

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

DATE: April 16, 2015

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Coastal Development Permit and Planned Agricultural District Permit, pursuant to Sections 6328.7 and 6354 of the San Mateo County Zoning Regulations, and a Lot Line Adjustment, pursuant to Section 7124 of the San Mateo County Subdivision Regulations, to transfer 3.6 acres of land from a legal 112-acre parcel (APN 066-190-050) to a legal 0.6-acre parcel (APN 066-190-020), located at 1450 Purisima Creek Road and 1590 Purisima Creek Road, respectively, in the unincorporated Half Moon Bay area of San Mateo County. The project is appealable to the California Coastal Commission.

County File Number: PLN 2014-00202 (Kelly/Tedesco)

PROPOSAL

The applicant requests a Coastal Development Permit (CDP), a Planned Agricultural District (PAD) Permit, and a Lot Line Adjustment (LLA) to transfer 3.6 acres of land from a legal 112-acre parcel (APN 066-190-050) to a legal 0.6-acre parcel (APN 066-190-020). The LLA will benefit the smaller parcel by bringing the smaller parcel closer to parcel size conformity with other parcels in the area, provide the smaller parcel with land for limited future agricultural uses (e.g., limited grazing; crop production, using water conserving drip irrigation; cultivation of grasses for livestock feed), place the smaller parcel's domestic water pump and pipe system to Purisima Creek on the property it serves, and allow the owner of the smaller parcel to have stewardship of the land directly surrounding their existing residence. The LLA will result in negligible impact to the agricultural use of the larger parcel as the area of land transfer is not used for agriculture and is not necessary for the larger parcel's ongoing agricultural activities. Both parcels contain non-agricultural development; the larger parcel also supports agricultural uses. No physical development is proposed as part of this application.

RECOMMENDATION

That the Zoning Hearing Officer approve the Coastal Development Permit, Planned Agricultural District Permit, and Lot Line Adjustment, County File Number PLN 2014-00202, by making the required findings and adopting the conditions of approval in Attachment A.

BACKGROUND

Report Prepared By: Summer Burlison, Project Planner; 650/363-1815

Applicant: Peter Kelly

Owners: Peter and Denise Kelly; John and Samantha Tedesco

Location: 1590 Purisima Creek Road; 1450 Purisima Creek Road, Half Moon Bay

APNs/Parcel Sizes: 066-190-020 (0.6 acres); 066-190-050 (112 acres), respectively

Parcel Legality: Both parcels are legal parcels. APN 066-190-020 was legalized by a Certificate of Compliance (COC89-4). APN 066-190-050 has been determined by County Planning staff to be legal based on existing permitted development, including repairs/additions to the 1920 farm house and other accessory buildings on the parcel.

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

General Plan Designation: Agriculture

Existing Land Use:

APN 066-190-020 (Kelly Property):

- Single-family residential development

APN 066-190-050 (Tedesco Property):

- Agriculture (hay, grazing, honey and bee production, composting)
- Residential (single-family residence - under construction; affordable housing unit; farm labor housing unit)
- Stables/agricultural accessory structures
- Oil wells

Water Supply:

APN 066-190-020:

- Existing residential development is served by adjudicated water rights from Purisima Creek.

APN 066-190-050:

- Existing development and agricultural activities located on the south side of Purisima Creek Road are served by adjudicated water rights from Purisima Creek. The new residence under construction located on the north side of Purisima Creek Road is approved to be served by a new private domestic well.

Sewage Disposal:

APN 066-190-020:

- Existing residential development is served by a private, on-site septic system.

APN 066-190-050:

- The existing farm house (affordable housing unit) and farm labor housing unit located on the south side of Purisima Creek Road are served by a private, on-site septic system. The single-family residence under construction is approved to be served by a new private on-site septic system.

Flood Zone: The parcels are located within Flood Zone A (areas with 1% annual chance of flooding) along Purisima Creek and Flood Zone X (area of minimal flooding), as defined by FEMA Community Panel Number 06081C0270E, dated October 16, 2012.

Environmental Evaluation: Categorically exempt pursuant to Section 15305, Class 5, of the California Environmental Quality Act (CEQA), as "Minor Alterations in Land Use Limitations" including minor lot line adjustments in an area with an average slope of less than 20% which will not result in the creation of a new parcel or a change in land use or density. The average slope of the area of the proposed LLA is 16%. Furthermore, the LLA will not result in the creation of a new parcel or generate a change in land use or density.

Setting: The project parcels are located along Purisima Creek Road, approximately 1.75 miles east of Cabrillo Highway. The area proposed for transfer is located on the south side of Purisima Creek Road and is a relatively flat, open area. Purisima Creek runs along the southern and eastern boundaries of the area of transfer. The nearest existing development to the project area includes single-family residential development on the receiving 0.6-acre parcel. Surrounding properties include larger agricultural parcels zoned PAD and consisting of similar agricultural and rural residential development.

Chronology:

<u>Date</u>	<u>Action</u>
June 11, 2014	- Application submitted for Lot Line Adjustment.
January 27, 2015	- Application deemed complete.
February 9, 2015	- Agricultural Advisory Committee meeting.
April 16, 2015	- Zoning Hearing Officer hearing.

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. Soil Resources

Policy 2.21 (*Protect Productive Soil Resources Against Soil Conversion*) seeks to regulate land use and subdivision of productive soil resources and encourage appropriate management practices to protect against soil conversion. As discussed in Section A.2.b. of this report, the project parcels consist of soils with agricultural capability, specifically soils meeting the Local Coastal Program's definition of prime agricultural land and lands suitable for agriculture. According to the County General Plan Productive Soils Resources Map, on-site soils are suitable for dryland farming (e.g., peas, pumpkins, Christmas trees, hay, oats, other grains).

