by clearly stating your first and last name for the record. If you have anything that you wish distributed to the Agricultural Advisory Committee and included in the official record, please hand it to the Committee Secretary and/or Chair, or other designee, who will distribute the information to the Agricultural Advisory Committee members and staff.

### **Via Zoom**

1. The Agricultural Advisory Committee meeting may be accessed remotely by members of the public through Zoom online at: <https://smcgov.zoom.us/j/85719880714>. **The meeting ID is: 857 1988 0714**  
. The meeting may also be accessed via telephone by dialing +1 669-900-6833 (Local). **Enter the meeting ID: 857 1988 0714** and then press #.
2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up to date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionalities may be disabled in older browsers including internet explorer.
3. You may be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When the Committee calls for the item on which you wish to speak, click on “raise hand” or \*9 if calling in on a phone. The Secretary will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.
5. When called, please limit your remarks to the time limit allotted.

### **Written Comments**

Written public comments may be emailed in advance of the meeting. Please read the following instructions carefully:

1. Your written comment should be emailed to [oboo@smcgov.org](mailto:oboo@smcgov.org).
2. Your email should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda or is on the consent agenda.

3. If your emailed comment is received by 5:00 p.m. on the business day before the meeting, it will be provided to the Members of the Agricultural Advisory Committee and made publicly available on the agenda website under the specific item to which your comment pertains. If emailed comments are received after 5:00 p.m. on the business day before the meeting, the Planning Liaison will make every effort to either (i) provide such emailed comments to the Agricultural Advisory Committee and make such emails publicly available on the agenda website prior to the meeting, or (ii) read such emails during the meeting. Whether such emailed comments are forwarded and posted, or are read during the meeting, they will still be included in the administrative record.

*Public records that relate to any item on the agenda for a regular meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Agricultural Advisory Committee.*

# Roll Sheet –September 9, 2024

Agricultural Advisory Committee

	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept
<b>Voting Members</b>													
James Oku Farmer	X			X	X	X	X	X	X		X	X	
Natalie Sare Farmer	X	X		X	X	X	X		X	X	X		
John Vars Farmer	X	X		X		X	X		X	X	X	X	
Peter Marchi Farmer	X	X		X	X	X	X	X	X	X	X	X	
Ryan Casey Farmer	X	X		X	X	X	X	X	X		X	X	
Cole Mazariegos- Anastassiou Farmer	X	X		X		X	X	X	X	X	X	X	
Crystal Chaix Public Member					X	X	X	X	X	X	X	X	
Daniel Theobald Ag Business	X	X		X	X	X	X	X	X	X	X	X	
**Vacant Farmer													
**Vacant Public Member													
**Vacant Conservationist													
<b>Planning Liaison</b>													
Natural Resource Conservation Staff: Jim Howard													
San Mateo County Agricultural Commissioner: Koren Widdel	X			X	X	X	X	X	X	X	X	X	
Farm Bureau Executive Director: Jess Brown	X				X	X	X		X		X	X	
UC Co-Op Extension Representative: Dr. Igor Lacan	X	X					X		X		X		
San Mateo County Planning Liaison: Olivia Boo	X	X		X	X	X	X	X	X	X	X	X	
<b>X: Present    Blank Space: Absent or Excused    Grey Color: No meeting    *Special Meeting    **Position Vacant</b>													



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

**ITEM**

**6**

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

**DATE:** August 28, 2024

**TO:** Agricultural Advisory Committee

**FROM:** Planning Staff

**SUBJECT:** Director's Report

**CONTACT INFORMATION:** Olivia Boo, Planner, [oboo@smcgov.org](mailto:oboo@smcgov.org)

The following is a list of Planned Agricultural District Permits and Coastal Development Exemptions for the rural area of the County that have been received by the Planning Department from July 28, 2024 to August 27, 2024.

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

No PAD application was heard or considered by the Board of Supervisors and/or Planning Commission during this time period.

**UPCOMING PLANNED AGRICULTURAL DISTRICT PERMIT PROJECTS**

No PAD permit applications were received by the Planning Department during this time period.

**COASTAL DEVELOPMENT EXEMPTIONS (CDX) FOR AGRICULTURAL PROJECTS**

No CDX applications for agricultural projects were submitted during this time period.

**OTHER PROJECTS**

None.

**ADDITIONAL ANNOUNCEMENTS**

Next meeting is on October 21, 2024.





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

**ITEM**

**7**

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

**DATE:** September 9, 2024

**TO:** Agricultural Advisory Committee

**FROM:** Tiffany Gee, Planning Staff, 650/383-4326

**SUBJECT:** Consideration of an Agritourism Event starting on October 1, 2024, and ending on October 31, 2024, located on an unaddressed parcel four parcels west of 12331 San Mateo Road, unincorporated Half Moon Bay (Repetto's Pumpkins).

County File Number: PLN2024-00187 (Repetto/Togneri)

**PROPOSAL**

The applicant, David Repetto, has applied for an Agritourism Event for the upcoming 2024 October pumpkin selling season, October 1, 2024 – October 31, 2024, located on an unaddressed parcel four parcels west of 12331 San Mateo Road, unincorporated Half Moon Bay (Repetto's Pumpkins). The proposed days and hours of operation are as follows: Daily from 9:00 a.m. to sunset. The proposed Event elements include a pumpkin patch and corn maze. Parking for the Event will occur in an existing 1-acre open field on the 15-acre property. There will be 4-6 employees on the site. Temporary signage meeting the Agricultural Event signage requirements, as provided in past years, will be erected for the seasonal operation. No changes are proposed from the previous year's Event operation.

**DECISION MAKER**

Director of Planning and Building

**QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE**

1. Is the agritourism use compatible with the long-term agricultural uses of the land?
2. Will the agritourism operation have any adverse effect on surrounding agricultural uses? If so, can any conditions of approval be recommended to minimize any such impact?
3. What decision do you recommend the Director of Planning and Building take with respect to this application?

## **BACKGROUND**

Report Prepared By: Tiffany Gee, Project Planner

Applicant: David Repetto

Owner: Dolores Togneri Et Al Trust

Location: Unaddressed parcel four parcels west of 12331 San Mateo Road, unincorporated Half Moon Bay

APN(s): 056-321-020

Parcel Size: 15 acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Williamson Act: The subject parcel is not encumbered by a Williamson Act contract.

Existing Land Use: Agriculture, including ornamental flowers, pumpkins, and corn.

Water Supply: Private agricultural well permitted in 1991 (CDX91-0080) and an agricultural water impoundment permitted in 1991 (GRX91-0004).

Sewage Disposal: None.

Flood Zone: Flood Zone A (1% annual chance of flooding) and Flood Zone X (Area of Minimal Flooding), pursuant to Federal Emergency Management Agency, Flood Insurance Rate Map, Community Panel 06081C0260E, effective October 16, 2012.

Environmental Evaluation: Categorically exempt from environmental review pursuant to Section 15304, Class 4, of the California Environmental Quality Act (CEQA) Guidelines, for the minor temporary use of land having negligible or no permanent effects on the environment.

Setting: The subject 15-acre parcel is located on the south side of San Mateo Road, also known as California Highway 92, and is visible from the roadway. The site is relatively flat and just slightly lower in elevation from the roadway.

Chronology:

Date

Action

- September 2014 - Application for Agritourism Event permit, PLN2014-00287, recommended for approval by the AAC.
- September 2015 - Application for Agritourism Event permit, PLN2015-00434, approved.
- October 2016 - Application for Agritourism Event permit, PLN2016-00421, recommended for approval by the AAC.
- September 2017 - Application for Agritourism Event permit, PLN2017-00371, filed.
- November 2019 - Application for Agritourism Event permit, PLN2019-00407, recommended for approval by the AAC.
- October 2020 - Application for Agritourism Event permit, PLN2020-00286, recommended for approval by the AAC.
- August 2021 - Application for Agritourism Event permit, PLN2021-00270, recommended for approval by the AAC.
- September 2022 - Application for Agritourism Event permit, PLN2022-00246, recommended for approval by the AAC.
- September 2023 - Application for Agritourism Event permit, PLN2023-00249, recommended for approval by the AAC.
- June 24, 2024 - Subject Agritourism Event permit application submitted, PLN2024-00187.
- September 9, 2024 - Agricultural Advisory Committee meeting scheduled.

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

Yes, the project site is visible from San Mateo Road/Highway 92, however, the Event is secondary and supplemental to ongoing agricultural use of the land and, as a seasonal event, not uncharacteristic for the area.

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

No.

*Is there prime soil on the project site?*

Yes, a majority of the parcel contains prime soils as illustrated in Attachment B.

**DISCUSSION**

**A. KEY ISSUES**

Planning staff has reviewed this application for conformance with the following Agritourism Guidelines and Performance Standards:

1. Temporary Seasonal Agritourism Uses and Activities

- a. *The Agritourism operation will not interfere with agricultural production on or adjacent to the lot.*

The Agritourism Event does not interfere with the agricultural use of the land, which includes the growing of ornamental flowers, pumpkins, and corn.

- b. *The Agritourism event will not exceed a maximum of 45 consecutive days and will not occur more than two times per year.*

The proposed Agritourism Event is for the October 1, 2024 – October 31, 2024 (typical) pumpkin season, occurring one time per year.

- c. *The Agritourism event will operate within the guideline’s allowance of Sunday through Saturday from 9:00 a.m. to sunset; no lighting is allowed.*

The Event will operate daily from 9:00 a.m. to sunset with 4-6 employees on site. No lighting is proposed in association with the Event. Therefore, the proposal meets these requirements.

- d. *The Agritourism event will consist of no more than the maximum allowed uses and activities indicated below:*

<b>Maximum Allowed Agritourism Use/Activity</b>	<b>Proposed (Quantity)</b>
Two (2) inflatables <sup>1</sup> allowed on all lands <sup>2</sup>	
One (1) pony ride area <sup>3</sup>	
One (1) farm animal petting zoo on all lands	
One (1) hayride on all lands	
One (1) train with rubberized wheels on all lands	
One (1) food vendor, mobile or on-site, including mobile prepackaged food/snack bar <sup>4</sup> , located on all soils	

One (1) prepackaged food/snack bar on non-prime soils <sup>4</sup>	
Other recreational/educational activities, see discussion below	1
<sup>1</sup> Inflatables are subject to the standards of the Safe Inflation Operators Training Organization. <sup>2</sup> Subject to a 36-foot height limit as set forth in the Planned Agricultural District and Resource Management District Regulations. <sup>3</sup> Confined animal permit or exemption required. <sup>4</sup> Environmental Health Permit required.	

*Other recreational/educational activities*

In addition to operating a pumpkin patch, the Event will include a corn maze.

