

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

DATE: March 23, 2016

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastal Development Permit and a Planned Agricultural Permit to add one new Farm Labor Housing unit. The property is located in the unincorporated San Gregorio area of San Mateo County. The project is appealable to the California Coastal Commission.

County File Number: PLN 2011-00088 (Pomponio Ranch)

PROPOSAL

The applicant is proposing to amend an existing permit (PLN 2011-00088), to allow for one additional new 505 sq. ft. Farm Labor Housing unit that will be located within an existing 9,430 sq. ft. legal barn located at 3300 Pomponio Creek (APN 082-100-060). Access to the new unit can be taken from the existing road located on the property. The new unit will be occupied by the farm laborer supporting the agricultural activities on the property. No trees will be removed as part of this project.

RECOMMENDATION

That the Planning Commission approve the Coastal Development Permit and Planned Agricultural District Permit amendment for County File Number PLN 2011-00088, by making the required findings and adopting the conditions of approval listed in Attachment A.

SUMMARY

The Farm Labor Housing project, as proposed and conditioned, complies with the applicable policies and standards of the General Plan, Local Coastal Program, and Zoning Regulations.

The 219-acre parcel is developed with one existing Farm Labor Housing unit and a number of agricultural support structures, including a barn where the new proposed unit will be located. While the project area does contain prime soils, the area is already disturbed. The new Farm Labor Housing unit would not add any square footage to the

existing barn. The ranch relies on water from a nearby reservoir and an existing spring water system and on-site septic systems for waste removal.

This parcel is part of a larger ranch consisting of five parcels for a total of 2,236 acres. The ongoing agricultural operations include cattle grazing, horse breeding, and the growing of hay, alfalfa and row crops. There are 1,600 acres of cattle grazing, 275 acres of hay production, 19 acres of row crops, and 86 acres of alfalfa on the ranch. There are also 18 broodmares on the property.

The project is compliant with the General Plan Policies regarding Vegetative, Water, Fish and Wildlife Resources, as well as General Plan Policies relating to agriculture. The project also meets the Local Coastal Program Policies for Visual Resources and Land Use in that the farm labor housing unit will employ natural colors to blend with the surrounding vegetation and not impact surrounding agricultural uses on or off the subject parcel.

Further, the project is compliant with the Planned Agricultural Zoning District for issuance of a Planned Agricultural District Permit (e.g., setbacks maintained, clustered development, etc.) and the Farm Labor Housing Policy (e.g., location, verification of the need, etc.) for compliance with the underlying zoning district and building, fire and housing code requirements, which shall be addressed at the Building stage.

RB:pac – RJBAA0104_WPU.DOCX

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

DATE: March 23, 2016

TO: Planning Commission

FROM: Planning Staff

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

County File Number: PLN 2011-00088 (Pomponio Ranch)

PROPOSAL

The applicant is proposing to amend an existing permit (PLN 2011-00088), to allow for one additional new 505 sq. ft. Farm Labor Housing unit that will be located within an existing 9,430 sq. ft. legal barn located at 3300 Pomponio Creek (APN 082-100-060). Access to the new unit can be taken from the existing road located on the property. The new unit will be occupied by the farm laborer supporting the agricultural activities on the property. No trees will be removed as part of this project.

RECOMMENDATION

That the Planning Commission approve the Coastal Development Permit and Planned Agricultural District Permit amendment for County File Number PLN 2011-00088, by making the required findings and adopting the conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Rob Bartoli, Project Planner, Telephone 650/363-1857

Applicant: Kerry Burke

Owner: Pomponio Ranch LLC

Location: 3300 Pomponio Creek Road, San Gregorio

APN: 082-100-060

Parcel Size: 219 acres

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

General Plan Designation: Agriculture/Rural

Local Coastal Program Designation: Agriculture

Existing Land Use: Existing cattle ranch, horse barn and paddock, agricultural barns, sheds, a ranch manager's house, and a two bedroom, two bathroom Farm Labor Housing unit.

This parcel is part of a larger ranch consisting of five parcels for a total of 2,236 acres. The ongoing agricultural operations include cattle grazing, horse breeding, and the growing of hay, alfalfa and row crops. There are 1,600 acres of cattle grazing, 275 acres of hay production, 19 acres of row crops, and 86 acres of alfalfa on the ranch. There are also 18 broodmares on the property.

Water Supply: The ranch relies on water from a nearby reservoir and an existing spring water system.

Sewage Disposal: The ranch relies on on-site septic systems. The Farm Labor Housing unit would be supported by an existing leach field that was installed for the newly constructed barn.

Flood Zone: The project site is located in Zone X (area of minimal flooding); FEMA FIRM Panels 06081C0390E; effective October 16, 2012.

Williamson Act: The subject parcel is encumbered by a Williamson Act Contract (AP66-38).

Environmental Evaluation: Categorically exempt pursuant to Section 15301, Class 1 (Existing Facilities)

Setting: The project parcel is accessed via Pomponio Creek Road. Pomponio Creek, located in the northern portion of the property, cuts through the property from an east-west direction and is located approximately 150 feet south of the proposed Farm Labor Housing unit. The developed areas of the 219-acre property are close to Pomponio Creek Road, a relatively flat area of the property. This development is also located in close proximity to the creek. The northern and southern portions of the property consist of hillsides. The property is adjacent to agricultural use and open space on all sides.

Chronology:

<u>Date</u>	<u>Action</u>
January 20, 2011	- Zoning Hearing Office approves PAD and CDP Permit for replacement of one permanent Farm Labor Housing (FLH) unit (PLN 2011-00088). The Agricultural Advisory Committee (AAC) reviewed and recommended approval of project on September 12, 2011.
February 6, 2014	- Zoning Hearing Office certifies the Mitigated Negative Declaration and approves the Coastal Development Permit, Confined Animal Permit, and Grading Permit for a new 9,430 sq. ft. horse barn, consolidation of two horse areas, the construction of a new horse arena, and the keeping of 21 horses (PLN 2013-00234). The Agricultural Advisory Committee had reviewed and recommended approval of project on August 12, 2013, prior to the Zoning Hearing Officer meeting.
December 21, 2015	- Application submitted to amend PLN 2011-00088 for one new Farm Labor Housing unit located in the barn that was approved under PLN 2013-000234.