The existing 112-acre parcel supports agricultural uses on the southern 20-acre portion of the parcel (south of Purisima Creek Road) which includes hay production, composting, livestock grazing, and bee and honey production. Future plans for this area include organic farming. The smaller 0.6-acre parcel currently does not support any agricultural activities due to its parcel size and existing single-family residential development (established in 1953). The proposed LLA would increase the size of the smaller parcel by 3.6 acres. Approximately 1.2 acres of the transferred area would consist of prime soils that are not currently used for agriculture or necessary for agricultural activities on the larger 112-acre parcel. Therefore, the LLA would provide the smaller parcel with some opportunity for limited

agriculture where none currently exists without conversion of productive soils or impacting agricultural activities on the larger parcel.

b. Mineral Resources

Policy 3.8 (*Identify and Protect Significant Mineral Resource Areas from Incompatible Land Uses*) and Policy 3.9 (*Permitted Uses within Significant Mineral Resource Areas*) seek to ensure that development within Significant Mineral Resource Areas is compatible with existing or potential mineral resource extraction operations. The project parcels are located within a Significant Mineral Resource Area for oil resources as designated by the County General Plan Mineral Resources Map. There are existing active and abandoned oil wells, many of which were drilled in the 1920s, within the surrounding area of the project site. There is an existing active oil well on the larger project parcel located in the western portion of the property, opposite the proposed LLA area, that produces low quantities of oil that is hauled off-site for commercial use. There are no existing oil wells on the smaller project parcel or within the area of the LLA, nor does either property owner propose to drill any new wells for oil extraction on either parcel. Therefore, the proposed LLA and any future agricultural use of the adjusted area of land would not have any impact on mineral resource extraction operations.

c. Rural Land Use

Policy 9.26 (*Coastal Zone Priorities*) requires the consideration of California Coastal Act priorities in land decisions in the Coastal Zone. Furthermore, Policy 9.31 (*Protection of Agricultural Lands*) encourages the retention and expansion of lands with agricultural activities through methods such as enforceable restrictions (e.g., easements, contracts or deed restrictions). The California Coastal Act identifies prime agricultural land and land suitable for agriculture as resources that should be protected and maintained for agricultural uses. Pursuant to Section 6364.B of the Planned Agricultural District (PAD) Zoning Regulations, Condition Nos. 6 and 7 require agricultural easements over those areas of land, on both parcels, designated prime agricultural land and land suitable for agriculture to ensure these lands are protected and preserved for agricultural use. See staff's discussion in Section A.2.b. relative to easements on agricultural parcels.

d. Water Supply

Policy 10.17 (*Improving Existing Water Systems*) allows water systems using surface water supplies to continue when done in

accordance with appropriate permits and approvals. Existing agricultural and non-agricultural development on both parcels are served by adjudicated water rights from Purisima Creek which would continue to be utilized after the LLA. The smaller parcel is allowed 500 gallons of water per day through adjudicated water rights to Purisima Creek, where their average draw is 300 gallons per day. Therefore, it is anticipated that the smaller parcel would have adequate water supply to serve any future limited agriculture. No new development is proposed on the larger 112-acre parcel; therefore, no impact is expected on its existing surface water supplies.

2. Conformity with the Local Coastal Program (LCP)

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

a. Locating and Planning New Development Component

Policy 1.8 (*Land Uses and Development Densities in Rural Areas*) allows new development in rural areas only if it is demonstrated that it will not diminish the ability to keep all prime agricultural land and other land suitable for agriculture in agricultural production. The northern portion of the 112-acre parcel (north of Purisima Creek Road) consists primarily of Tierra loam, steep, eroded soils and Tierra loam, moderately steep, eroded soils which are identified as suitable soils for range pasture according to the U.S. Department of Agriculture Soils Survey and thereby meets the Local Coastal Program's definition (Policy 5.3) of lands suitable for agriculture. The southern 20-acre portion of the 112-acre parcel, including the area of the LLA, and a portion of the smaller 0.6-acre parcel consist of Tunitas clay loam, gently sloping soils rated Class II in the U.S. Department of Agriculture Soils Conservation Land Use Capability Classification and thereby meet the Local Coastal Program's definition (Policy 5.1) of prime agricultural land. The proposed LLA would not diminish any existing or future agricultural productivity of the larger parcel and would allow the smaller parcel some opportunity for limited agriculture on prime agricultural land where none currently exists. Furthermore, conditions of approval have been included to require establishment of agricultural easements over all prime agricultural land and lands suitable for agriculture to preserve and protect existing and future use of these lands for agriculture.

b. Agriculture Component

Policy 5.7 (*Division of Prime Agricultural Land Designated as Agriculture*) prohibits the division of parcels consisting entirely of prime agricultural land; prohibits the division of prime agricultural land within a parcel, unless existing or potential agricultural productivity will not be reduced; and prohibits the creation of new parcels whose only building site would be on prime agricultural land. While both properties contain areas of prime soils, the 3.6-acre portion to be transferred consists of approximately 1.2 acres of prime soils that is not used for agriculture or necessary for agricultural activities on the larger 112-acre property. The area of transfer is used for private horse boarding and contains a water easement benefiting the smaller parcel. As previously discussed, the proposed transfer of land would not diminish existing agricultural productivity on the larger parcel and would allow the smaller parcel opportunities for limited agriculture where none currently exists. Both properties are already developed with one or more building sites and no new physical development is proposed at this time.

Policy 5.14 (*Master Land Division Plan*) requires in rural areas designated as Agriculture to file a Master Land Division Plan that demonstrates how the parcel will be ultimately divided, in accordance with permitted maximum density of development; and which parcels will be used for agricultural and non-agricultural uses, if conversions to those uses are permitted. Based on a density analysis of the project parcels, the 112-acre parcel would maintain two density credits after the LLA, and the existing 0.6-acre parcel would remain at one density credit after the LLA. Furthermore, the LLA would not create any setback non-conformities on the larger parcel.

As described in the Master Land Division Plan (Attachment G) submitted by John and Samantha Tedesco, while one density credit is consumed by the single-family residence currently under construction on the northern 92-acre portion of the parcel (north side of Purisima Creek Road), the remaining density credit would be applied in the future to a new parcel created from the subdivision of the resulting 108.4-acre parcel (after the subject LLA) into two parcels. The existing affordable housing unit and farm labor housing unit on Tedesco's property do not consume density credits. Future subdivision would be anticipated along Purisima Creek Road which already acts as a natural dividing feature of the existing 112-acre parcel. Such a subdivision would result in an approximately 92-acre parcel located on the north side of Purisima Creek Road and an approximately 16.4-acre parcel located on the south side of Purisima Creek Road. The potential 16.4-acre parcel would consist of prime

agricultural land, would remain in agricultural use, and would have one density credit which could be used to convert the existing affordable housing unit to a single-family residence. The resulting 4.2-acre (Kelly) parcel would contain the existing single-family residence and would, as conditioned, also be used for agriculture where the land to be transferred is not currently farmed.