2. Performance Standards for Seasonal Agritourism Uses and Activities

- a. *Adequate on-site parking is provided, as designated on the attached site plan, including conformance with applicable provisions from Local Coastal Program Policy 10.22 (Parking) for adequate parking facilities to accommodate the temporary seasonal uses that are appropriate for the site’s size, environmental sensitivity, and amount of land suitable for parking; and that are not visually prominent from public views.*

Approximately one (1) acre of the property will be designated for parking in association with the Event. The area for parking is a large open field in the western portion of the property, nearest the roadway; this area has been used in past years for parking during the annual pumpkin season Event at the property. While this parking area is visible from San Mateo Road/Highway 92, there will be no modifications made to the area to accommodate parking so that the designated area maintains a natural and rural setting complementary to the surrounding area.

- b. *Any new signage will be temporarily established and maintained throughout the duration of the Agritourism event, as allowed pursuant to Local Coastal Program Policy 8.21 (Commercial Signs), will be simple and easy to read, and will not be brightly illuminated colored, rotating, reflective, blinking, flashing, or moving signs, pennants, or streamers.*

One orange sign with black lettering, sized 6’ x 8’, will be temporarily erected on the fence at the entrance, reading “Repetto’s Pumpkin Patch”. Three swooper feather flags, sized 3’ x 11’, reading “Pumpkins” will be temporarily located at the entrance of the field. The

signage meeting these requirements, as provided in past years, will be erected for the seasonal operation.

- c. *All Agritourism uses and activities shall meet the current standards for setbacks and buffers from watercourses, including creeks, and/or riparian vegetation.*

All uses and activities associated with the Agritourism Event will be located on the front half of the lot, farthest away from nearby Pilarcitos Creek and its natural habitat.

- d. *On parcels under forty (40) acres in size, all agritourism elements shall be clustered and shall consume no more than one (1) gross acres (excluding hayrides or trains with rubberized wheels); parking is excluded from this acreage calculation.*

The proposal meets these requirements.

- e. *The agritourism operation shall not involve any land disturbance, including import of gravel or fill.*

No land disturbance is necessary to accommodate the Event.

### 3. Recommended Findings for the Agritourism Event

- a. That the agritourism use is compatible with the long-term agricultural uses of the land because the proceeds from the Agritourism Event, including pumpkin sales, supports the economic viability of the farm and does not prevent future agricultural uses on the land.
- b. That the agritourism operation will not adversely affect the health or safety of persons in the area and will not be materially detrimental to the public welfare or injurious to agricultural property. Staff has evaluated the Event proposal and finds there will be no negative impacts on the agricultural uses of the land. Staff believes that use of the land for the proposed seasonal Event is of a greater benefit than letting the land lay fallow.
- c. That the agritourism operation is in substantial conformance with the goals set forth in the San Mateo County Agritourism Guidelines. Specifically, that the operation is secondary and supplemental to existing agricultural operation on the land.
- d. That the proposed use and activities comply with all relevant provisions of the General Plan, Local Coastal Program, Zoning Regulations, and Williamson Act as discussed throughout this report.

## **ATTACHMENTS**

- A. Location and Vicinity Map
- B. Prime Soils Map
- C. Site Plan
- D. Application





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

# **ATTACHMENT A**



0.24 0 0.12 0.24 Miles

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

1:7,681



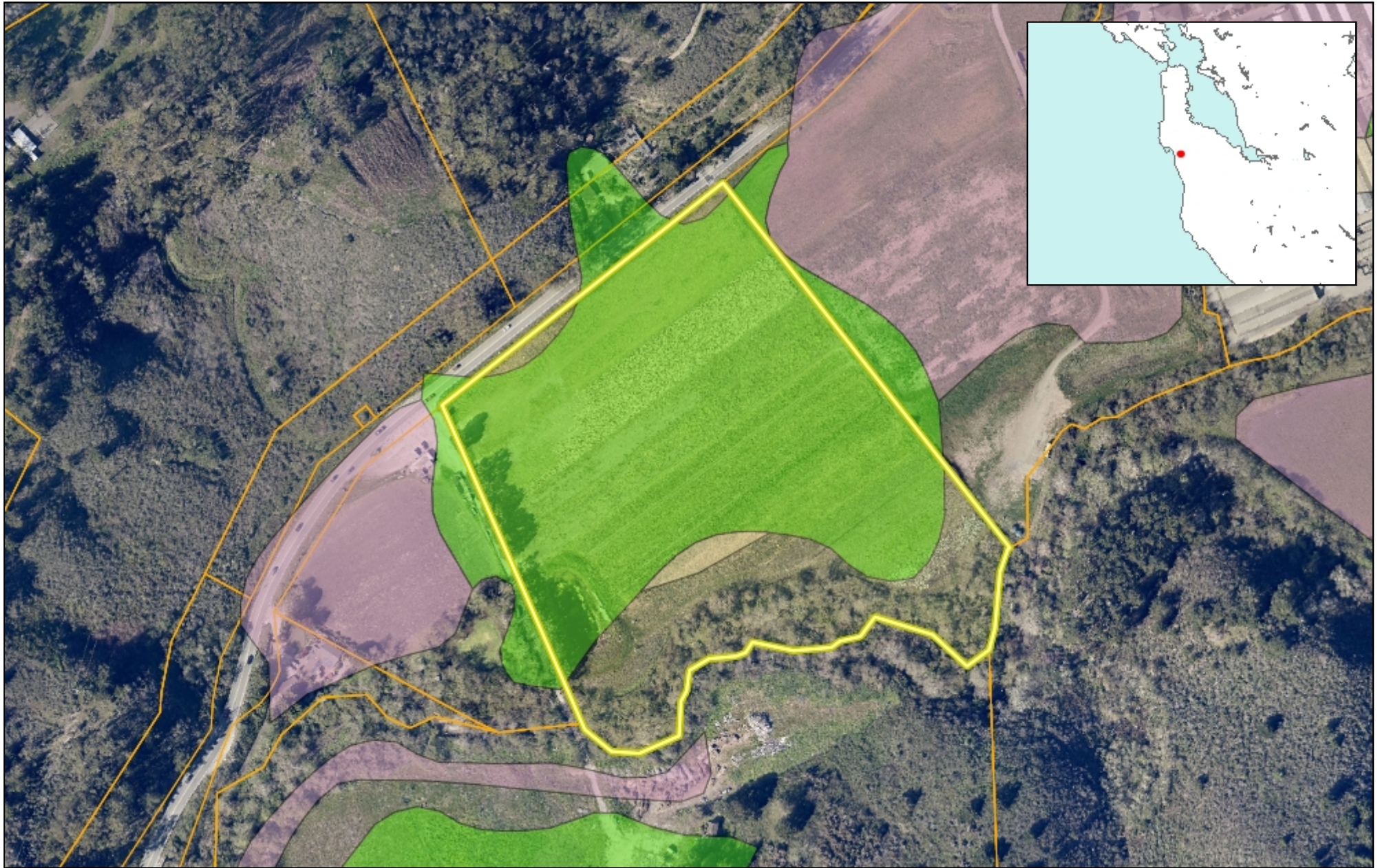
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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




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

# **ATTACHMENT B**



0.12      0      0.06      0.12 Miles

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

1:3,840 

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.

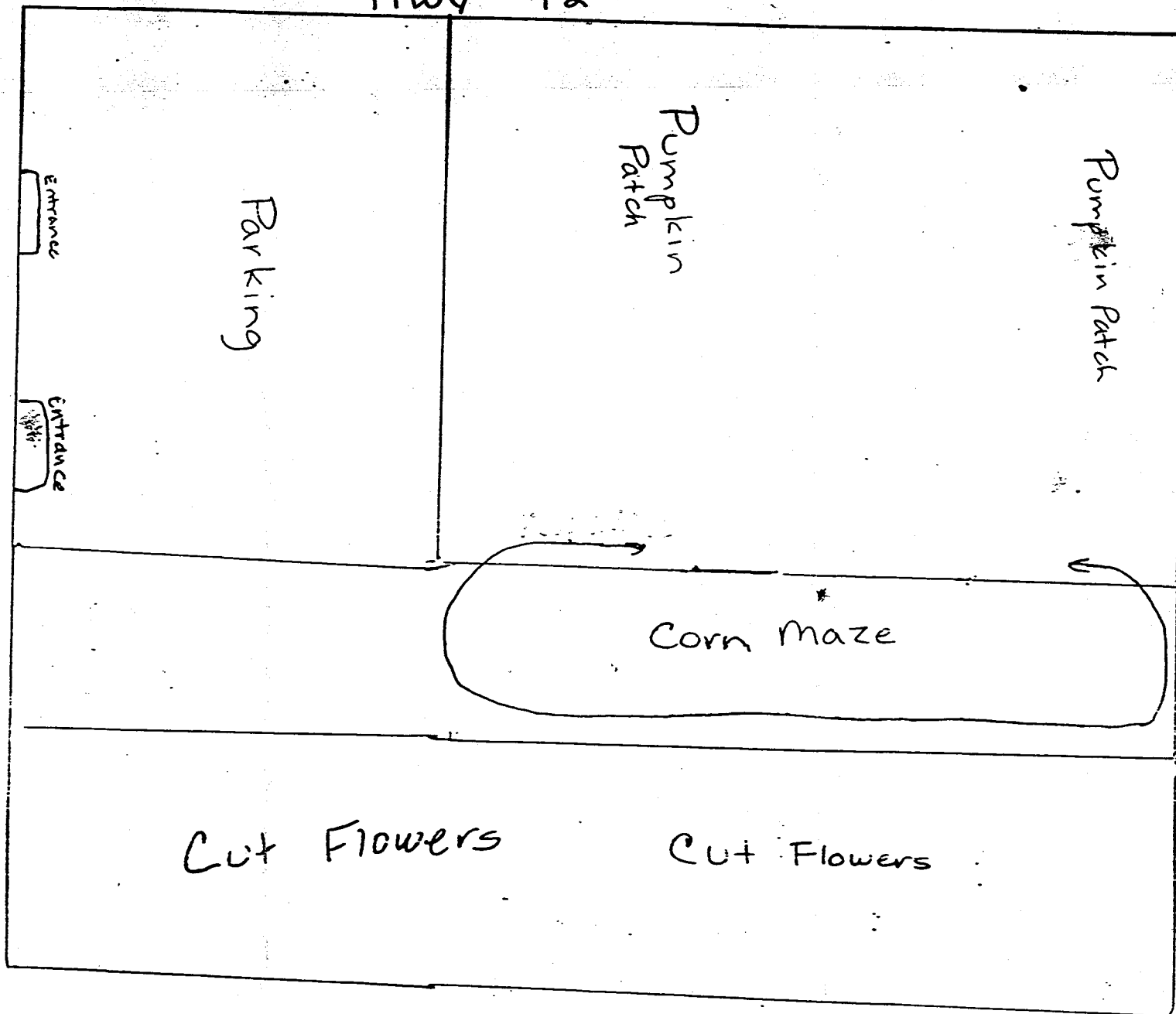
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**



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

# **ATTACHMENT C**

Hwy 92



Parking

Pumpkin Patch

Pumpkin Patch

Corn Maze

Cut Flowers

Cut Flowers



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

**ATTACHMENT D**



# COUNTY OF SAN MATEO PLANNING AND BUILDING

455 County Center, 2nd Floor, Redwood City, CA 94063 | <https://planning.smcgov.org> | T: 650-363-1825 F: 650-363-4849

## Application for Agritourism Event

Primary Permit #: PLN2024-00187

### 1. Instructions

Please fill out the general Planning Permit Application Form, Environmental Information Form, and this form when applying for an Agritourism use. **Applications must be submitted two months prior to the event.**

### 2. Project Information

Parcel/Lot Size:

056-321-020 15 acres

If less than 40 Acres project not to exceed 1 gross Acre.

