

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

**DATE:** May 10, 2017

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** EXECUTIVE SUMMARY: Consideration of a renewal and amendment of a Planned Agricultural District Permit and a Coastal Development Permit, to allow seasonal commercial recreation activities at the Arata Pumpkin Farm located at 185 Verde Road, approximately 4 miles south of the City of Half Moon Bay. This project is appealable to the California Coastal Commission.

County File Number: PLN 2015-00084 (Gounalakis)

**PROPOSAL**

The applicant proposes to renew and amend the current permit to continue conducting seasonal commercial recreation activities on an 8.37-acre parcel (Arata Farm) for three months, between August 1 and November 1 over a five-year period (2017-2022) with the option to renew based on condition compliance and recommendation by the Agricultural Advisory Committee to the Planning Commission.

Commercial recreation activities remain limited to a hay maze, a haunted barn, a play set/jumper, a petting zoo, pony rides, a store, a miniature ride-on train, a snack bar, a food truck, associated gravel surface parking areas, and hay bale storage area. With the exception of the developed area, the play set/jumper area, small area of hay bale storage and undisturbed areas, the entire property will be used for agricultural production during the remaining nine months of the year.

The current hours of operation for August, September, and November remain unchanged from the previous approval and are as follows:

**August 1 - November 1 (except October)**

Monday - Friday: 9:00 a.m. - 6:00 p.m.

Saturday: 9:00 a.m. - 9:00 p.m.

Sunday: 9:00 a.m. - 8:00 p.m.

For October, the applicant proposes an additional 2 hours on Mondays through Thursdays (closing at 9:00 p.m. instead of 7:00 pm.) and an additional 1/2 hour on Fridays and Saturdays (closing at 10:30 p.m. instead of 10:00 p.m.).

The parcel is subject to a Williamson Act contract which was amended by the Board of Supervisors in September 2012 to include the above uses as potentially compatible uses under the contract.

## **RECOMMENDATION**

Approve the renewal and amendment of the Planned Agricultural District Permit and Coastal Development Permit, by making the required findings and adopting the conditions of approval listed in Attachment A of the staff report.

## **SUMMARY**

The proposed renewal and amendment remains consistent with the General Plan policies relating to the land use objective for the rural lands and the use of the land to promote diverse private outdoor recreational opportunities for existing and future County residents through the continued use of the property for agriculture, agriculturally related activities, and commercial recreation uses.

The project conforms to the Planned Agricultural District regulations in that existing uses are not proposed for expansion, no new structures are proposed, and no existing structures are being relocated, thus no impacts to identified Prime and Non-Prime Agricultural Lands are occurring as part of the renewal or amendment.

The project is also consistent with the Local Coastal Program policies relating to uses on Prime Agricultural Lands and Lands Suitable for Agriculture, sensitive habitats and visual resources. No additional prime or non-prime agricultural lands will be converted as part of this renewal and amendment, the applicant has maintained the required sensitive habitats buffer of 30 feet, and the required 100-foot buffer from the scenic corridor is also being maintained (closest structure is 250 feet from Highway 1).

On April 10, 2017, the Agricultural Advisory Committee (AAC) reviewed the proposal and recommended approval of a one-year permit for the project. The AAC also recommended that the Planning Commission not grant the proposed extension of hours, instead leaving in place the hours of operation that were approved in 2015.

Compliance with Conditions of Last Approval: The project is in compliance with the Conditions of Approval that were adopted for the permit approval in 2015. No changes to the previously permitted uses on the property are proposed as part of this renewal.

Environmental Review: On September 13, 2011, the Board of Supervisors certified the Initial Study/Mitigated Negative Declaration. No changes are proposed with this renewal and amendment such that additional significant effects on the environment would occur. Thus, the adopted IS/MND remains valid and the renewal and amendment therefore qualifies for a Categorical Exemption Section 15301, Class 1 *Existing Facilities*, as a continued operation of an existing facility involving negligible or no expansion of use.

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

**DATE:** May 10, 2017

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Renewal and Amendment of a Planned Agricultural District Permit, pursuant to Section 6350 of the San Mateo County Zoning Regulations, and a Coastal Development Permit, pursuant to Section 6328.4 of the San Mateo County Zoning Regulations, to allow seasonal commercial recreation activities at the Arata Pumpkin Farm located at 185 Verde Road approximately 4 miles south of the City of Half Moon Bay. This project is appealable to the California Coastal Commission.

County File Number: PLN 2015-00084 (Gounalakis)

**PROPOSAL**

The applicant, Chris Gounalakis, proposes to renew and amend a current permit in order to continue conducting seasonal commercial recreation activities on an 8.37-acre parcel (Arata Farm) for three months, between August 1 and November 1 over a five-year period (2017-2021) with the option to renew based on condition compliance and recommendation by the Agricultural Advisory Committee (AAC) to the Planning Commission.

Proposed commercial recreation activities would be limited to a hay maze, a haunted barn, a play set/jumper, a petting zoo, pony rides, a store, miniature ride-on train, a snack bar, food truck, associated gravel surface parking areas, and hay bale storage area. With the exception of the developed area, the play set/jumper area, small area of hay bale storage, and undisturbed areas, the entire property will be used for agricultural production during the remaining nine months of the year.