DISCUSSION

A. KEY ISSUES

1. Conformity with the General Plan

Staff has reviewed and determined that the project complies with all of the applicable General Plan Policies, including the following:

a. Vegetative, Water, Fish and Wildlife Resources

Policy 1.23 (Regulate Development to Protect Vegetative, Water, Fish and Wildlife Resources) and Policy 1.27 (Protect Fish and Wildlife Resources) seek to regulate land uses and development activities to prevent, and/or mitigate to the extent possible, significant adverse impacts on vegetative, water, fish and wildlife resources.

The proposed Farm Labor Housing unit will be located in an existing barn that was approved in 2013 (PLN 2013-00234). As part of the approval for the barn, a new septic system was installed. This septic system will be able to accommodate the proposed Farm Labor Housing unit. No new area on the property will be disturbed. Under

the Negative Declaration approved for the barn, no sensitive biological communities were identified within or near the project area.

b. Soil Resources

Policy 2.17 (*Regulate Development to Minimize Soil Erosion and Sedimentation*) and Policy 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Soil Erosion*) seek to minimize grading; prevent soil erosion and sedimentation, among other ways by ensuring disturbed areas are stabilized; and protect and enhance natural plant communities and nesting and feeding areas of fish and wildlife.

The project site will be accessed via an existing access road. Upon review of the access plans, the California Department of Forestry and Fire Protection has not required any road improvements, thus, new grading is not required to access the project site. The proposed Farm Labor Housing unit will be located in an existing barn. No new areas will be disturbed by this project.

c. Visual Quality

Policy 4.15 (*Appearance of New Development*), Policy 4.21 (*Utility Structures*), Policy 4.24 (*Rural Development Design Concept*) and Policy 4.25 (*Location of Structures*), seek to regulate development to promote and enhance good design, site relationships and other aesthetic considerations; minimize the adverse visual quality of utility structures, including by clustering utilities; protect and enhance the visual quality of scenic corridors; minimize grading; allow structures on open ridgelines and skylines as part of a public view when no alternative building site exists; screen storage areas with fencing, landscape or other means; and install new distribution lines underground.

The proposed FLH unit is located approximately 1,500 feet east of the County maintained portion of Pomponio Creek Road. The unit will be on the second story of the existing barn. The unit will be screened from the public right-of-way by existing structures and vegetation. The proposed project will be indistinguishable from the existing development on the property. The FLH unit will be located in a way that will not require the alteration of the existing topography of the site. A condition of approval has been included to ensure all exterior lighting is designed and located to confine direct rays to the subject property and prevent glare in the surrounding area.

d. Rural Land Use Policies

Policy 9.23 (*Land Use Compatibility in Rural Lands*) and Policy 9.30 (*Development Standards to Minimize Land Use Conflicts with Agriculture*) (a) 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 (b) seeks to (1) promote land use compatibility by encouraging the location of new residential development immediately adjacent to existing developed areas, and (2) cluster development so that large parcels can be retained for the protection and use of vegetative, visual, agricultural and other resources.

The subject parcel has a General Plan land use designation of "Agriculture." The proposed unit will be located inside an existing two-story barn in order to retain the remaining acreage for agricultural uses. The footprint of the barn will not be expanded for this project. Further, the project area does not contain active agriculture. The septic system previously approved for the barn has been reviewed by Environmental Health and is capable of serving the new unit.

e. Water Supply Policies

Policy 10.15 (*Water Supplies in Rural Areas*) and Policy 10.19 (*Domestic Water Supply*), encourages the use of wells, water systems or springs instead of surface water for domestic water supply.

The ranch relies on water from a nearby reservoir and an existing spring water system. The San Mateo County Environmental Health Division has reviewed the system and approved it for the use of the additional Farm Labor Housing unit.

f. Wastewater Policies

Policy 11.10 (*Wastewater Management in Rural Areas*) considers individual sewage disposal systems as an appropriate method of wastewater management in rural areas.

The septic system previously approved for the barn has been reviewed by the San Mateo County Environmental Health Division and is capable of serving the new unit.

2. Conformance with the Local Coastal Program

Policy 1.1 of San Mateo County's adopted Local Coastal Program (LCP) requires a Coastal Development Permit (CDP) for all development in the

Coastal Zone. This project is consistent with applicable LCP Policies as discussed below.

a. Land Use Component

Policy 1.8 (*Land Uses and Development Densities in Rural Areas*) states that new development in rural areas shall not: (1) have significant adverse impacts, either individually or cumulatively on coastal resources, or (2) diminish the ability to keep all prime agricultural land and other lands suitable for agriculture in agricultural production.

As discussed in the General Plan (Rural Land Use) Section above, the new FLH unit will not increase the development footprint on the property and is clustered with other similar development on the parcel. Coastal resources are not significantly impacted due to the unit being proposed in an existing barn in a disturbed area where agricultural activities are not present, where visual impacts are minimized, and impacts to water resources and sensitive habitats are avoided.

Policy 1.8 also identifies farm labor housing as a non-agricultural use and provides an exception to this housing type from density credit requirements.

b. Housing Component

Policy 3.14 (*Location of Affordable Housing*) encourages the location of farm labor housing on private farms or ranches in the South Coast area.

The project involves the construction of one new Farm Labor Housing unit that will provide living accommodations for a verified farm laborer working on the property. A condition of approval has been included to require administrative reviews of the farm labor housing units.

c. Agriculture Component

Applicable policies are: Policy 5.5 (*Permitted Uses on Prime Agricultural Lands Designated as Agriculture*) conditionally allows farm labor housing provided the criteria in Policy 5.8 (*Conversion of Prime Agricultural Land Designated as Agriculture*). These policies allow for conditionally permitted uses, including farm labor housing, provided the following can be met as discussed below:

- (1) That no alternative site exists for the use.