If more than 40 Acres project not to exceed 2 gross Acres.

Use will be no more than 1 acre

Please describe all elements and activities associated with your agritourism activities:

Pumpkin Patch & corn maze

Please describe hours, number of employees and statement of conformance with agritourism guidelines:

There will be approximately 4-6 employees

Please describe the agricultural uses on the land:

Ornamental flowers, pumpkins, corn

Applicant's Name:

Address:

David Repetto

12331 San Mateo Road

Half Moon Bay, CA 94019



**3. Site Description**

Please describe any on-site parking areas:  
We have approximately 1 acre for parking

Please describe any on-site eating establishments:  
None

**4. Qualification Requirements**

Please initial next to the category which qualifies your project for an agritourism use.

DR \_\_\_\_\_ Event will not occur for more than 45 days. \_\_\_\_\_ Total acreage does not exceed two gross acres.  
DR \_\_\_\_\_ Total acreage does not exceed one gross acre. DR \_\_\_\_\_ Does not interfere with agricultural uses of the land.

**5. Williamson Act Contract**

Is the parcel currently under a Williamson Act Contract?  YES  NO

If Yes, please provide contract number: \_\_\_\_\_

**6. Materials Required**

- a. Three (3) sets of plans that include a scaled site plan, elevations, and floor plans
  - b. One (1) set of reduced plans (8 1/2 "X11" or 11 "X17")
  - c. All applicable applications forms
  - d. Environmental Information Form
  - e. Photographs (if requested)
  - f. Fees as set by Resolution of the Board of Supervisors
- Additional information may be required during review of your application.

**7. Approval**

Planner: \_\_\_\_\_ Date: \_\_\_\_\_

**8. Processing**

- Fee Collected
- Referral to Agricultural Advisory Committee
- Update Permit Plan

**9. Signatures**

We hereby certify that the information stated above and on forms, plans and other materials submitted herewith in support of the application is true and correct to the best of our knowledge. It is our responsibility to inform the County of San Mateo through our assigned project planner of any changes to information represented in these submittals.

Owner's Signature (1): *Dan Ryan*  
Owner's Signature (2): \_\_\_\_\_  
Applicant's Signature: \_\_\_\_\_



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

**ITEM**

**8**

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

**DATE:** September 9, 2024

**TO:** Agricultural Advisory Committee

**FROM:** Tiffany Gee, Planning Staff, 650/383-4326

**SUBJECT:** Consideration of an Agritourism Event starting on September 21, 2024, and ending on October 31, 2024, located at 12291 San Mateo Road, unincorporated Half Moon Bay (4-C's Pumpkin Farm).

County File Number: PLN2024-00228 (Cozzolino)

**PROPOSAL**

The applicant, John Cozzolino, has applied for an Agritourism Event for the upcoming 2024 October pumpkin selling season, September 21, 2024 – October 31, 2024, located at 12291 San Mateo Road, unincorporated Half Moon Bay (4-C's Pumpkin Farm). The proposed days and hours of operation are as follows: Monday – Friday from 10:00 a.m. to 5:00 p.m. and Saturday – Sunday from 9:00 a.m. to 6:00 p.m. The proposed Event elements are: 1) pumpkin sales, stationary photo ops, harvest festival-type vendors, a pumpkin patch, pony ride, petting zoo, two inflatables, and 2) one food vendor. The vendor will be on site during weekends and Columbus Day/Indigenous Peoples' Day only.

Parking for the Event will occur in the existing large open field adjacent to the Event area. There will be 1 employee on the site during the weekdays and 2-4 employees on the site during the weekends and Columbus Day/Indigenous Peoples' Day, consisting primarily of Cozzolino family members. One painted wood sign for the 4-C's farm, located at the entrance to the farm, will be used throughout the duration of the Event.

**DECISION MAKER**

Director of Planning and Building

**QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE**

1. Is the agritourism use compatible with the long-term agricultural uses of the land?
2. Will the agritourism operation have any adverse effect on surrounding agricultural uses? If so, can any conditions of approval be recommended to minimize any such impact?

3. What decision do you recommend the Director of Planning and Building take with respect to this application?

## **BACKGROUND**

Report Prepared By: Tiffany Gee, Project Planner

Applicant: John Cozzolino

Owner: Vincent J and M A Cozzolino Trust

Location: 4-C's Pumpkin Farm, 12291 San Mateo Road, unincorporated Half Moon Bay

APN(s): 056-331-110

Parcel Size: 3.57 acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Williamson Act: The subject parcel is encumbered by a Williamson Act contract (AP 72-18).

Existing Land Use: Agriculture, including pumpkins and oat hay.

Water Supply: Private well.

Sewage Disposal: None.

Flood Zone: Flood Zone A (1% annual chance of flooding) and Flood Zone X (Area of Minimal Flooding), pursuant to Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map, Community Panel 06081C0260E, effective October 16, 2012.

Environmental Evaluation: Categorically exempt from environmental review pursuant to Section 15304, Class 4, of the California Environmental Quality Act (CEQA) Guidelines, for the minor temporary use of land having negligible or no permanent effects on the environment.

Setting: The subject site is located on the south side of San Mateo Road, also known as California Highway 92, and is visible from the roadway. The site is quaint and provides the public with the first view of San Mateo County's rich history of agriculture

and demonstrates how the County respects and encourages small family farms to succeed.

Chronology:

<u>Date</u>	<u>Action</u>
September 2014	- Application for Agritourism Event permit, PLN2014-00286, recommended for approval by the AAC.
September 2015	- Application for Agritourism Event permit, PLN2015-00435, approved.
September 2016	- Application for Agritourism Event permit, PLN2016-00410, approved.
August 2017	- Application for Agritourism Event permit, PLN2017-00368, approved.
November 2019	- Application for Agritourism Event permit, PLN2019-00408, recommended for approval by the AAC.
July 2020	- Application for Agritourism Event permit, PLN2020-00132, recommended for approval by the AAC.
September 2022	- Application for Agritourism Event permit, PLN2022-00247, recommended for approval by the AAC.
August 7, 2024	- Subject Agritourism Event permit application submitted, PLN2024-00228.
September 9, 2024	- Agricultural Advisory Committee meeting scheduled.

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

Yes, the project site is visible from San Mateo Road/Highway 92, however, the Event is secondary and supplemental to ongoing agricultural use of the land, and as a seasonal event, not uncharacteristic for the area.

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

No.

*Is there prime soil on the project site?*

Yes, there are prime soils interspersed throughout the site as illustrated in Attachment B.

## **DISCUSSION**

### **A. KEY ISSUES**

Planning staff has reviewed this application for conformance with the following Agritourism Guidelines and Performance Standards:

#### **1. Temporary Seasonal Agritourism Uses and Activities**

- a. *The Agritourism operation will not interfere with agricultural production on or adjacent to the lot.*

The Agritourism Event does not interfere with the agricultural use of the land, which includes the growing of hay, pumpkins, and Christmas trees.

- b. *The Agritourism event will not exceed a maximum of 45 consecutive days and will not occur more than two times per year.*

The proposed Agritourism Event is for the September 21, 2024 – October 31, 2024 (typical) pumpkin season, occurring one time per year.

- c. *The Agritourism event will operate within the guideline's allowance of Sunday through Saturday from 9:00 a.m. to sunset; no lighting is allowed.*

The event will operate Monday – Friday from 10:00 a.m. to 5:00 p.m. and Saturday – Sunday from 9:00 a.m. to 6:00 p.m. No lighting is proposed in association with the Event; therefore, the proposal meets these requirements. One employee will be on site on weekdays and 2-4 employees will be on site on weekends and Columbus Day/Indigenous Peoples' Day, consisting primarily of Cozzolino family members.

- d. *The Agritourism event will consist of no more than the maximum allowed uses and activities indicated below:*

<b>Maximum Allowed Agritourism Use/Activity</b>	<b>Proposed (Quantity)</b>
Two (2) inflatables <sup>1</sup> allowed on all lands <sup>2</sup>	2
One (1) pony ride area <sup>3</sup>	1
One (1) farm animal petting zoo on all lands	1

One (1) hayride on all lands	
One (1) train with rubberized wheels on all lands	
One (1) food vendor, mobile or on-site, including mobile prepackaged food/snack bar <sup>4</sup> , located on all soils	1
One (1) prepackaged food/snack bar on non-prime soils <sup>4</sup>	
Other recreational/educational activities, see discussion below	
<sup>1</sup> Inflatables are subject to the standards of the Safe Inflatable Operators Training Organization. <sup>2</sup> Subject to a 36-foot height limit as set forth in the Planned Agricultural District and Resource Management District Regulations. <sup>3</sup> Confined animal permit or exemption required. <sup>4</sup> Environmental Health Permit required.	

***Other recreational/educational activities/Additional comments***

The inflatables, pony ride, and petting zoo will be dependent on whether the applicant can secure a vendor.

**2. Performance Standards for Seasonal Agritourism Uses and Activities**

- a. *Adequate on-site parking is provided, as designated on the attached site plan, including conformance with applicable provisions from Local Coastal Program Policy 10.22 (Parking) for adequate parking facilities to accommodate the temporary seasonal uses that are appropriate for the site’s size, environmental sensitivity, and amount of land suitable for parking; and that are not visually prominent from public views.*

There are approximately 50 unmarked spaces located on the adjacent large open field that will be used for Event parking; this area has been used in past years for this annual pumpkin season Event at the property. While this area is visible from San Mateo Road/Highway 92, the space is purposely unmarked to keep with the natural and rural setting of the site.