Policy 5.16 (*Easements on Agricultural Parcels*) requires the property owners for both parcels to grant to the County easement(s) containing covenants, running with the land in perpetuity, which limit the use of the lands covered by the easement(s) to agricultural uses, non-residential development customarily considered accessory to agriculture, and farm labor housing. Condition No. 7 requires the establishment of agricultural easements over the areas of land, for each parcel, that are designated prime agricultural land and land suitable for agriculture to protect and preserve these areas for agricultural use in compliance with the County's adopted LCP. The easement for the larger parcel, APN 066-190-050, would allow exceptions to account for existing non-agricultural development and future non-agricultural development pursuant to the Master Land Division Plan (Attachment G) described in Section A.2.b. (*Master Land Division Plan*) of this report.

Policy 5.22 (*Protection of Agricultural Water Supplies*) requires that prior to approving any division or conversion of prime agricultural land or other land suitable for agriculture, 1) the existing availability of an adequate and potable well water source shall be demonstrated for all non-agricultural uses, 2) adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed shall not be diminished, and 3) all new non-agricultural parcels shall be severed from land bordering a stream and their deeds shall prohibit the transfer of riparian rights. The lot line adjustment will result in the reconfiguration of the smaller non-agricultural parcel; however, the lot line adjustment will not create any new non-agricultural uses or parcels for non-agricultural development. Also, the project does not propose any new physical development. The smaller parcel is allowed 500 gallons per day through adjudicated water rights to Purisima Creek, where their average draw is 300 gallons per day. Therefore, it is anticipated that the smaller parcel would have adequate water supply to serve any future limited agriculture. Furthermore, the project does not involve or require the transfer of any riparian rights.

c. Sensitive Habitats Component

Policies 7.9 (*Permitted Uses in Riparian Corridors*) and 7.12 (*Permitted Uses in Buffer Zones*) prohibit any land use or development which would have a significant adverse impact on sensitive habitat areas. Specifically, these policies would allow agricultural uses (including crop growing and grazing) in a riparian corridor or buffer zone provided there is no feasible or practicable alternative locations for such uses, no existing riparian vegetation needed to be removed, and that no soil is allowed to enter the stream channel. Purisima Creek borders the eastern and southern property lines of the area of land proposed for transfer and may support riparian vegetation. The transferred area of land will provide an opportunity for the smaller parcel to establish some limited agriculture.

While the creek may support sensitive habitat, the subject LLA project will not have any significant adverse impact on any sensitive habitat as there is no physical development proposed at this time. Any sensitive habitat impacts related to new development on either parcel will be analyzed for compliance with all applicable County land use regulations and policies at the time any future physical development is proposed.

3. Conformity with the Zoning Regulations

a. The proposed LLA introduces no new physical development or uses on either of the subject parcels. The Planned Agricultural District (PAD) Regulations require a PAD Permit for land division and define land divisions as the creation of any new property line whether by subdivision or other means. Therefore, the proposed LLA, which creates a new property line, is subject to the issuance of a PAD Permit and, per Section 6355, must be found to be in compliance with the below applicable substantive criteria. Since the project does not involve any new physical development, the criteria for “development” or “conversion of land” are not applicable.

(1) General Criteria: The project must comply with the general criteria for issuance of a PAD Permit, including the following: (1) the encroachment of all development upon land which is suitable for agricultural use shall be minimized, (2) all development permitted on a site shall be clustered, and (3) every project shall conform to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code.

While the land involved in the LLA is considered prime agricultural land, there is no proposed physical development associated with the subject application. Therefore, there will be no encroachment of development upon land which is suitable for agricultural use. Furthermore, the adjusted property lines will not adversely affect any existing development as development on the larger parcel is clustered away from the area of transfer and the adjusted property lines will create greater side and rear yard setbacks for existing development on the smaller parcel. Since this project proposes no new physical development, the Development Review Criteria of Chapter 20A.2 are not applicable.

- (2) Water Supply Criteria: The project must comply with applicable water supply criteria, which requires that existing availability of an adequate and potable well water source shall be demonstrated for all non-agricultural uses; adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed shall not be diminished; and all new non-agricultural parcels shall be severed from land bordering a stream and their deeds shall prohibit the transfer of riparian rights. See staff's discussion in Section A.2.b. (*Protection of Agricultural Water Supplies*).
- (3) Criteria for the Division of Prime Agricultural Land: The project must comply with the criteria for the division of prime agricultural land, including the following: (1) Prime Agricultural Land which covers an entire parcel shall not be divided, (2) Prime Agricultural Land within a parcel shall not be divided unless it can be demonstrated that existing or potential agricultural productivity of all resulting parcels would not be diminished, and (3) Prime Agricultural Land within a parcel will not be divided when the only building site would be on such Prime Agricultural Land. See staff's discussion in Section A.2.b. (*Division of Prime Agricultural Land Designated as Agriculture*).

b. Maximum Density of Development

In accordance with Section 6356 of the PAD Zoning Regulations, staff completed a density study of the legal parcels involved in the LLA to determine whether the proposed transfer of 3.6 acres of land would affect either parcel's density credit allotment. The density study revealed that the LLA will not affect the density credit allotment of either parcel. See staff's discussion in Section A.2.b. (*Master Land Division Plan*).

c. Procedural Criteria for Issuance of a Planned Agricultural Permit

- (1) Master Land Division Plan: Section 6364.A of the PAD Zoning Regulations requires an applicant to file a Master Land Division Plan demonstrating how the parcel will be ultimately divided according to the maximum density of development permitted and which parcels will be used for agricultural and non-agricultural uses if conversions are permitted. See staff's discussion in Section A.2.b. (*Master Land Division Plan*).
- (2) Easements on Agricultural Parcels: Section 6364.B of the PAD Zoning Regulations requires that after a Master Land Division Plan has been filed, and as a condition of approval, the applicant shall grant to the County an easement containing a covenant, running with the land in perpetuity, which limits the use of the lands covered by the easement to agricultural uses, non-residential development customarily considered accessory to agriculture and farm labor housing. See staff's discussion in Section A.2.b. (*Easements on Agricultural Parcels*).
- (3) Agricultural Land Management Plan: Section 6364.C requires, for parcels 20 acres or more in size before division or conversion, that the applicant file an agricultural land management plan demonstrating how, if applicable, the agricultural productivity of the land will be fostered and preserved. An updated Agricultural Land Management Plan, submitted on January 27, 2015, for the larger 112-acre parcel identifies the property owner's intent to maintain the property in agricultural use, which includes maintaining irrigated pastures year round for livestock grazing and hay production, composting, beekeeping, and honey production operations (Attachment F). Future agricultural plans include an additional 5 acres of organic farming.