The parcel contains steep slopes in both the northern and southern portions of the property. The areas that are generally flat are currently being used as a horse barn, horse area, or agricultural activities. The project is located within an existing barn on a site of the parcel that not used for agriculture.

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

The project is located in an existing disturbed area. The existing road and other structures in the area provide a clearly defined buffer between cattle grazing and the proposed Farm Labor Housing unit.

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

The facility does not impact the use of adjacent lands for agriculture.

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

No public service expansions are proposed and the permitted use will not degrade the air and water quality as conditioned (Condition No. 11).

d. Sensitive Habitats Component

Policy 7.3 (*Protection of Sensitive Habitats*) states that development in areas adjacent to sensitive habitats be sited and designed to prevent impacts that could significantly degrade these resources. Further, all uses shall be compatible with the maintenance of biologic productivity of the habitats.

The subject site not is mapped for any candidate, sensitive or special status species or habitat, as listed in plans associated with the County Local Coastal Program (LCP), the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. The project site is mostly disturbed ground developed with a barn. The FLH unit will be constructed within this barn and no new square footage will be added. Per the Negative Declaration approved for the barn, no sensitive biological communities where identified with the project area. The

project site is not located within any established native resident, migratory wildlife corridors, and does not include any native wildlife nursery.

e. Visual Resources Component

Policy 8.5 (*Location of Development*) requires that new development be located on a portion of a parcel where the development: (1) is least visible from State Scenic Roads; (2) is least likely to impact views from public view points; and (3) best preserves the visual and open space qualities of the parcel overall.

The proposed Farm Labor Housing unit is not located within a County or State Scenic Corridor. The unit will be constructed within an existing barn and will be visually integrated into the building. The FLH unit will be located in a way that will not require the alteration of the existing topography of the site.

Policy 8.6 (*Streams, Wetlands, and Estuaries*) seeks to: (1) set back development from waterways, and (2) prohibit structural development which adversely affects visual quality.

Pomponio Creek is approximately 150 feet from the project site. The project's location will in no way adversely affect the visual quality of the creek.

Policy 8.18 (*Development Design*) requires that development blend with, and is subordinate to the environment and the character of the area, and be as unobtrusive as possible and not detract from the natural open space or visual qualities of the area. Policy 8.19 (*Colors and Materials*) calls for development with: (1) colors and materials which blend with the surrounding physical conditions, and (2) not use highly reflective surfaces and colors.

The project area is relatively flat. The FLH unit will be constructed within an existing barn. The barn is painted in natural earth tones, including greens, tans, brown, and beige colors. A condition of approval has been included to ensure all exterior lighting is designed and located to confine direct rays to the subject property and prevent glare in the surrounding area.

3. Conformity with the Planned Agricultural District (PAD) Zoning Regulations

a. Conformity with the PAD Development Standards

Farm Labor Housing units are a conditionally allowed use on Land Suitable for Agriculture subject to the issuance of a Planned Agricultural Permit.

The proposed facility is fully compliant with the PAD development standards as shown on the chart below.

Development Standards	Allowed	Proposed
Maximum Height of Structures	36 feet	32 feet
Minimum Front Yard Setback	50 feet	Approximately 1,000 feet
Minimum Side Yard Setbacks	20 feet	Approximately 700 feet (left side); 1,000 feet (right side)
Minimum Rear Yard Setback	20 feet	Approximately 5,000 feet

b. Conformance with the Criteria for Issuance of a PAD Permit

Issuance of a Planned Agricultural District Permit requires the project to comply with Section 6355 of the Zoning Regulations (Substantive Criteria for Issuance of a Planned Agricultural Permit). The applicable sections are discussed below.

(1) General Criteria

Per Section 6355.A (General Criteria), the project must be consistent with the following:

- (a) That the encroachment of all development upon land which is suitable for agricultural uses shall be minimized.
- (b) That all development shall be clustered.
- (c) That every project shall conform to Chapter 20A.2 of the Zoning Regulations (*Site Design Criteria*). Applicable criteria stated in these sections include location, siting and design to: (1) fit the environment and preserve the pre-existing character; (2) preserve and fit to the natural topography and minimization of grading; and (3) not substantially detract from natural characteristics or wildlife habitats. In addition, all development is to be sited to minimize the impacts of noise, light and glare on adjacent properties and the larger community.

As previously discussed, the project is compliant with the above criteria. For compliance with Items “(a)” and “(b)” above, see the discussion of the LCP in Section A.2, and for compliance with Item “(c)” above, see the discussion of the General Plan Policies in Section A.1 of this report.

(2) Criteria for the Conversion of Prime Agriculture Lands

Conversion of lands suitable for agriculture designated as agriculture requires that (a) no alternative site exists on the parcel for the use; (b) clearly defined buffer areas are developed between agricultural and non-agricultural uses; (c) the productivity of any adjacent agricultural lands is not diminished; and (d) public service and facility expansion and permitted uses do not impair agricultural viability, including by increased assessments costs or degrading air and water quality.

As previously discussed in the LCP Agriculture Component, the project will not impact the agricultural activity or lands on the property or the surrounding area. While the barn is located on prime soils, no square footage will be added to the barn for the FLH unit and no additional prime soils will be converted. The proposed unit is located in close proximity to existing development on the site which allows for the unit to be accessed via existing roads, will be located on converted soils without additional soil conversion, and will maintain a large area of the agricultural field for continued farming. The permitted use will not degrade the air and water quality as conditioned (Condition No. 11).

c. Agricultural Advisory Committee Review

At its February 8, 2016 meeting, the Agricultural Advisory Committee recommended approval of this project on the basis that it will have no negative impact to the surrounding agricultural uses on the property.