- b. *Any new signage will be temporarily established and maintained throughout the duration of the Agritourism event, as allowed pursuant to Local Coastal Program Policy 8.21 (Commercial Signs), will be simple and easy to read, and will not be brightly illuminated colored, rotating, reflective, blinking, flashing, or moving signs, pennants, or streamers.*

One painted wood sign for the 4-C's farm, located at the entrance to the farm, will be used throughout the duration of the Event. The wood sign blends with the natural environment and rural feel of the farm.

- c. *All Agritourism uses and activities shall meet the current standards for setbacks and buffers from watercourses, including creeks, and/or riparian vegetation.*

All uses associated with the Agritourism Event will be located on the opposite side of an existing access road separating the Event area from nearby Pilarcitos Creek and its natural habitat.

- d. *On parcels under forty (40) acres in size, all agritourism elements shall be clustered and shall consume no more than one (1) gross acres (excluding hayrides or trains with rubberized wheels); parking is excluded from this acreage calculation.*

The proposal meets these requirements.

- e. *The agritourism operation shall not involve any land disturbance, including import of gravel or fill.*

No land disturbance is necessary to accommodate the Event.

### 3. Compliance with the Williamson Act

The project parcel was placed under Williamson Act contract in 1972 (County File No. AP 72-18) and currently remains under contract. Pursuant to the County's Williamson Act regulations, compatible uses include those uses that are incidental to and will not interfere with existing or potential agricultural productivity on the property or in the surrounding area.

The proposed Agritourism Event is secondary and supplemental to existing agricultural use of the land. The proposed Event will comprise less than 1 acre of the 3.57-acre parcel, with all associated activities and uses clustered in the rear of the property. The Agritourism Event will not interfere, hinder, or impair existing ongoing agricultural use or operations, or the potential for future agricultural use, on the subject parcel or surrounding parcels. Therefore, staff considers the proposed seasonal Agritourism Event to be a compatible use to existing ongoing primary agricultural use of the parcel, and thus, in compliance with the Williamson Act.

### 4. Recommended Findings for the Agritourism Event

- a. That the agritourism use is compatible with the long-term agricultural uses of the land because 4-C grows the pumpkins on site with the



proceeds from the Agritourism Event, including pumpkin sales, supporting the economic viability of the farm.

- b. That the agritourism operation will not adversely affect the health or safety of persons in the area and will not be materially detrimental to the public welfare or injurious to agricultural property. The farming activity and Agritourism Event is primarily operated by family members. Staff has evaluated the Event proposal and finds there will be no negative impacts on the agricultural uses of the land. Staff believes that use of the land for the proposed seasonal Event is of a greater benefit than letting the land lay fallow.
- c. That the agritourism operation is in substantial conformance with the goals set forth in the San Mateo County Agritourism Guidelines. Specifically, that the operation is secondary and supplemental to existing agricultural operation on the land.
- d. That the proposed use and activities comply with all relevant provisions of the General Plan, Local Coastal Program, Zoning Regulations, and Williamson Act as discussed throughout this report.

## **ATTACHMENTS**

- A. Location and Vicinity Map
- B. Prime Soils Map
- C. Site Plan
- D. Application




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

# **ATTACHMENT A**



0.07 0 0.04 0.07 Miles

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

1:2,257 

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**




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

# **ATTACHMENT B**



0.12                      0                      0.06                      0.12 Miles

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

1:3,840 

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.

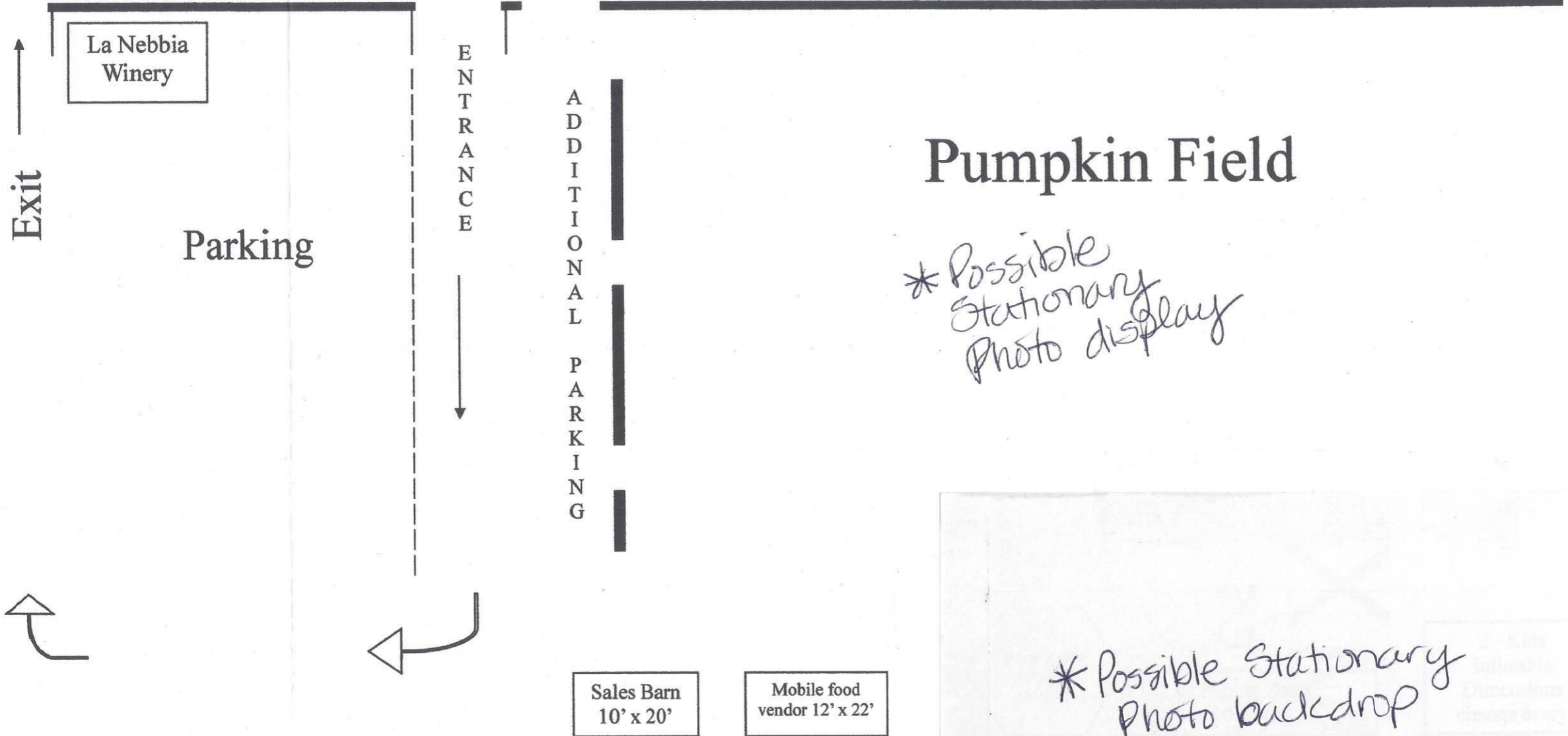
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**



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

# **ATTACHMENT C**

HWY 92





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

**ATTACHMENT D**





# COUNTY OF SAN MATEO PLANNING AND BUILDING

455 County Center, 2nd Floor, Redwood City, CA 94063 | <https://planning.smcgov.org> | T: 650-363-1825 F: 650-363-4849

## Application for Agritourism Event

Primary Permit #: \_\_\_\_\_

### 1. Instructions

Please fill out the general Planning Permit Application Form, Environmental Information Form, and this form when applying for an Agritourism use. **Applications must be submitted two months prior to the event.**

### 2. Project Information

Parcel/Lot Size: \_\_\_\_\_

056-331-120 / 18.89 acres

If less than 40 Acres project not to exceed 1 gross Acre.

If more than 40 Acres project not to exceed 2 gross Acres.

Please describe hours, number of employees and statement of conformance with agritourism guidelines:

Monday - Friday 10am - 5pm\* with 1 employee

Saturday & Sunday 9am - 6pm\*

Weekends are staffed by owners & family

\*weather permitting

Please describe all elements and activities associated with your agritourism activities:

Pumpkin Sales

Mobile Food Vendor

Possible Inflatable activities for kids

Stationary photo ops

Harvest festival type vendors

Please describe the agricultural uses on the land:

Crop rotation every 2 years , alternating between pumpkins

& oat hay

Applicant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

John Cozzolino

12009 San Mateo Rd.

Half Moon Bay, CA 94019



### 3. Site Description

Please describe any on-site parking areas:

Large open field adjacent to pumpkin sales field

Please describe any on-site eating establishments:

1 - mobile food truck / vendor on weekends & Columbus Day only

### 4. Qualification Requirements

Please initial next to the category which qualifies your project for an agritourism use.

- JC Event will not occur for more than 45 days. JC Total acreage does not exceed two gross acres.
- JC Total acreage does not exceed one gross acre. JC Does not interfere with agricultural uses of the land.

### 5. Williamson Act Contract

Is the parcel currently under a Williamson Act Contract?

YES

NO

If Yes, please provide contract number: 056-331-050 / 056-331-120

### 6. Materials Required

- a. Three (3) sets of plans that include a scaled site plan, elevations, and floor plans
  - b. One (1) set of reduced plans (8 1/2"X11" or 11"X17")
  - c. All applicable applications forms
  - d. Environmental Information Form
  - e. Photographs (if requested)
  - f. Fees as set by Resolution of the Board of Supervisors
- Additional information may be required during review of your application.

### 7. Approval

Planner: \_\_\_\_\_

Date: \_\_\_\_\_

### 8. Processing

- Fee Collected
- Referral to Agricultural Advisory Committee
- Update Permit Plan

### 9. Signatures

We hereby certify that the information stated above and on forms, plans and other materials submitted herewith in support of the application is true and correct to the best of our knowledge. It is our responsibility to inform the County of San Mateo through our assigned project planner of any changes to information represented in these submittals.

Owner's Signature (1): John Cignarella

Owner's Signature (2): \_\_\_\_\_

Applicant's Signature: John Cignarella



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

**ITEM**

**9**

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

**DATE:** September 9, 2024

**TO:** Agricultural Advisory Committee

**FROM:** Tiffany Gee, Planning Staff, [TGee@smcgov.org](mailto:TGee@smcgov.org)

**SUBJECT:** Consideration of an Agricultural Preserve and a California Land Conservation (Williamson) Act Contract for a 151-acre parcel located at 7000 Stage Road in the unincorporated San Gregorio area of San Mateo County.