4. Conformity with the Subdivision Regulations

Staff has reviewed the project against the criteria for review of lot line adjustments, pursuant to Section 7126 of the County Subdivision Regulations, and determined that the project complies with all of the following applicable criteria:

- a. Conformity with Zoning and Building Regulations: The LLA proposes no new development and no nonconformities would result from the LLA. Development on the larger parcel is clustered away from the area of transfer and the adjusted property lines will create greater side and rear yard setbacks for existing development on the smaller parcel.

- b. Suitability of building sites created by the lot line adjustment: No new development is proposed with this project and both parcels involved in the LLA already support existing development. The smaller parcel would gain 3.6 acres of land which would allow limited agricultural or agricultural-related development as required by an agricultural easement. Any future development would be required to comply with all applicable County land use regulations and policies at the time of development. Furthermore, the Building Inspection Section has reviewed and approved the project with no conditions.
- c. Provision for adequate routine and emergency access: Both parcels are located along, and take access from, Purisima Creek Road. The LLA would not affect any access to either parcel.
- d. Provision for adequate water supply and sewage disposal: The LLA proposes no new development; therefore, would not generate any demand in water or sewage disposal, or affect any existing utilities. The smaller parcel's water pump and pipe system to Purisima Creek are currently located within an easement running through the proposed area of transfer on the 112-acre parcel. The LLA would place these water facilities on the smaller parcel they serve. Additionally, the adjusted parcel boundaries would provide a greater setback for the existing septic system from property lines on the smaller parcel.

B. REVIEW BY THE CALIFORNIA COASTAL COMMISSION

A project referral was sent to the California Coastal Commission in July 2014. No formal comments were received from the Coastal Commission; however, in discussion with Coastal Commission staff on the project, the Commission's priority is that all prime agricultural land and lands suitable for agriculture are preserved and protected under easement.

C. REVIEW BY THE AGRICULTURAL ADVISORY COMMITTEE

On February 9, 2015, the Agricultural Advisory Committee (AAC) reviewed and recommended approval of the proposed project with no conditions of approval as the project would promote agriculture by creating an agricultural easement, preferably an "affirmative" agricultural easement. See staff's discussion in Section A.2.b. (*Easements on Agricultural Parcels*) for discussion on the requirement for agricultural conservation easements. The AAC requested to be apprised of the outcome of the project, including the implementation of the easement requirement and final Master Land Division Plan.

D. ENVIRONMENTAL REVIEW

This project is categorically exempt pursuant to Section 15305, Class 5, of the California Environmental Quality Act (CEQA), as “Minor Alterations in Land Use Limitations” including minor lot line adjustments in an area with an average slope of less than 20% which will not result in the creation of a new parcel or a change in land use or density. The average slope of the area of the proposed Lot Line Adjustment is 16%. Furthermore, the Lot Line Adjustment will not result in the creation of a new parcel or generate a change in land use or density.

E. REVIEWING AGENCIES

Building Inspection Section
Department of Public Works
Environmental Health Division
San Mateo County Fire Department
California Coastal Commission

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Prime Soils Map
- D. Tentative Lot Line Adjustment Map
- E. General Plan Agricultural Lands Map
- F. Agricultural Land Management Plan
- G. Master Land Division Plan

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2014-00202

Hearing Date: April 16, 2015

Prepared By: Summer Burlison
Project Planner

For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

For the Environmental Review, Find:

1. That the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305, Class 5, as "Minor Alterations in Land Use Limitations" including minor lot line adjustments in an area with an average slope of less than 20% which will not result in the creation of a new parcel or a change in land use or density as the average slope of the area of the proposed lot line adjustment is 16%. Furthermore, the lot line adjustment will not result in the creation of a new parcel or generate a change in land use or density.

For the Coastal Development Permit, Find:

2. That the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms to the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP), specifically with regard to Locating and Planning New Development, Agriculture, and Sensitive Habitats Components of the LCP. Staff has reviewed the plans and materials and determined that the project will not pose any adverse significant impacts on coastal resources, agricultural production, or sensitive habitats in the area as the project proposes no new development and will allow limited agricultural activity where none currently exists.
3. That the project is not subject to the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code) since the project is not located between the nearest public road and the sea, or the shoreline of the Pescadero Marsh.
4. That the project conforms to specific findings required by policies of the San Mateo County LCP with regard to Locating and Planning New Development, Agriculture and Sensitive Habitats Components, as discussed in detail in the Staff Report dated April 16, 2015.

For the Planned Agricultural District Permit, Find:

5. Substantive Criteria

That the project, as described in the application and accompanying materials, complies with all applicable substantive criteria for issuance of a Planned Agricultural District Permit contained in Section 6355 of the County Zoning Regulations, including:

- a. General Criteria: That the project will not result in the encroachment of development upon land which is suitable for agricultural use as the project proposes no new development. Furthermore, the lot line adjustment will not adversely affect any existing agricultural activities. The area proposed for transfer is intended to accommodate future limited agriculture where none currently exists.
- b. Water Supply Criteria: That existing development on the parcels will continue to be served by either private water well or adjudicated water rights to Purisima Creek, no new non-agricultural parcels will be created, and the project does not involve the transfer of any riparian rights. The project does not propose any new development; therefore, there will be no impact to any existing water supplies that serve either existing agricultural or non-agricultural development.
- c. Criteria for the Division of Prime Agricultural Land: That the project will not diminish any existing or future agricultural productivity on the parcels as the area of transfer, which contains prime soils, is not used for agriculture or needed for the continuance of agricultural activities on the larger 112-acre parcel. The lot line adjustment would allow the smaller parcel some opportunity for limited agriculture where none currently exists.

6. Maximum Density of Development

That the project would not result in a deficiency of density credits to support existing development on either parcel as a density study shows that the lot line adjustment will not affect the density credit allotment of either parcel involved. The larger parcel will maintain two density credits after the lot line adjustment and the smaller parcel will maintain one density credit.