4. Compliance with Farm Labor Housing Guidelines

The Farm Labor Housing Application Process guidelines, as approved by the Planning Commission on October 8, 2014, allow for permanent housing structures in specific situations where there is an on-going long-term need for farm workers. The guidelines require the Planning Commission to review applications for new permanent farm labor housing and limits the use of these structures for the housing of farm workers and, if the uses cease, the structure must either be demolished or used for another permitted use

pursuant to a permit amendment. The unit that is proposed is for a caretaker for the horse breeding operation on the property.

The applicant submitted a Farm Labor Housing application regarding the existing FLH unit and the proposed unit on the property as part of this application. The existing unit on the property is still in use by one farm laborer. The operation for which the FLH was constructed, cattle grazing, horse breeding, and the growing of hay, alfalfa and row crops, is still ongoing. As defined, a farm laborer is a person who derives more than 20 hours per week average employment from on- or off-site agricultural operations with the County and earns at least half their income from agriculturally-related work. The one proposed and one existing farm laborer are active in the agricultural operations on the property and have submitted such documentation to meet the definition of a farm laborer.

Further, the existing unit and the proposed unit are in compliance with the Farm Labor Housing Guidelines in that the housing meets the required setbacks of the zoning district, are self-contained (e.g., bathroom, kitchen) and will meet California Housing and Health Code Requirements, Building and Environmental Health code requirements.

5. Compliance with the Williamson Act

The property is under Williamson Act Contract (AP66-38) entered into by Carver Ranch in 1966. The existing horse breeding, cattle grazing, and hay production are considered agricultural uses. The proposed Farm Labor Housing unit would be consist with the Williamson Act Contract as it would be creating a residential unit that would house an individual that would be working on the property in support of the agricultural uses. The contract covers five parcels, for a total of 2,236 acres.

	Williamson Act Program Requirements	Planning Review	Compliance
Land Use Designation	Open Space or Agriculture	Agriculture	Yes
Zoning ¹	PAD, RM, or RM-CZ	PAD	Yes
Parcel Size ²	40 Acres	2,236 Acres	Yes
Prime Soils ³	N/A	96.16 Acres	N/A
Non-Prime Soils	N/A	2,139.84 Acres	N/A
Crop Income ^{4,6}			
Grazing Utilization ^{5,6}	1,677 Acres (75%)	1,600 Acres (72%)	No
Horse Breeding			
1. Zoning designations: "PAD" (Planned Agricultural District), "RM" (Resource Management), and "RM-CZ" (Resource Management-Coastal Zone).			

	Williamson Act Program Requirements	Planning Review	Compliance
2.	<i>Minimum parcel size required is determined by the presence of Prime Agricultural Lands and/or Non-Prime Agricultural Lands. Parcel size taken from the San Mateo County Assessor's Office records.</i>		
3.	<i>Prime soils: Class I or Class II (U.S. Department of Agriculture Soil Conservation Service Land Use Capability Classification), Class III (lands capable of growing artichokes or Brussels sprouts, and lands qualifying for an 80-100 Storie Index Rating taken from the Planning and Building Department GIS data).</i>		
4.	<i>Required income calculated per Income Requirements for Crops (Uniform Rule 2.A.6).</i>		
5.	<i>Grazing land utilization is 75% of parcel acreage (Uniform Rule 2.A.7).</i>		
6.	<i>Crop income and grazing data taken from Assessor's Office Agricultural Preserve Questionnaire response using the highest income and grazing acreage of the previous three years for purposes of this review. Contracted parcels are required to meet the minimum commercial crop income, commercial grazing land utilization, or commercial horse breeding.</i>		

a. Minimum Requirement for Grazing

Seventy-Five percent of the acreage (1,677 acres) of the five parcels under the Williamson Act contract must be used for grazing operations. There are grazing operations on the five parcels that utilize 72% of the acreage (1,600 acres), not meeting the minimum requirements for the Williamson Act. There are 100 pairs of cows and 20 yearlings on the property. The cows are all part of the Pomponio Ranch heard, a commercial agricultural enterprise. There are no cattle leases on the property. In addition to the grazing operation, there are 275 acres of hay production, 19 acres of row crops, and 86 acres of alfalfa on the ranch. There are also 18 broodmares on the property.

The requested grazing requirements exception was heard by the Agricultural Advisory Committee at its February 8, 2016 meeting. The AAC and the Agricultural Commissioner recommended the approval of the exception. In granting an exception, a determination was made "that the land is highly productive and that maintaining the land in agricultural production has a significant public benefit." Based on this recommendation, the Planning Department has granted the Exception to the Williamson Act regarding grazing requirements due to the finding that the agriculture on the property is highly productive and that continued agricultural production has a significant public benefit.

b. Determination of Compatibility

All of the uses on the five parcels, currently and proposed, are being used for agricultural purposes. Farm Labor Housing is a use that has been determined to be compatible with agriculture and is exempt from the need for a compatibility determination pursuant to Section 2b(2) of the County's Uniform Rules and Procedures.

B. ENVIRONMENTAL REVIEW

The project is categorically exempt from CEQA review pursuant to Section 15301, Class 1 (Existing Facilities).

C. REVIEWING AGENCIES

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

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Site Plan
- D. Elevations
- E. Farm Labor Housing Guidelines

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2011-00088 Hearing Date: March 23, 2016

Prepared By: Rob Bartoli, Project Planner For Adoption By: Planning Commission

RECOMMENDED FINDINGS

For the Environmental Review, Find:

1. That this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1, relating to the minor alteration to an existing facility.

For the Coastal Development Permit, Find:

2. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7, and as conditioned in accordance with Section 6328.14 of the Zoning Regulations, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP). The plans and materials have been reviewed against the application requirement in Section 6328.7 of the Zoning Regulations and the project has been conditioned to minimize impacts to land use, agriculture, sensitive habitats, and visual resources in accordance to the components of the Local Coastal Program.
3. That the project conforms to the specific findings required by policies of the San Mateo County Local Coastal Program.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission at the March 23, 2016 meeting. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.