County File Number: PLN2024-00094 (Hamm)

**PROPOSAL**

The applicant, Rachel Catuiza, is requesting to establish an Agricultural Preserve and the execution of a California Land Conservation (Williamson) Act contract on a 151-acre parcel. The parcel is located on the east side of Stage Road at 7000 Stage Road, San Gregorio, CA 94074 (Assessor's Parcel Number 081-240-050).

The parcel consists of approximately 4.3 acres of prime agricultural land located on the northeastern corner of the lot and approximately 146.7 acres of non-prime agricultural land, and is undeveloped. The entire parcel is dedicated to cattle grazing, an agricultural use. The entire property is currently under lease for commercial cattle grazing.

**DECISION MAKER**

Board of Supervisors

**QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE**

1. Does the Agricultural Advisory Committee recommend to the Planning Commission and Board of Supervisors that the establishment of the Agricultural Preserve is consistent with the General Plan, Planned Agricultural District/Coastal Development District, California Land Conservation Act, and San Mateo County Land Conservation Act Uniform Rules and Procedures?
2. Does the Agricultural Advisory Committee recommend to the Planning Commission and Board of Supervisors that the County enter into a California Land Conservation (Williamson Act) contract with the landowner?

## **BACKGROUND**

Report Prepared By: Tiffany Gee, Project Planner

Applicant: Rachel Catuiza

Owner: Moonrock 2023 LLC

Location: 7000 Stage Road, unincorporated San Gregorio area of San Mateo County

APN: 081-240-050

Parcel Size: 151.00 acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Williamson Act: Not contracted; not within an Agricultural Preserve

Existing Land Use: Commercial cattle grazing on fenced pastureland.

Water Supply: Pond on property and access to agricultural wells on adjacent parcels (APN 081-270-020 and 081-270-010), owned by the same owner. The agricultural wells were permitted with Coastal Development Permit Exemptions (CDXs), PLN2021-00401 and PLN2021-00402, respectively.

Sewage Disposal: None. No existing residential uses.

Flood Zone: Flood Zone X (Area of Minimal Flooding), pursuant to Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map, Community Panels 06081C0260E, effective October 16, 2012, and 06081C0359F, effective August 2, 2017.

Environmental Evaluation: Categorically exempt from review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15317, Class 17 "Open Space Contracts or Easements," which exempts the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.

Setting: The subject parcel is located on the east side of Stage Road at 7000 Stage Road in San Gregorio, approximately 0.63 miles south of the intersection of Highway 84

and Stage Road. The property is adjacent to lands under Williamson Act contract to the north, east, and south. The parcel to the west is not under Williamson Act contract and is owned by the State of California. Adjacent lands to the northwest and west are undeveloped, lands to the south are similarly used for agricultural grazing, and lands to the northeast and east are developed with rural residential uses. The entire parcel is fenced with a pond located in the northern portion of the parcel.

Chronology:

<u>Date</u>	<u>Action</u>
March 21, 2024	- Subject Application for an Agricultural Preserve, PLN2024-00094, submitted.
August 26, 2024	- Subject Application deemed complete.
September 9, 2024	- Agricultural Advisory Committee meeting scheduled.
TBD	- Planning Commission public hearing.
TBD	- Board of Supervisors public hearing.

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

No development is proposed with this application for a Williamson Act contract.

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

No.

*Is there prime soil on the project site?*

Yes, approximately 4.3 acres.

## **DISCUSSION**

### **A. KEY ISSUES**

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

#### **1. Compliance with the General Plan:**

The proposed Agricultural Preserve and Agricultural Land Conservation Act (LCA) Contract are consistent with the parcel's General Plan Land Use Designation of "Agriculture."

Policy 9.28 (Encourage Existing and Potential Agricultural Activities) seeks to encourage the continuance of existing agricultural and agriculturally related activities. Policy 9.31 (Protection of Agricultural Lands) seeks to apply methods which assist in the retention and expansion of lands with agricultural activities, such as density bonuses, and enforceable restrictions (e.g., easements, contracts, deed restrictions, or other appropriate methods).

Designating the parcel as an Agricultural Preserve and executing a California LCA Contract in conformance with the California Land Conservation Act and San Mateo County Williamson Act Program for this property is consistent with these policies. The contract will enforceably restrict the use of the land to ongoing commercial agriculture, agriculturally related uses, and compatible uses in exchange for a property tax benefit that encourages retaining the property in agricultural production.

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

The establishment of Agricultural Preserves and execution of LCA contracts are not defined as development in the County's Local Coastal Program. Thus, these actions are not subject to the issuance of a Coastal Development permit. Though no permit is needed, this request is consistent with Local Coastal Program agricultural policies.

3. Compliance with Zoning Regulations:

The establishment of an Agricultural Preserve and request to execute a LCA Contract are consistent with the Planned Agricultural District and Coastal Development District regulations which seek to preserve and foster existing agricultural operations in order to keep the maximum amount of prime agricultural land and all other lands suitable for agriculture in agricultural production. As defined by the Zoning and Local Coastal Program Regulations, the property contains approximately 4.3 acres of prime agricultural land that would be placed under contract and continue to be in agricultural operation.

4. Compliance with the Williamson Act:

a. Agricultural Preserve Requirements

Consistent with the provisions of Government Code Section 51230, if a property owner wishes to enter into a Williamson Act contract, the property in question must be located in an Agricultural Preserve (AGP). An AGP shall not consist of less than 100 acres, unless the Board determines that an Agricultural Preserve of less than 100 acres is necessary due to the unique characteristics of the agricultural

enterprises in the area, and that the establishment of preserves of less than 100 acres is consistent with the General Plan. Once included in the Agricultural Preserve, a landowner and the County may enter into a contract processed concurrently with the Agricultural Preserve application. The Board shall establish an AGP after a public hearing has been held on the matter and notice thereof given as provided in Section 6061 of the Government Code.

The applicant has requested the establishment of an Agricultural Preserve and contract. Establishing an agricultural preserve on the subject parcel is consistent with the County’s General Plan (“Agricultural” land use designation) since the parcel is larger than 100 acres and is capable of, and currently used for, cattle grazing, an agricultural use. The majority of the adjacent lands are within existing Agricultural Preserves and contain mostly nonprime land with a small portion of Class II prime agricultural soils located in the northeastern portion of the subject parcel and the parcel east of the subject parcel. The two parcels adjacent to the south are under common ownership.

b. Contract Application and Minimum Eligibility Requirements

As required by Uniform Rule 3 *Application Procedure*, the applicant has submitted a legal parcel description; site plan identifying parcel boundaries and agricultural use areas; location, size, and use of all existing buildings and structures; existing utilities; water courses; and water impoundments. The parcel has a recorded Certificate of Compliance Type B, COC92-0005, in accordance with Uniform Rule 3.A.2.b to prove parcel legality. Additionally, the Statement of Agricultural Uses, including gross parcel acreage, acreage of the grazing operation by heads of livestock and area grazed, and water sources was submitted and verified by staff. The compatible use calculations were not required as there are no compatible uses on the property.

Staff has reviewed the applicable documents for minimum eligibility requirements (see below). The application is compliant with the requirements and qualifies under Grazing as the agricultural use for the proposed contract.

	<b>Williamson Act Program Requirements</b>	<b>Planning Review</b>	<b>Compliance</b>
Agricultural Enterprise Area <sup>1</sup>	Mapped: Agricultural Enterprise Area	Yes	Yes
Important Farmland Series Map <sup>2</sup>	Mapped: Prime, Statewide Significance, Unique, or Local Importance	Local Importance, Grazing Land	--
Land Use Designation	Open Space or Agriculture	Agriculture	Yes
Zoning <sup>3</sup>	PAD, RM, or RM-CZ	PAD	Yes



Parcel Size <sup>4</sup>	40 acres	151 acres	Yes
Prime Soils <sup>5</sup>	Class II	4.3 acres	--
Non-Prime Soils	--	146.7 acres	--
Crop Income <sup>6</sup>	None required	N/A	--
Acreage Used for Grazing <sup>7</sup>	75% of the parcel	100% of the parcel	Yes
1. <i>In San Mateo County, there is a region in which the County intends to preserve the agricultural character and use of the land. The Board of Supervisors has adopted an Agricultural Enterprise Area (AEA) which identifies privately owned lands that meet zoning designation and general land use criteria for eligibility under the Williamson Act.</i>			
2. <i>Minimum requirements of land designated on the Important Farmland Series Map only applies to Farmland Security Zone Area Contracts.</i>			
3. <i>Zoning designations: "PAD" (Planned Agricultural District), "RM" (Resource Management), and "RM-CZ" (Resource Management-Coastal Zone).</i>			
4. <i>Parcel size taken from San Mateo County Assessor's Office records.</i>			
5. <i>Class II land capability classification.</i>			
6. <i>No minimum income is required for commercial grazing operations.</i>			
7. <i>Areas dedicated to grazing must be fenced and adequate water must be available within the fenced area.</i>			

The parcel is compliant with the minimum requirements that must be demonstrated by owners seeking a Williamson Act contract resulting from a viable commercial grazing operation in three of the five previous years, which the applicant has confirmed. The entire property is currently under a 10-year lease for commercial cattle grazing. The current lessee has been using the property for cattle grazing for the last three years. Prior to that, the property was known as Arata Ranch, a long-time cattle ranch.

#### Agricultural Uses

Approximately 151 acres of the site can support grazing operations. Currently, there are 40 heads of cattle rotated. This number fluctuates as some areas are steep and full of brush. The parcel is not irrigated.

#### Compatible Uses

There are no structures and no compatible uses on the parcel.

As required by Uniform Rule 2A *Eligibility Requirements for Land Conservation Act Contracts*, the percentage of a parcel's total area used for compatible uses on contracted lands cannot exceed the percentage used for agricultural uses (e.g., crop production, grazing operation, and horse breeding) and the portion of the parcel used for compatible uses cannot exceed 25 percent of the parcel size. Twenty-five percent of the 151-acre project parcel is approximately 37.75 acres. The entire parcel is dedicated to agricultural use with no compatible use area, so this project is compliant.

## B. STAFF EVALUATION

Based on the information submitted by the landowner, staff recommends the parcel be encumbered by a Williamson Act contract.