7. Procedural Criteria for Issuance of a Planned Agricultural Permit

That the project, as described in the application and accompanying materials, complies with all applicable procedural criteria for issuance of a Planned Agricultural District Permit, contained in Section 6364 of the County Zoning Regulations, including:

- a. Master Land Division Plan: That the property owner of the larger 112-acre parcel has submitted a Master Land Division Plan describing how the

parcel, which will maintain two density credits after the lot line adjustment, is ultimately expected to be divided in a manner that would not diminish or adversely impact agricultural resources or activities. The Master Land Division Plan includes a potential future subdivision along the property's natural dividing line, Purisima Creek Road, and the potential future option to convert the existing affordable housing site on the southern portion of the parcel to a single-family residence.

- b. Easements on Agricultural Parcels: That a condition of approval has been included to require the granting of agricultural easements to the County that contain covenants running with the lands in perpetuity limiting all land designated as prime agricultural land and land suitable for agriculture to agricultural uses, non-residential development customarily considered accessory to agriculture and farm labor housing.
- c. Agricultural Land Management Plan: That the property owners of the larger 112-acre parcel have submitted an updated Agricultural Land Management Plan (January 2015) affirming their intent to maintain the property in agricultural productivity including livestock grazing and hay production, manure/compost production, beekeeping, and honey production operations, as well as future plans to add organic farming on the property.

For the Lot Line Adjustment, Find:

- 8. That the project, as described in the application and accompanying materials, complies with all applicable criteria for review of lot line adjustments, pursuant to Section 7126 of the County Subdivision Regulations. Specifically, that the project will conform to the zoning and building regulations as the lot line adjustment will not result in any nonconformities for existing development, and the project does not propose any new development. The project will not create any new building sites; the lot line adjustment will not affect access to either parcel as both parcels are located along Purisima Creek Road; and the lot line adjustment would not generate any demand in water or sewage disposal needs or affect any existing water or sewage disposal supplies as the lot line adjustment proposes no new development.

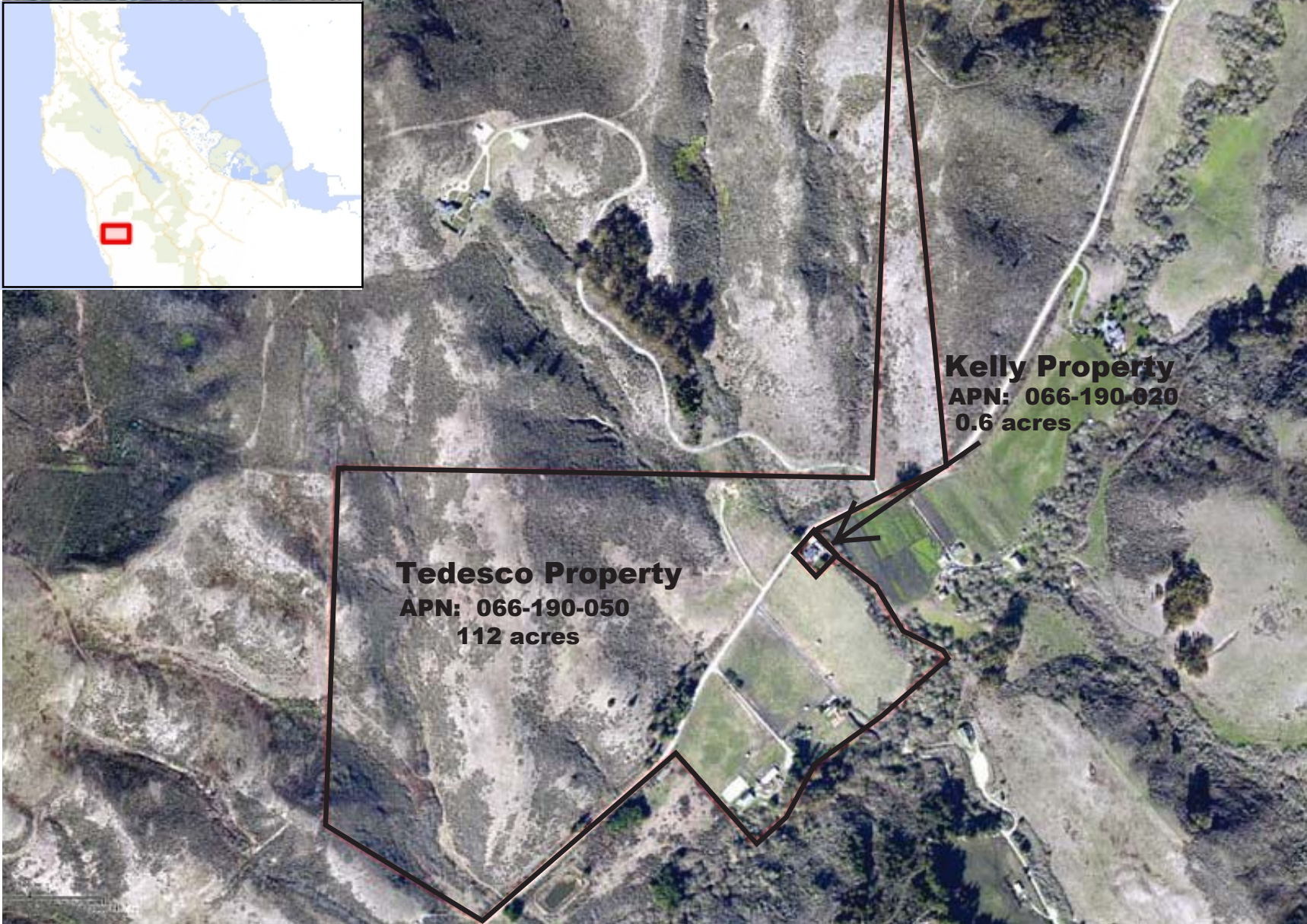
RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

- 1. This approval applies only to the proposal as described in the plans and this report approved by the Zoning Hearing Officer on April 16, 2015. Minor modifications to the project may be approved by the Community Development Director if they are consistent with the intent of, and in substantial compliance with, this approval.
- 2. This approval does not approve any future development on either of the adjusted parcels. Any future development on either parcel shall be subject to separate

review and approval by the County including, but not limited to, compliance with all Local Coastal Program policies and zoning regulations in place at the time of proposed development.