2. This permit shall be valid for a period of five (5) years from the date of final approval, with annual administrative review. The applicant shall submit documentation for the farm labor housing unit, to the satisfaction of the Community Development Director, at the time of each administrative review (i.e., prior to the anniversary date on which these permits were approved), which demonstrates that the occupant has a minimum of 20 hours of employment per week on this project site or at another farm or ranch within the County. This documentation shall include signed statements from the occupant and any other relevant documentation, which the Community Development Director deems necessary. Failure to submit such documentation may result in a public hearing to consider revocation of this permit. Renewal of the Farm Labor Housing permit shall be applied for six (6) months prior to expiration to the Planning and Building Department.
3. The units shall be occupied by farm workers and their dependents only.
4. This permit does not allow for the removal of any trees. Removal of any tree with a circumference of 55 inches or greater, as measured 4.5 feet above the ground, shall require additional review by the Community Development Director prior to removal.
5. Access to the proposed facility shall utilize the existing roadway. No additional vegetation shall be removed to provide access to the new unit.
6. The provision of the San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Prior to any on-site grading, the applicant may be required to obtain a grading permit, or grading permit exemption from the Current Planning Section. A grading permit is required if 250 cubic yards or more of earth is to be removed or if a cut or fill exceeds two (2) feet in vertical depth, measured from ground level. No grading, requiring a permit or exemption, shall occur until after such permit is approved.
7. Any exterior lights shall be designed and located so as to confine direct rays to the subject property and prevent glare in the surrounding area. Any proposed lighting shall be reviewed and approved by the Planning Department during the building permit process to verify compliance with this condition.
8. The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District's Basic Construction Mitigation Measures, listed below:
 - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
 - e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure, Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
9. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving and Christmas (San Mateo Ordinance Code Section 4.88.360).

Building Inspection Section

- 10. A building permit is required and shall be applied for and obtained prior to the commencement of any construction or staging activities.
- 11. At the time of Building Inspection Section submittal, the following items shall be shown to comply:
 - a. The door from the stairwell/corridor to the housing unit shall be 32" clear width when the door is opened to 90 degrees.

- b. Natural light and ventilation shall be provided or provide either or both by artificial means.
- c. A window from the unit shall meet the requirements for egress.

Department of Public Works

- 12. Prior to the issuance of the Building Permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance #3277.

Environmental Health Division

- 13. At the time of building permit review, the applicant shall submit an application to confirm that the existing septic system will provide adequate treatment and disposal of the waste water that will be generated by the new unit to the Environmental Health Division.
- 14. The applicant shall meet all requirements from the San Mateo County Environmental Health Division.

Cal-Fire

- 15. At the time of building permit review the project will need to comply with the following:
 - a. The residence will require an automatic fire sprinkler system
 - b. During the building permit process, provide engineered detail of the existing road and existing bridge.
 - c. Each residence shall require a proper address as assigned by the San Mateo County Building Inspection Section.
 - d. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved (galvanized) spark arrestor of a mesh with an opening no larger than 1/2 inch in size or an approved spark arresting device. Maintain around and adjacent to such buildings or structures a fuelbreak/firebreak made by removing and cleaning away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures or to the property line, if the property line is less than 30 feet from any structure. This is not a requirement nor an authorization for the removal of live trees. Remove that flammable portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe, or within 5 feet of any portion of any building or structures.

Remove that dead or dying portion of any tree which extends over the roof line of any structure.

- e. A Wet Draft Hydrant with a 4 1/2" National Hose Thread outlet with a valve shall be mounted 30 to 36 inches above ground level and within 5 feet of the main access road or driveway, and not less than 50 feet from any portion of any building nor more than 150 feet from the main residence or building.
- f. All roof assemblies in Very High Fire Hazard Severity Zones shall have a minimum CLASS-A fire resistive rating and be installed in accordance with the manufacturer's specifications and the current California Building and Residential Codes.
- g. Smoke alarms and carbon monoxide detectors shall be installed in accordance with the California Building and Residential Codes. This includes the requirement for hardwired, interconnected detectors equipped with battery backup and placement in each sleeping room in addition to the corridors and on each level of the residence.
- h. An approved Automatic Fire Sprinkler System meeting the requirements of NFPA-13D shall be required to be installed for your project. Plans shall be submitted to the San Mateo County Building Department for review and approval by the authority having jurisdiction. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.
- i. Due to limited access of the property, the authority having jurisdiction is requiring the installation of a Knox Box, Knox Key Switch, or Knox Padlock to allow rapid response of emergency vehicles on the property in case of a fire or medical emergency.
- j. Will need to meet all requirements for new structures.
- k. Contact the Fire Marshal's Office to schedule a Final Inspection prior to occupancy and Final Inspection by a Building Inspector.

RB:pac – RJBAA0105_WPU.DOCX



Vicinity Map

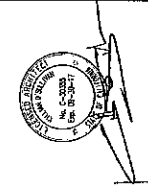


PROPOSED ARCHITECT
 2000 JAY
 2000 JAY
 SAN ANTONIO, TEXAS 78204
 APR. 2013-100-008

O'Sullivan Architecture
 1000 CALLE STREET
 SAN ANTONIO, TEXAS 78204
 PHONE (512) 372-5511
 FAX (512) 344-5496