**ATTACHMENTS**

- A. Location and Vicinity Map
- B. Site Plan
- C. USDA Soils Map
- D. Statement of Agricultural Uses
- E. Resolution Establishing Agricultural Preserve and Executing a Land Conservation Act Contract



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

# **ATTACHMENT A**



0.48 0 0.24 0.48 Miles

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

1: 15,361



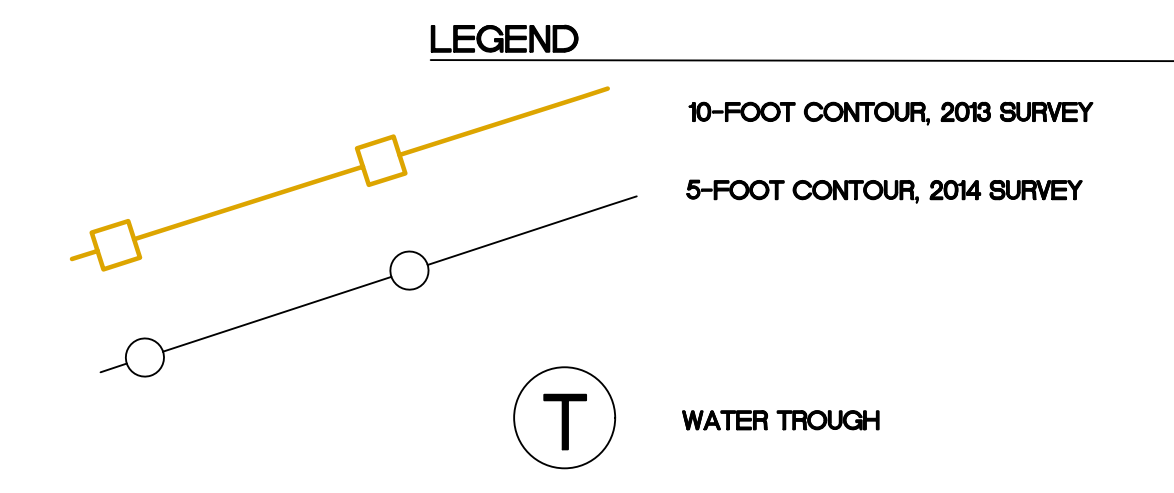
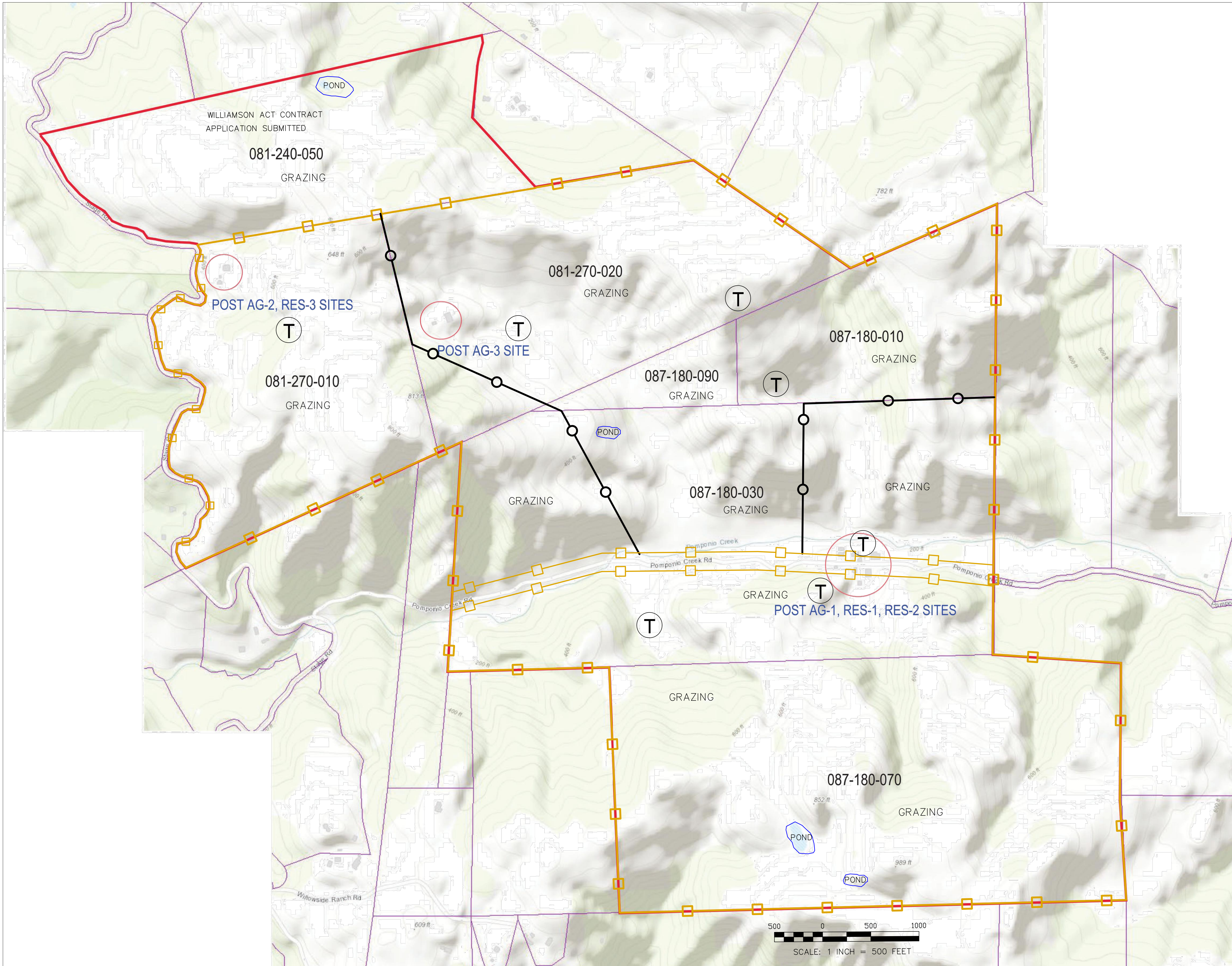
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

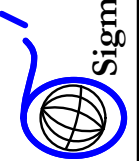
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**



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

# **ATTACHMENT B**




**Sigma Prime Geosciences, Inc.**  
 SIGMA PRIME GEOSCIENCES, INC.  
 332 PRINCETON AVENUE  
 HALF MOON BAY, CA 94019  
 (650) 728-3590  
 FAX: 728-3593

DATE: 2-27-24
DRAWN BY: AZG
CHECKED BY: CMK
REV. DATE:
REV. DATE:

**AGRICULTURE PLAN**  
**HAMM RANCH**  
 6090 STAGE ROAD  
 SAN GREGORIO

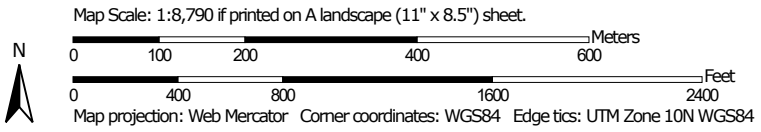
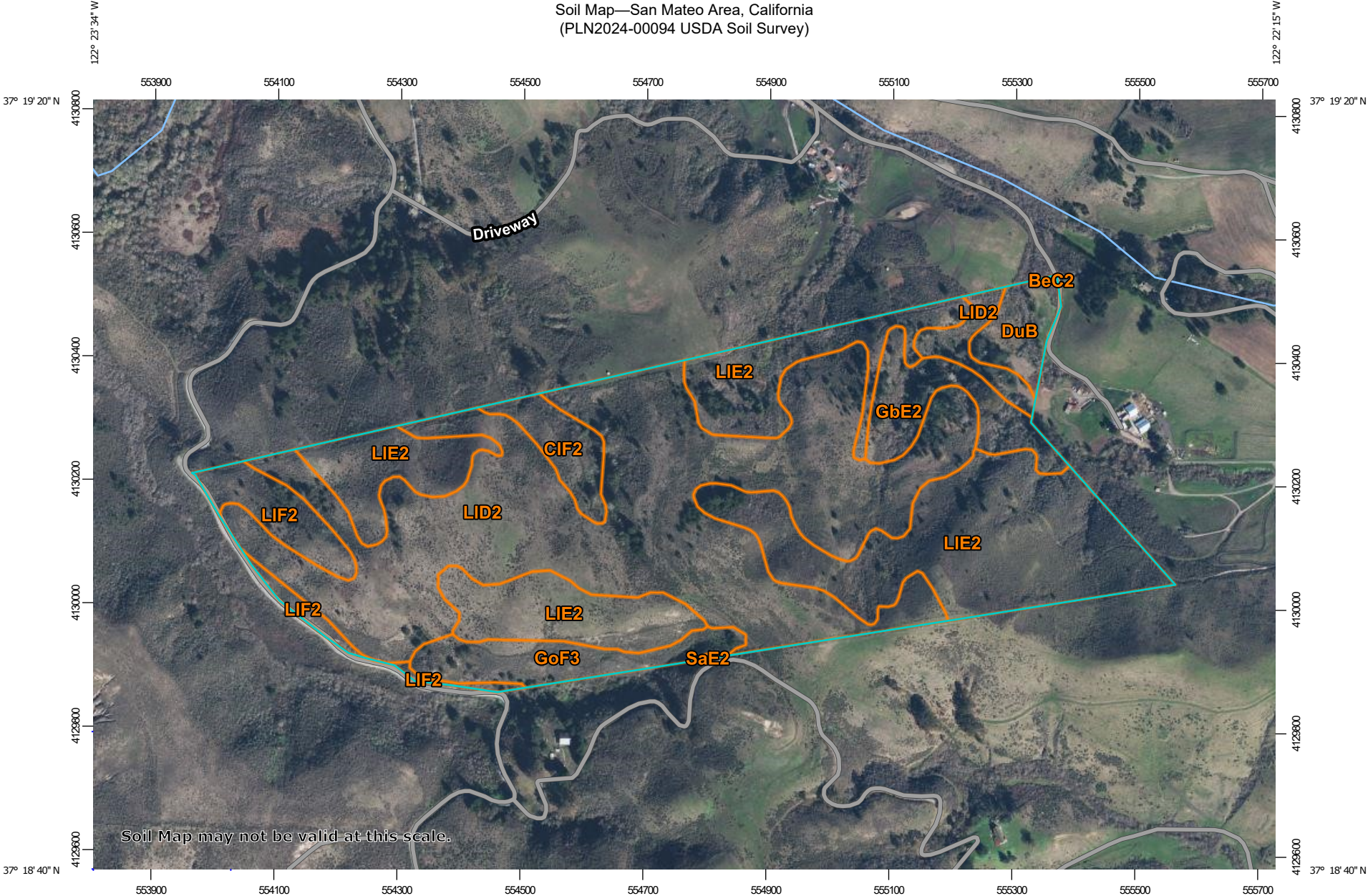
SHEET  
**AG-1**



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

# **ATTACHMENT C**

Soil Map—San Mateo Area, California  
(PLN2024-00094 USDA Soil Survey)





## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

### Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

### Water Features



Streams and Canals

### Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

### Background



Aerial Photography

## MAP INFORMATION

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

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed 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:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate 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.