3. The Coastal Development Permit, Planned Agricultural Permit, and Lot Line Adjustment shall be valid for two (2) years from the date of final approval, in which time the lot line adjustment shall be recorded. Any extension of these permits shall require submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
4. Prior to recordation of the Lot Line Adjustment, the applicant shall submit legal deeds (including numerical closure sheets) for the property to be transferred, completely signed and ready to record, and written legal descriptions (including numerical closure sheets) of the entire new configuration of all parcels involved in the lot line adjustment. The deeds and legal descriptions reflecting the approved lot line adjustment shall be reviewed by the Department of Public Works prior to being filed for record with the County Recorder.
5. A copy of the “unrecorded” grant deed containing the description of only the parcel area to be exchanged shall be submitted to the Current Planning Section for review and approval, prior to transfer of ownership and recordation of the lot line adjustment.
6. The deeds and legal descriptions shall not be recorded until all conditions of approval have been met. The lot line adjustment shall be effective when the deeds and legal descriptions of the new parcels have been recorded.
7. Agricultural conservation easements shall be granted to the County, pursuant to Section 6364 of the Planned Agricultural District Zoning Regulations and Policy 5.16 of the Local Coastal Program. The easements shall contain a covenant, running with the land in perpetuity, which limits the land areas designated prime agricultural land and lands suitable for agriculture, according to the Local Coastal Program, to agricultural uses, non-residential development customarily considered accessory to agriculture, and farm labor housing. The easement for APN 066-190-050 shall include any provisions for non-agricultural development associated with the Master Land Division Plan for the property. Prior to their recordation, and the recordation of the Lot Line Adjustment, draft copies of the agricultural conservation easements shall be submitted to the Current Planning Section for review and approval by the Community Development Director. Recordation of the approved agricultural conservation easements shall be completed concurrently with the recordation of the Lot Line Adjustment. The property owners of the subject parcels shall submit a copy of the recorded easements to the Current Planning Section within 10 business days of the recordation of the easements.



Tedesco Property
APN: 066-190-050
112 acres

Kelly Property
APN: 066-190-020
0.6 acres

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:

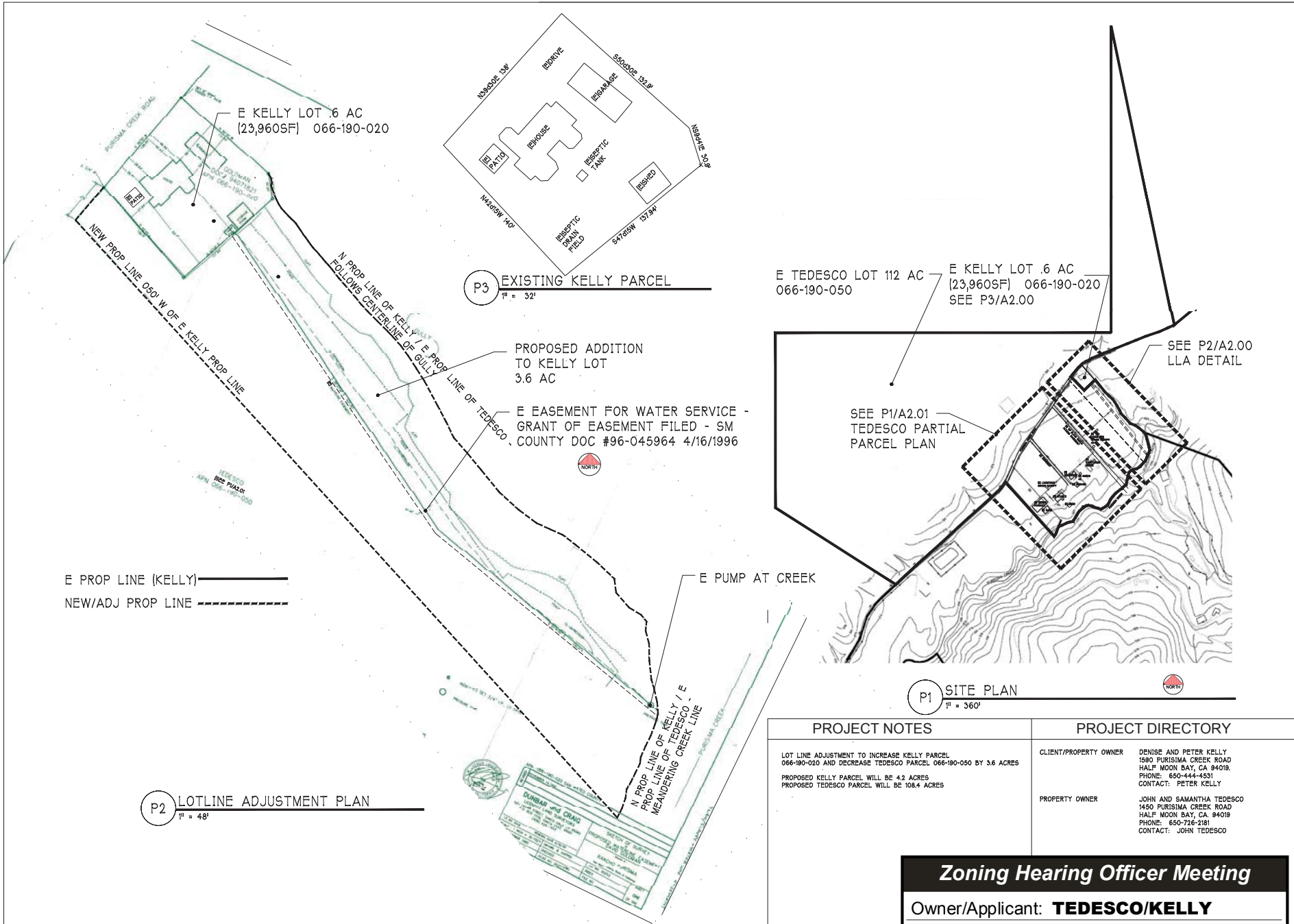


San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



P2 LOTLINE ADJUSTMENT PLAN
1" = 48'

P3 EXISTING KELLY PARCEL
1" = 32'

P1 SITE PLAN
1" = 360'

PROJECT NOTES	PROJECT DIRECTORY
LOT LINE ADJUSTMENT TO INCREASE KELLY PARCEL 066-190-020 AND DECREASE TEDESCO PARCEL 066-190-050 BY 3.6 ACRES PROPOSED KELLY PARCEL WILL BE 4.2 ACRES PROPOSED TEDESCO PARCEL WILL BE 106.4 ACRES	CLIENT/PROPERTY OWNER DENISE AND PETER KELLY 1500 PURISIMA CREEK ROAD HALF MOON BAY, CA 94019. PHONE: 650-444-4531 CONTACT: PETER KELLY PROPERTY OWNER JOHN AND SAMANTHA TEDESCO 1450 PURISIMA CREEK ROAD HALF MOON BAY, CA 94019 PHONE: 650-726-2181 CONTACT: JOHN TEDESCO

Zoning Hearing Officer Meeting

Owner/Applicant: **TEDESCO/KELLY**

File Numbers: **PLN 2014-00202**

Attachment: **D**

LEWISARCHITECTURE
 122 EL CAMINO REAL, SAN CARLOS, CALIFORNIA 94073-2404
 T: 650-703-3248 F: 650-831-8780 LEWISARCHITECTS@AOL.COM

CLIENT
 DENISE & PETER KELLY
 1500 PURISIMA CREEK ROAD
 HALF MOON BAY, CA.