REV#	DATE	DESCRIPTION	BY	CHK.
1	12/19/13	PLN USE PERMIT IS	KS	
2	11/02/13	PERMIT UPDATES FOR	KS	

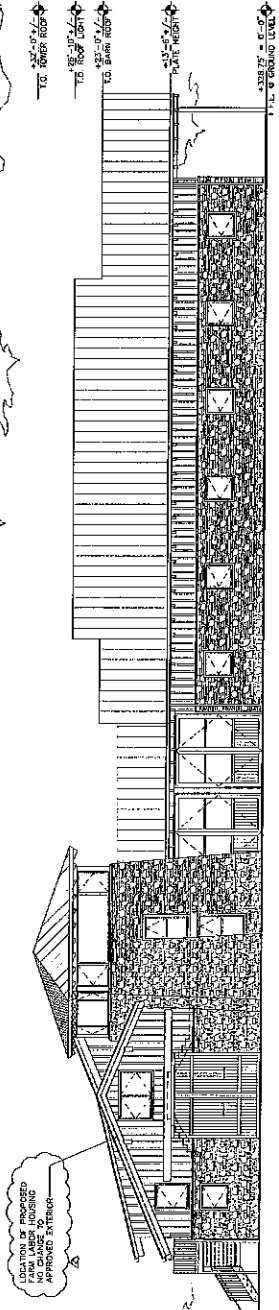
ISSUE TITLE
 FARM LABOR
 HOUSING USE
 PERMIT APPLICATION
 REVISIONS TO
 APPROVED
 APPLICATIONS
 BLDG 2014-00772
 PLN 2013-00234



DRAWN: KS
 DATE: 10/10/13
 SCALE: AS NOTED

EXTERIOR
 ELEVATIONS

A3.1 FLH

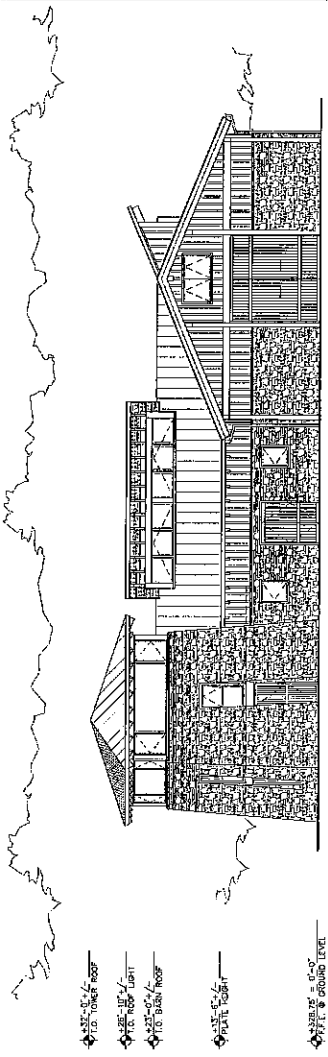


NOTE
 THIS ELEVATION IS FOR INFORMATION ONLY. LAYOUT
 SHOWN HAS BEEN APPROVED BY SAN MATEO COUNTY
 BUILDING AND PLANNING DEPARTMENT, APPLICATION
 NUMBERS BLDG 2014-00772 AND PLN 2013-00234.

NORTH ELEVATION 2

1/8" = 1'-0"

DATA NOT PROVIDED
 NO CHANGE TO
 PROVIDED EXTERIOR



NOTE
 THIS ELEVATION IS FOR INFORMATION ONLY. LAYOUT
 SHOWN HAS BEEN APPROVED BY SAN MATEO COUNTY
 BUILDING AND PLANNING DEPARTMENT, APPLICATION
 NUMBERS BLDG 2014-00772 AND PLN 2013-00234.

WEST ELEVATION 1

1/8" = 1'-0"

- ◆ 42" - 0" / 4" TO TOWER ROOF
- ◆ 42" - 0" / 4" TO GABLE ROOF
- ◆ 42" - 0" / 4" TO MAIN ROOF
- ◆ PLATE TO GABLE
- ◆ FINISH OF GROUND LEVEL

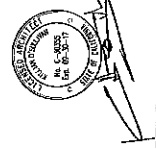
NOT USED 3

POWERED ARCH
 2500 Potrero Pointe Creek Rd
 San Mateo, CA 94404
 APR. 02R-10-036

O'Sullivan Architecture
 1805 ENCLAVE STREET
 SAN FRANCISCO, CA 94116
 TEL: (415) 774-3300
 FAX: (415) 764-3488

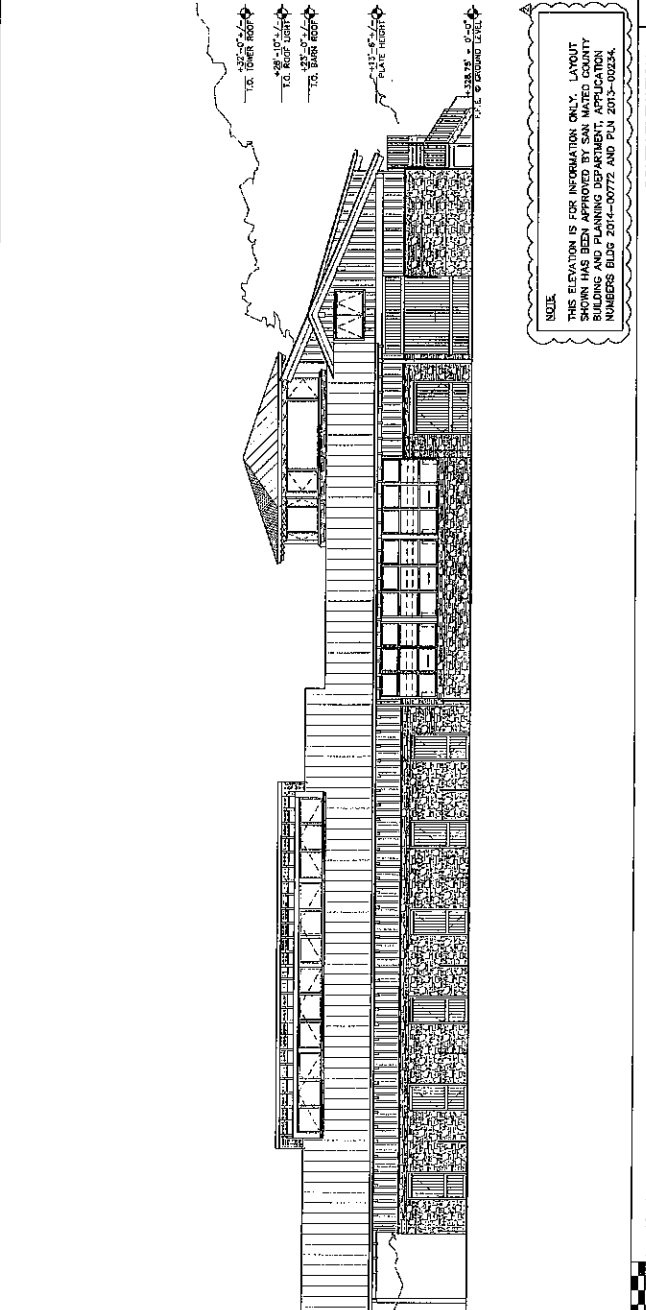
REV#	DATE	DESCRIPTION	BY	CHK
1	12/11/13	PLN USE PERMITS	SK	KOS
2	11/02/13	PERMITS UPDATES	KOS	KOS