Soil Survey Area: San Mateo Area, California  
Survey Area Data: Version 17, Sep 11, 2023

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

Date(s) aerial images were photographed: Feb 17, 2021—Feb 21, 2021

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

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BeC2	Botella loam, sloping, eroded	0.1	0.0%
CIF2	Colma loam, very steep, eroded	4.1	2.6%
DuB	Dublin clay, gently sloping	3.9	2.5%
GbE2	Gazos loam, steep, eroded	7.2	4.6%
GoF3	Gazos and Lobitos soils, steep and very steep, severely eroded	7.1	4.6%
LID2	Lobitos loam, moderately steep, eroded	73.8	47.6%
LIE2	Lobitos loam, steep, eroded	52.5	33.9%
LIF2	Lobitos loam, very steep, eroded	6.4	4.1%
SaE2	Santa Lucia loam, steep, eroded	0.1	0.0%
<b>Totals for Area of Interest</b>		<b>155.1</b>	<b>100.0%</b>



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

**ATTACHMENT D**

**2. c. A/LCA- Statement of Agricultural Uses**

**Parcel 081-240-050**

**1) Total gross acreage of each parcel and aggregate acreage for multiple parcels, if applicable:**

- a. 151 acres are used for commercial cattle grazing. The parcel is completely fenced

**2) Total acreage of each parcel currently in agricultural production by each crop type and grazing operation by heads of livestock and area grazed**

- a. About 151 acres are available for grazing; 40 heads of cattle are currently rotating. This number fluctuates as some areas are steep and full of brush.

**3) Water source and irrigation methods**

- a. Access to a well on an adjacent parcel
- b. Existing pond on the parcel



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

**ATTACHMENT E**

**RESOLUTION NO. \_\_\_\_\_**

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

\* \* \* \* \*

**RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE  
AND AUTHORIZING EXECUTION OF CALIFORNIA LAND CONSERVATION  
(WILLIAMSON) ACT CONTRACT**

---

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

**WHEREAS**, Moonrock 2023 LLC is the owner of certain land in the County of San Mateo used for agricultural purposes within the concept of the California Land Conservation Act of 1965, and has requested to have said land designated as an Agricultural Preserve, and has submitted such request with a properly executed contract form heretofore approved by this Board, for execution by this Board; and

**WHEREAS**, the County of San Mateo is authorized to establish Agricultural Preserves by the California Land Conservation Act; and

**WHEREAS**, all procedural requirements of the Land Conservation Act and Board of Supervisors of San Mateo County Resolution No. 071565 have been followed; and

**WHEREAS**, this Board of Supervisors, has received and reviewed the report of the Planning Commission establishing that this Preserve is consistent with the General Plan of San Mateo County; and

**WHEREAS**, this Board deems it desirable to enter into land conservation contracts, under the provisions of the California Land conservation Act on 1965, with owners of land which is appropriately used for agriculture or other purposes authorized by said Act, or purposes left within the discretion of the Board of Supervisors under the terms of the Act; and

**WHEREAS**, the Board of Supervisors does hereby establish the policy and rules which will govern the administration of this Preserve, to wit:

1. Establishment, Disestablishment, Alterations. The procedures set forth in Resolution No. 071565 of the Board of Supervisors of San Mateo County shall govern the establishment, disestablishment and alteration of the boundaries of this Preserve. The procedures in said Resolution are incorporated herein and made a part hereof as it fully set forth.
2. Policy. This Board recognizes that:
  - a. The preservation of a maximum amount of the limited supply of agricultural land is necessary for the conservation of the State's economic resources, and is necessary not only for the maintenance of the agricultural economy of the State, but also for the assurance of adequate, healthful and nutritious food for future residents of this State and Nation.

- b. The discouragement of premature and unnecessary conversion of agricultural and open spaces to urban uses is a matter of public interest, and will be of benefit to urban dwellers themselves in that it will discourage discontinuous urban development patterns which unnecessarily increase the costs of community services to community residents.
  
- c. In a rapidly urbanizing society, agricultural and other open space lands have a definite public value as open space, and the preservation in agricultural production of such lands, the use of which may be limited under the provisions of the Williamson Act, constitutes an important physical, social, aesthetic, and economic asset to existing or pending urban or metropolitan developments.
  
- d. Within this Preserve, the lands shall be used only for the commercial production of agricultural commodities and other compatible uses herein designated.
  
- e. Property owners executing a contract for property within this Preserve should understand that the Board of Supervisors intends that the contract will run for the full term provided therein.



3. Permitted Agricultural Uses. Permitted agricultural uses are defined in EXHIBIT “B” hereto, which is incorporated herein and made a part of this Resolution.
4. Compatible Uses. Compatible uses are defined in EXHIBIT “C” hereto, which is incorporated herein and made a part of this Resolution.
5. Limitation on Uses. If a contract is entered into, incorporating the agricultural and compatible uses specified in EXHIBITS “B” AND “C” hereto, the property owner shall be limited to said uses even though the Zoning Ordinance or other codes, ordinances or regulations authorize different uses. In the event other codes, ordinances or regulations are or should become more restrictive than the uses authorized by the contract, the codes, ordinances or regulations shall prevail.
6. Continuation of Preserve. Pursuant to the California Land Conservation Act, this Preserve shall continue in full effect following any annexation, incorporation or disincorporation of the land described in EXHIBIT “A”, except as provided for in Subsection 51243(b) of the Government Code.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:**

1. That the area of San Mateo County described in EXHIBIT "A" of this Resolution in hereby designated and established as an Agricultural Preserve within the meaning of and pursuant to the California Land Conservation Act of 1965, subject to the policy and rules specified herein.
2. That the form of the Land Conservation Contract presented to this Board be, and the same is hereby, approved.
3. That the Chair of this Board of Supervisors be, and is hereby authorized and director to execute, said contract for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest her signature hereto.
4. That a copy of this Resolution, and a Map of the property described in EXHIBIT "A" hereof, be filed with the County Recorder of San Mateo for said County Recorder and Director of Agriculture, State of California, and that said Resolution and Map be kept current by the County of San Mateo for said County Recorder and Director of Agriculture.

\* \* \* \* \*

**EXHIBIT "A"**

To

**RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND  
AUTHORIZING EXECUTION OF CALIFORNIA LAND CONSERVATION  
(WILLIAMSON) ACT CONTRACT**

APN: 081-240-050

The land referred to is situated in the unincorporated area of the County of San Mateo, State of California, and is described as follows:

Parcel 1, as delineated upon that certain Parcel Map filed for Record in the Office of the Recorder of the County of San Mateo, State of California, on January 18th, 1993 in Book 67 of Parcel Maps, at Page 30.

\* \* \* \* \*

## **EXHIBIT “B”**

**To**

### **RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND AUTHORIZING EXECUTION OF CALIFORNIA LAND CONSERVATION (WILLIAMSON) ACT CONTRACT**

“PERMITTED AGRICULTURAL USES” are defined as follows:

- A. Commercial production of agricultural commodities, as defined in the San Mateo County Land Conservation Act Regulations. Agricultural commodities shall mean an unprocessed product of farms, ranches, production nurseries and forests.

Agricultural commodities shall include fruits, nuts and vegetables; grains, such as wheat, barley, oats and corn; mushrooms; legumes, such as field beans and peas; animal feed and forage crops, such as grain, hay and alfalfa; seed crops; fiber, bio-fuel and oilseed crops, such as safflower and sunflower; nursery stock, such as Christmas trees, ornamentals and cut flowers; trees grown for lumber and wood products; turf grown for sod; livestock, such as cattle, sheep, alpacas, llamas and swine; poultry, such as chickens, ostriches and emus.

- B. Commercial grazing operation for the purpose of pasturing livestock such as cattle, sheep, alpacas, and llamas.

C. Commercial horse breeding provided the annual breeding operation consists of a minimum of 15 broodmares. The keeping of horses does not constitute an agricultural use.

\* \* \* \* \*

## **EXHIBIT “C”**

**To**

### **RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND AUTHORIZING EXECUTION OF CALIFORNIA LAND CONSERVATION (WILLIAMSON) ACT CONTRACT**

“COMPATIBLE USES” are defined as follows:

1. Compatible uses include and shall comply with the provisions of Government Code Section 51238-51238.1 and the underlying San Mateo County land use designation and zoning of the parcel, including permitting requirements. The following uses are identified as “Compatible Uses”:
  - a. The erection, construction, alteration, or maintenance of gas, electric, water, communication, or agricultural laborer housing facilities.
  - b. Non-residential development customarily considered accessory to agricultural uses.
  - c. Soil dependent and non-soil dependent greenhouses and nurseries.
  - d. Temporary roadstands for seasonal sale of produce grown in San Mateo County.
  - e. Permanent roadstands for the seasonal sale of produce.

- f. Single-family residences, including repairs, alterations and additions.
- g. Keeping of pets in association with a one-family dwelling and the limited keeping of pets in association with a farm labor housing unit or multiple-family dwelling unit.
- h. Animal fanciers.
- i. Public recreation/shoreline access trail, commercial recreation.
- j. Onshore oil and gas exploration, production, and minimum necessary related storage.
- k. Multi-family residences if for affordable housing.
- l. Schools, fire stations.
- m. Aquacultural activities.
- n. Wineries.
- o. Timber harvesting, commercial woodlots and log storage.
- p. Facilities for the processing, storing, packaging, and shipping of agricultural products.

- q. Kennels or catteries.
  
- r. Scientific/technical research and test facilities.
  
- s. Some uses not listed could be considered as “Compatible Uses” upon determination by the Planning Commission and Board of Supervisors.

\* \* \* \* \*



**CALIFORNIA LAND CONSERVATION CONTRACT**

**NO.** \_\_\_\_\_

\* \* \* \* \*

**CALIFORNIA LAND CONSERVATION (WILLIAMSON) ACT CONTRACT PROVIDING FOR A MINIMUM OF TEN (10) YEAR TERM FOR PARCEL 081-240-050**

THIS CALIFORNIA LAND CONSERVATION CONTRACT, made and entered into this **DATE** day of **MONTH, YEAR**, by and between the COUNTY OF SAN MATEO, a political subdivision of the State of California, hereinafter referred to as "COUNTY" and Moonrock 2023 LLC or successors thereof, hereinafter referred to as "OWNER";

**WHEREAS**, the OWNER is the legal owner of certain real property herein referred to as the subject property situated in the County of San Mateo, State of California; and

**WHEREAS**, the subject property is described in EXHIBIT "A" which is made a part of this Contract; and

**WHEREAS**, the subject property is located in an Agricultural Preserve which has heretofore been established by the COUNTY and a map of which is on file with the Recorder of San Mateo County; and

**WHEREAS**, the OWNER and the COUNTY desire to limit the use of the subject property to agricultural uses and compatible uses to preserve the limited supply of agricultural land and to discourage the premature and unnecessary conversion of agricultural land to urban uses; and

**WHEREAS**, the OWNER and the COUNTY recognize that agricultural land has definite public value as open space, that preservation of land in agricultural production will assure an adequate food supply and that such agricultural land constitutes an important social, aesthetic and economic asset to the people of the County and the State of California; and

**WHEREAS**, both the OWNER and the COUNTY intend that this Contract is and shall continue to be, through its initial term and any extension thereof, an enforceable restriction within the meaning of Section 8 of Article XIII of the State Constitution, and that this Contract shall thereby qualify as an enforceable restriction under the provisions of the California Revenue and Taxation Code, Section 422.