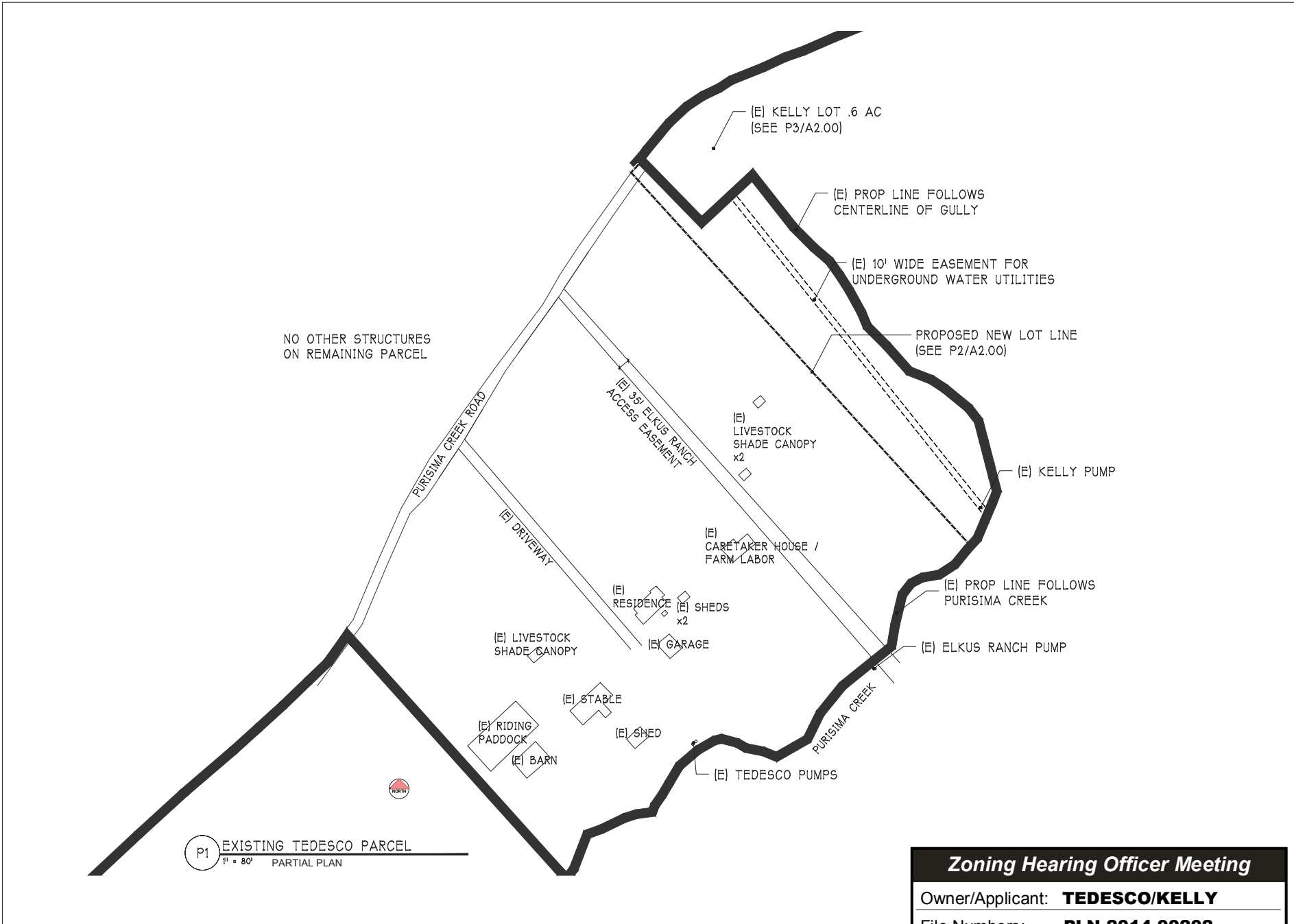
PROJECT
 LOT LINE ADJUSTMENT



SHEET
 PLANS AND LOT LINE ADJUSTMENT NOTES

JOB NUMBER: _____
 SCALE: _____
 DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 REVISIONS:
 5/10/2014 ISSUED FOR LOT LINE ADJUSTMENT
 7/15/2014 ISSUED FOR PCC RESPONSE

A2.00
 SHEET 1 OF 2



NO OTHER STRUCTURES
ON REMAINING PARCEL

P1 EXISTING TEDESCO PARCEL
1" = 80' PARTIAL PLAN

Zoning Hearing Officer Meeting

Owner/Applicant:	TEDESCO/KELLY
File Numbers:	PLN 2014-00202
Attachment:	D

LEWISARCHITECTURE
122 EL CAMINO REAL, SAN CARLOS, CALIFORNIA 94070-2404
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CLIENT
DENISE & PETER KELLY
1500 PURISIMA CREEK ROAD
HALF MOON BAY, CA.