ISSUE TITLE
FARM LABOR HOUSING USE PERMIT APPLICATION REVISIONS TO APPROVED APPLICATIONS BLDG 2014-001772 PLN 2013-00234



DRAWN: KOS
 DATE: 2013/05
 SCALE: AS NOTED

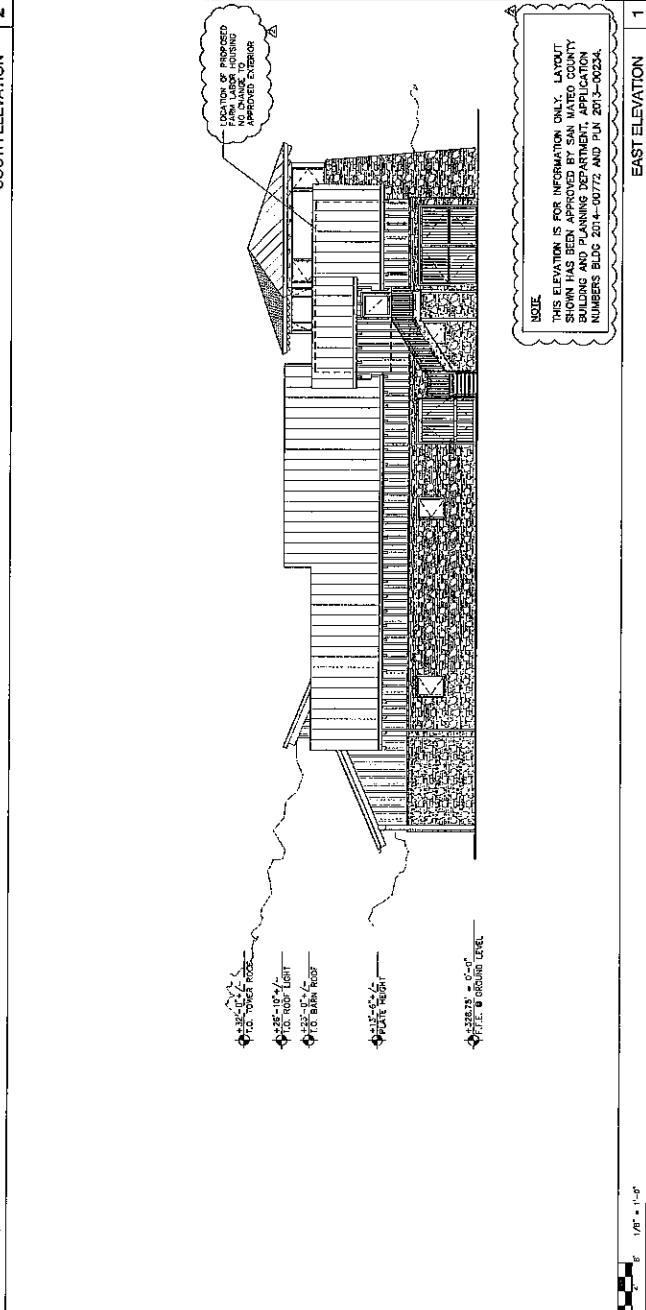
EXTERIOR ELEVATIONS
A3.2 FLH



NOTE
 THIS ELEVATION IS FOR INFORMATION ONLY. LAYOUT SHOWN HAS BEEN APPROVED BY SAN MATEO COUNTY BUILDING AND PLANNING DEPARTMENT, APPLICATION NUMBERS BLDG 2014-001772 AND PLN 2013-00234.

SOUTH ELEVATION 2

1/8" = 1'-0"



NOTE
 THIS ELEVATION IS FOR INFORMATION ONLY. LAYOUT SHOWN HAS BEEN APPROVED BY SAN MATEO COUNTY BUILDING AND PLANNING DEPARTMENT, APPLICATION NUMBERS BLDG 2014-001772 AND PLN 2013-00234.

EAST ELEVATION 1

1/8" = 1'-0"

NOT USED 3

Farm Labor Housing

Application Process and Procedures **(Approved by the Planning Commission on October 8, 2014)**

Planning and Building Department

455 County Center, Second Floor
Redwood City, California 94063

Tel: (650) 363-4161

Fax: (650) 363-4849

www.co.sanmateo.ca.us/planning

plngbldg@smcgov.org

County of San Mateo
Planning and Building Department

FARM LABOR HOUSING APPLICATION PROCESS

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. This document outlines the policies and procedures involved with requesting and obtaining approval for FLH units in rural parts of the County zoned Planned Agricultural District (PAD) or Resource Management (RM). This includes both applications for new FLH units (where none have existed on the parcel) or amendments to existing FLH development where the number of FLH units is increased or the changes are otherwise considered significant. These procedures, while not mandated in the PAD, RM, or RM-CZ regulations, were initially adopted by the Planning Commission (PC) in 1982, with this document representing revisions as adopted by the PC in 2014. (Temporary labor housing for the Timberland Preserve Zone is covered in a separate handout.)