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

1. AGREEMENT MADE PURSUANT TO CALIFORNIA LAND CONSERVATION ACT

This Contract is made and entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 of Part 1 of Division 1 of Title 5 of the California Government Code commencing with Section 51200), hereinafter referred to as the Act, and is subject to all provisions thereof, including any subsequent amendments thereto. This Contract is also made and entered into pursuant to Resolution 071565 (San Mateo County Land Conservation (Williamson) Act Uniform Rules and Procedures) of the Board of Supervisors of the County of San Mateo, and is subject to all of the provisions of said Resolution incorporated herein by reference, including any subsequent amendments thereto.

2. CONSIDERATION

It is agreed that the consideration for the execution of this Contract is the substantial public benefit to be derived by the COUNTY from the preservation of land in agricultural or compatible uses, and the advantage which will accrue to the OWNER as a result of the effect on the method of determining the assessed value of the subject property, including any reduction thereto due to the imposition of limitations on its use set forth in this Contract. Neither the COUNTY nor the OWNER shall receive any payment in consideration of the obligations imposed herein.

3. SUCCESSORS IN INTEREST

This Contract shall run with the land described herein and shall be binding upon and inure to the benefit of all successors in the interest of the OWNER. This Contract shall also be binding upon and inure to the benefit of any succeeding city or county acquiring jurisdiction over all or any portion of the subject property, except as provided in Section 51296 of the Act in the case of certain annexations to cities.

4. DIVISION OF SUBJECT PROPERTY

In the event the subject property is divided, the OWNER or successors thereof, as the case may be, agree as a condition of such division to execute such Contract or Contracts as will restrict any parcels created by said division to the same extent as the subject property is restricted by the Contract at the time of division. The COUNTY shall, as a condition of

approving the division of the subject property, require the execution of the Contracts provided for in this paragraph.

The OWNER of any parcel created by division of the subject property may exercise, independently of any other OWNER of a portion of the divided property, any of the rights of the OWNER executing this Contract, including the right to give notice of non-renewal as provided in Paragraph 8. The effect of any such action by an OWNER of a parcel created by a division of the subject property shall not be imputed to the owners of the remaining parcels and shall have no effect on the Contracts which apply to the remaining parcels of the divided land.

5. USE OF SUBJECT PROPERTY

During the term of this Contract, or any extensions thereof, the subject property shall not be used for any purpose other than the "Permitted Agricultural Uses" or "Compatible Uses" set forth in EXHIBITS "B" and "C". The OWNER shall be limited to these uses, except that if the ordinances, codes or regulations of the COUNTY are more restrictive as to the use of said property than is the Resolution, the ordinances, codes or regulations shall prevail.

6. ADDITIONAL USES

The Board of Supervisors of the COUNTY may from time to time during the term of this Contract or any extension thereof, by resolution, revise the lists of "Permitted Agricultural Uses" or "Compatible Uses" for the Agricultural Preserve in which the subject property is located; provided that said Board shall not eliminate any such permitted agricultural or compatible use during the term of this Contract or any extension thereof without the written consent of the OWNER or his successors in interest.

7. TERM

This Contract shall be effective on the date first written above, hereinafter the Anniversary Date, and shall remain in effect for a period of ten (10) years therefrom. On each succeeding anniversary date, one (1) year shall automatically be added to the unexpired term unless notice of non-renewal is given as provided in Paragraph 8. If either party gives notice not to renew, it is understood and agreed that this Contract shall remain in effect for the unexpired term.

8. NOTICE OF NON-RENEWAL

If either the OWNER or the COUNTY desires in any year not to renew this Contract, that party shall serve written notice of non-renewal of the Contract

upon the other party in advance of the anniversary date. Unless such written notice is served by the OWNER at least ninety (90) days prior to the anniversary date or by the COUNTY at least sixty (60) days prior to the anniversary date, the Contract shall be considered renewed as provided in Paragraph 7. Upon receipt by the OWNER of a notice from the COUNTY of non-renewal, the OWNER may protest the non-renewal, provided such protest is made in writing and is filed with the Clerk of the Board of Supervisors of the COUNTY not later than thirty (30) days after receipt of said notice of non-renewal. The COUNTY may withdraw the notice of non-renewal at any time prior to the anniversary date. Upon request by the OWNER, the Board of the Supervisors of the COUNTY may authorize the OWNER to serve a notice of non-renewal on a portion of the subject property, provided that such notice is in accordance with the foregoing provisions of this paragraph.

9. ACTION IN EMINENT DOMAIN TO TAKE ALL OR PART OF THE SUBJECT PROPERTY

Upon the filing of an action in Eminent Domain by an agency or person specified in Section 51297.1 of the Government Code, for the condemnation of the fee title of all or a portion of the subject property or upon the acquisition of the fee in lieu of condemnation, this Contract shall be null and void as provided in said Section 51295.

10. ABANDONMENT OF ACTION IN EMINENT DOMAIN

In the event a condemnation suit is abandoned in whole or in part, or if funds are not provided to acquire the subject property in lieu of condemnation, the OWNER agrees to execute a new Contract for all of the subject property to have been taken or acquired, which Contract shall be identical to the Contract in effect at the time the suit was filed or on the date the land was to have been acquired, provided that: (1) a notice for non-renewal was not given by either party prior to the filing of suit or date the property was to have been acquired, and (2) the property at the time of said execution of a new Contract is within the boundaries of an Agricultural Preserve.

11. REMOVAL OF SUBJECT PROPERTY FROM AGRICULTURAL PRESERVE

In the event any proposal to disestablish or to alter the boundary of an Agricultural Preserve will remove the subject property from such a Preserve, the Board of Supervisors of the COUNTY shall furnish such notice of the proposed alteration or disestablishment to the OWNER as required by Section 51232 of the Act. Removal of any of the property from the Agricultural Preserve in which the subject property is located shall be the equivalent of notice of non-renewal, as provided in Paragraph 8, at least

sixty (60) days prior to the anniversary date following the removal. The COUNTY shall record the notice of non-renewal in the Office of the Recorder of the COUNTY, as required by Paragraph 13 herein; however, the OWNER agrees that a failure of the COUNTY to record said notice of non-renewal shall not invalidate or in any manner affect said notice.

12. INFORMATION TO COUNTY

The OWNER shall furnish the COUNTY with such information as the COUNTY may require in order to enable it to determine the value of the subject property for assessment purposes and the eligibility of the subject property under the provisions of the Act.

13. RECORDING OF DOCUMENTS

In the event of the termination of this Contract with respect to any part of the subject property, the COUNTY shall record the documents evidencing such termination with the Recorder of the COUNTY.

14. ENFORCEMENT OF CONTRACT

Any conveyance, contract, or authorization (whether written or oral) by the OWNER, or his successors in interest, which would permit use of the subject property contrary to the terms of this Contract or the rules of the Agricultural Preserve in which the subject property is located, will be deemed a breach of this Contract. The COUNTY may bring any action in court necessary to enforce this Contract including, but not limited to, an action to enforce the Contract by specific performance or injunction. It is understood and agreed that the enforcement proceedings provided in this paragraph are not exclusive and that both the OWNER and the COUNTY may pursue their legal and equitable remedies.

15. CANCELLATION

This California Land Conservation (Williamson) Act Contract may be cancelled as to all or a part of the subject property only upon the petition of the OWNER to the COUNTY, and after a public hearing has been held and notice thereof given as required by Section 51297 of the Government Code. The Board of Supervisors of the COUNTY may approve cancellation only as provided by Article 7 of the Act.

16. SEVERABILITY

It is understood and agreed by the parties hereto that if any of these provisions shall contravene or be invalid under any law, such contravention or invalidity shall not invalidate the whole Contract, but is shall be construed as if not containing that particular provision or provisions held to be invalid,

and the rights and obligations of the parties hereto shall be construed and enforced accordingly.

17. ASSESSMENT INFORMATION

OWNER agrees to provide COUNTY, upon request, with all information concerning OWNER'S agricultural, recreational or open space and compatible activities upon the subject property, including but not limited to, income derived in the course of OWNER's agricultural pursuits in relation to the subject property. Said information will be necessary to implement the assessment process, pursuant to the California Land Conservation Act of 1965 (as amended) and the San Mateo County Land Conservation Act Uniform Rules and Procedures (as amended).

18. CONTRACT SUBJECT TO EXERCISE OF POLICE POWER

Nothing in this Contract shall limit or supersede the planning, zoning, health, safety and other police powers of the COUNTY, and the right of the COUNTY to exercise such powers with regard to the subject property.

19. EXCULPATORY CLAUSE

The OWNER shall hold the COUNTY harmless from any demand, claim, cause of action or action for damages involving the OWNER'S interest or rights in and to the real property described herein. Person or persons signing this Contract represent that they are OWNERS of the real property entitled to and possessing the authority to enter into this Contract and to bind the real property in accordance with this Contract.

20. COSTS OF LITIGATION

In case the COUNTY shall, without any fault on its part, be made a party to any litigation commenced by or against OWNER, the OWNER shall and will pay all costs together with reasonable attorney's fees incurred by or imposed upon COUNTY by or in connection with such litigation; further, OWNER shall and will pay all costs and reasonable attorney's fees which may be incurred or paid by COUNTY in enforcing the covenants and agreements of this Contract.

21. ANNEXATION

This Contract shall be transferred from COUNTY to any succeeding City or County acquiring jurisdiction over the subject property in the manner provided for in Section 51296 of the California Government Code. On the completion of annexation proceedings by a City, that City shall succeed to all

rights, duties and powers of the County under this Contract for that portion of the subject property annexed to the City.

IN WITNESS WHEREOF, the parties hereto have executed this Contract on the day and year first written above.

(NOTE: OWNERS SIGNATURES MUST BE NOTARIZED)

Moonrock 2023 LLC

---

By  
President,  
"Owner"

COUNTY OF SAN MATEO

---

By  
President, Board of Supervisors  
"County"

ATTEST: \_\_\_\_\_

Clerk of Said Board of Supervisors

(NOTARIAL ACKNOWLEDGMENT)

\* \* \* \* \*