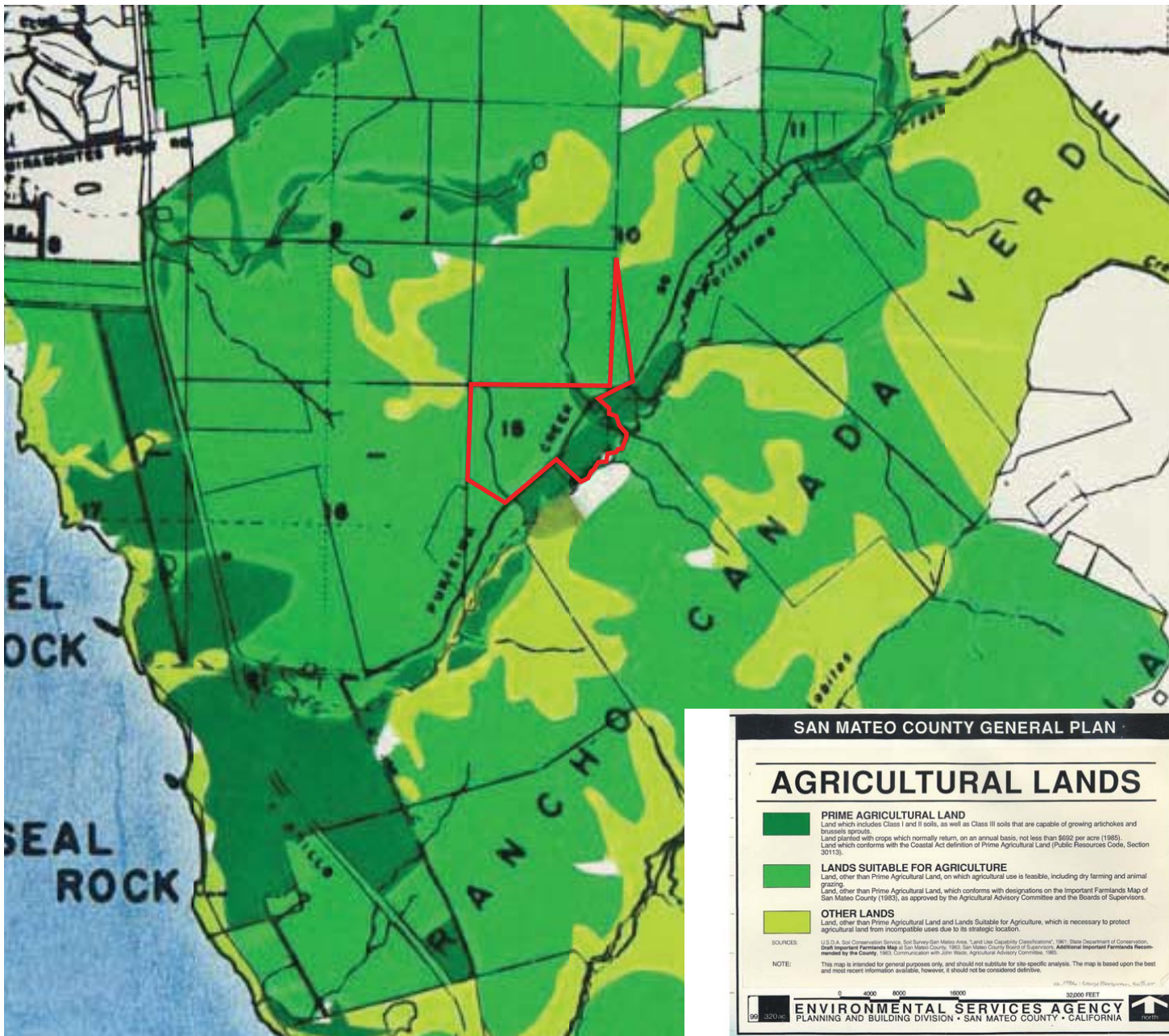
PROJECT
LOT LINE ADJUSTMENT



SHEET
E TEDESCO PARCEL
PARTIAL PLAN

JOB NUMBER:
SCALE:
DATE:
DRAWN BY:
CHECKED BY:
REVISIONS:
5/10/2014 ISSUED FOR
LOT LINE ADJUSTMENT
7/15/2014 ISSUED FOR
PCC RESPONSE

A2.01
SHEET 2 OF 2



San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

**Agricultural Land Management Plan for 1450 and 1455 Purisima Creek Road
Half Moon Bay CA 94019 APN 066-190-050**

Currently our parcel consisting of 112 acres located on both sides of Purisima Creek Road.

The south side is made up of approximately 20 acres of "Prime Agricultural Land" with two residences, a hay and equipment barn, a stall barn for horses, a non attached garage, a work shop and misc, sheds.

The main house serves as our current primary residence. The second home provides housing for our ranch caretakers and is a Farm Labor Housing unit.

On the north side of Purisima Creek Road there are approximately 92 acres of "Lands Suitable For Agriculture" consisting of mostly hilly terrain. We are currently constructing an new home on the most eastern part of the property.

Our future plans for the property are to continue with our current farming operation which includes our horse boarding operation, hay production, manure/ compost production, livestock grazing, and bee and honey production.

We purchased this property in 1989 with the intent of keeping it in agriculture. That intent has not changed as we continue to make improvements which include an upgraded irrigation system, new fencing, barn and stall renovation and erosion control. We maintain four irrigated pastures year round for grazing and hay production. Our future plans include the extension of our irrigation system to the north east side of the property where we will eventually be opening up 5 acres to organic farming. That system is already 50 % complete.

We firmly believe in, and support the preservation of farm land and agriculture in San Mateo County and will continue to conduct farming on our " Prime Agriculture Land" and where possible on our "Lands Suitable for Agriculture".

I hope this answers any questions you may have regarding our future Agricultural Land Management Plan. Please feel free to contact me at any time.

Sincerely,

John and Samantha Tedesco

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

**Master Land Division Plan for 1450 and 1455 Purisima Creek Road
Half Moon Bay CA 94019 APN 066-190-050**

Currently our parcel consists of 112 acres located on both sides of Purisima Creek Road.

The south side is made up of approximately 20 acres of "Prime Agricultural Land" with two residences, a hay and equipment barn, a stall barn for horses, a non-attached garage, a work shop and misc. sheds.

The main house serves as our current primary residence. The second home provides housing for our ranch caretakers and is a Farm Labor Housing unit.

On the north side of Purisima Creek Road there are approximately 92 acres of "Lands Suitable For Agriculture" consisting of mostly hilly terrain. We are currently constructing a new home on the most eastern part of the property.

The 112 acre parcel has two (2) density credits. One credit is taken up by the new construction leaving one remaining density credit.

Although we cannot project to far into the future, it would make sense to use the remaining density credit to split the 112 acre parcel into two parcels with the division being at Purisima Creek Road. This would allow for a 20 acre parcel to the south and a 92 acre parcel to the north.

My wife and I our now seniors and are realizing that managing a 112 acre ranch will become more difficult as we get older. Splitting the parcel into two and selling the lower 20 acres would allow a new owner the opportunity to have a working ranch and keep it in it's intended use, farming.

I hope this answers any questions you may have regarding our future "Master Land Division Plan". Please feel free to contact me at any time.

Sincerely

John and Samantha Tedesco

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____