FARM LABOR HOUSING QUALIFICATION REQUIREMENTS

Farm labor housing is housing units that can only be occupied by farm laborers and their immediate family members. A “farm laborer” is defined as a person who derives more than 20 hours per week average employment from on- or off-site agricultural operations (within San Mateo County) and earns at least half their income from agriculturally-related work. Applicants for farm labor housing must demonstrate that the size of the housing requested is no larger than the minimum needed to adequately house farm laborer(s) and their immediate family members.

Historically, FLH has been often temporary in nature, provided by mobile homes or other approved temporary buildings. A mobile home, for the purposes of these procedures, is a vehicle designed and equipped to contain one or more dwelling units, to be used without a permanent foundation. The conversion of permanent structures such as workshops and barns has occasionally been allowed with a written agreement by the applicant and the landowner certifying to the Community Development Director’s (CDD) satisfaction that these additional living quarters will be reconverted to their original condition upon termination of the permit for FLH.

More permanent housing structures for farm workers can be allowed in specific situations where there is an ongoing long-term need for farm workers. An application for the planning permits required to construct a permanent housing structure is, in most cases, reviewed by the Zoning Hearing Officer (ZHO). If approved, a permanent FLH structure can only be used for the purpose of housing farm workers, and if this use ceases, must either be demolished or used for another permitted use pursuant to a permit amendment.

The location of the housing must meet required setbacks of the zoning district. Minimum building, plumbing and electrical codes, access, water supply, sewage disposal, and Fire Marshal's requirements must be met. The FLH unit(s) shall be self-contained with a sanitary toilet, shower, lavatory facilities, approved heating and electrical lights. A kitchen shall include a refrigerator, sink and stove. The housing shall be maintained to meet the basic California Housing and Health Code requirements for habitation, as reviewed and approved by and pursuant to the County Building Inspection Section, Fire (or applicable fire authority) and Environmental Health (EH) Division regulations.

Vegetative screening or a fence will be required if the structure will be visible from a public road or other public view.

Approved farm labor housing units are accessory uses to agriculture and therefore are exempt from the density restrictions of the zoning ordinance.

If you are interested in obtaining more information about farm labor housing in the County and how to apply for the required permits, please contact the Planning counter at 650/363-1825.

APPLICATION REQUIREMENTS

- A. Fees. All Planning and Building fees have been waived for farm labor housing by Board of Supervisors' Resolution No. 54443 approved on November 13, 1990. However, if the number of farm laborers is five (5) or greater, the EH Division must also issue an "Employee Housing" permit, in which case the California Employee Housing Act mandates a fee which must be paid to the EH Division annually.
- B. Verification of parcel legality (required only if parcel is undeveloped or where past development history cannot be confirmed as having occurred with proper permits, is not considered a principally permitted use or where parcel boundaries cannot be confirmed as matching those as currently configured).
- C. Application for either a PAD permit if in the PAD, or an RMD permit and a use permit if in the Resource Management (RM) District or RM-CZ District.
- D. Application for a Coastal Development Permit (CDP), if in the Coastal Zone.
- E. A completed Environmental Disclosure Form.
- F. The property owner's signature of consent to and for disclosure elements of the application.

- G. A site plan, to scale, showing:
 - 1. Parcel boundaries and easements (i.e., access, utility).
 - 2. Location of all existing and proposed structures on the property, including access driveways and all utilities (water lines, water storage tanks, propane tanks, electrical lines, ground solar facilities, septic tank(s) and drainfield(s)).
 - 3. Existing and type of agricultural production.

- H. Farm labor housing plans, including:
 - 1. Floor plans of proposed FLH unit(s) (includes dimensions and size).
 - 2. Elevations (photos may suffice at the discretion of the CDD).
 - 3. Profile or section drawing of the proposed (if new) access to the FLH unit(s) from the nearest public road (to ensure compliance with Fire requirements).

- I. All accompanying materials listed on the application forms.

PROCEDURES

- A. Planning staff will process the FLH application by:
 - 1. Sending referrals of the application to the County EH Division, the Building Inspection Section and the Public Works Department, the applicable Fire Authority, the County Agricultural Commissioner and the San Mateo County Farm Bureau Executive Director. For either new permits or permit amendments where the EH Division would consider such development as requiring an “Employee Housing” permit, such processing shall occur concurrently with the FLH application process.
 - 2. Sending the FLH application to the Agricultural Advisory Committee for comments and a recommendation.

- B. Upon a recommendation of approval (or comments in support of approval) from the above parties, the FLH application will be considered at a public hearing. The project must comply with all other County department or agency regulations, conform to both the criteria of the Local Coastal Program (if applicable), and the PAD or the RMD Development Review Criteria.

PERMIT TERMS, TERMINATION AND AMENDMENTS

Upon approval (and unless otherwise directed by the Community Development Director (CDD) or the hearing decision maker), all approved permits for FLH shall run with the land.

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. Lessor terms and/or term-specific Administrative Reviews may be mandated where violations have occurred or to ensure resolution of past problems or violations with Fire, Building or EH, as determined by the CDD. For FLH approvals in the PAD and RM-CZ, it is the PAD permit or Use Permit, respectively, that would be renewable; the CDP would not be and would only be required if a FLH amendment represented a significant modification and/or intensification of the FLH operation.

In the event that the farming operations justifying the FLH units ceases or if the FLH development is proposed to be enlarged or significantly changed, it shall be the owner's/applicant's responsibility to notify the County by letter of such change, and applying for the necessary permits to demolish the structure or use it for another permitted use. Accordingly, such notice shall identify the owner's/applicant's intention to either remove the FLH units (and associated infrastructure) or otherwise convert such improvements to that allowed by zoning district regulations. In either case, building permits and associated inspections by Building and EH shall be required to ensure that all structures have been removed, infrastructure properly abandoned or that such converted development complies with all applicable regulations.

In the case of proposed changes to permitted FLH, the owner/applicant shall submit a written description of the proposed change to the Planning Department, and if the change is considered significant by the CDD, submit a complete permit amendment application.

FRM00189.DOCX (3/27/15)