The current and proposed hours of operation for August, September, and November remain unchanged from the previous approval and are as follows:

**August 1 - November 1 (except October)**

Monday - Friday: 9:00 a.m. - 6:00 p.m.

Saturday: 9:00 a.m. - 9:00 p.m.

Sunday: 9:00 a.m. - 8:00 p.m.

For October, the applicant proposes an additional 2 hours on Mondays through Thursdays (closing at 9:00 p.m. instead of 7:00 p.m.) and an additional 1/2-hour on Fridays and Saturdays (closing at 10:30 p.m. instead of 10:00 p.m.) as outlined below:

Previously permitted hours of operation:

Monday - Thursday: 9:00 a.m. - 7:00 p.m.

Friday and Saturday: 9:00 a.m. - 10:00 p.m.

Sunday: 9:00 a.m. - 7:00 p.m.

Proposed hours of operation:

Monday - Thursday: 9:00 a.m. - 9:00 p.m.

Friday and Saturday: 9:00 a.m. - 10:30 p.m.

Sunday: 9:00 a.m. - 7:00 p.m.

The parcel is encumbered by a Williamson Act contract which was amended by the Board of Supervisors in September 2012 to include the above uses as compatible uses under the contract.

**RECOMMENDATION**

Approve the renewal and amendment of the Planned Agricultural District Permit and Coastal Development Permit, by making the required findings and adopting the conditions of approval listed in Attachment A of the staff report.

**BACKGROUND**

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

Owner/Applicant: Chris Gounalakis

Location: 185 Verde Road

APN: 066-310-080

Parcel Size: 8.37 acres

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

General Plan Designation: Agriculture

Sphere of Influence: Half Moon Bay

Existing Land Use: Agricultural uses, residence, barns, accessory buildings, and seasonal recreation activities

Water Supply: Riparian rights from Lobitos Creek for agriculture and spring for residential purposes

Sewage Disposal: On-site septic system; portable toilets used by the public during the recreation season

Flood Zone: Zone X (Area of Minimal Flood Hazard), FEMA Map Number 06081C0270E; effective October 16, 2012

Setting: The project parcel is located on Verde Road to the east of Cabrillo Highway and is relatively flat in terrain. Lobitos Creek runs along the northern perimeter of the parcel. The parcel contains a 0.88-acre developed area containing paved driveways and five (5) legal structures: with a 1,500 sq. ft. single-family residence, three barns (1,800 sq. ft., 500 sq. ft. and 300 sq. ft.), and a 900 sq. ft. store building. The buildings were constructed in the 1930s, prior to building permit requirements.

Environmental Evaluation: An Initial Study and Mitigated Negative Declaration (2011 IS/MND) was completed for seasonal commercial recreation uses. The public review period for this document was from April 20, 2011 to May 2, 2011. The Board of Supervisors adopted the IS/MND on September 13, 2011. Further discussion is included in Section D of this report.

Williamson Act: The parcel is under a Williamson Act contract that was amended in September 2012 to include the proposed commercial recreation uses as compatible uses under the contract. In 2015, an exception to the minimum parcel size was reviewed and granted. No changes to the size of the parcel are proposed. The contracted area is otherwise in compliance with the minimum eligibility requirements.

#### Chronology:

Date	Action
1967	- Property owner enters into Williamson Act contract (AP67-39) with San Mateo County.
1999	- Applicant (Mr. Gounalakis) leases property from the Arata family.
Approximately 2005	- Agricultural operation is expanded without permits to include seasonal commercial recreation activities during the months of May through October.
2009	- Complaint filed with the County regarding the expansion of unpermitted activities. Applicant is directed by the County to cease all unpermitted activities on the property until the required permits were secured.
Fall/Winter 2010	- Applicant conducts seasonal recreation activities under "Interim Operating Conditions" issued by the County for 2010 only.

- Fall/Winter 2011 - Board of Supervisors approves seasonal recreation uses at the property for 2011 only (PLN 2010-00207). Project is appealed to the California Coastal Commission; no action is taken by the California Coastal Commission.
  
- September 25, 2012 - Board of Supervisors amends the Williamson Act contract for the property to allow commercial recreation uses (PLN 2012-00178).
  
- Fall/Winter 2013 - No hay maze is constructed.
  
- May 12, 2014 - Agricultural Advisory Committee meeting to review proposed activities for 2014.
  
- June 25, 2014 - Planning Commission approves seasonal recreation uses at the property for 2014 only (PLN 2013-00494). Project is appealed to the California Coastal Commission; no action is taken by the California Coastal Commission.
  
- May 11, 2015 - Agricultural Advisory Committee meeting to review proposed activities for 2015 (PLN2015-00084). Item continued to June 8, 2015.
  
- June 8, 2015 - Agricultural Advisory Committee reviewed the item and made no recommendation on the development project. The requested minimum parcel size exception was heard by the AAC and received one recommendation of denial by the AAC and one recommendation of approval by the Agricultural Commissioner.
  
- July 22, 2015 - Planning Commission approves seasonal recreation uses at the property for 2015 and 2016 with option to renew the permit.
  
- December 22, 2016 - Application submitted to San Mateo County Planning for renewal of permit.
  
- April 10, 2017 - Agricultural Advisory Committee reviewed the item and recommended approval of a 1-year permit for the project. The AAC also recommended that the Planning Commission not grant the proposed extend hours, instead leaving in place the hours of operation that were approved in 2015.

## DISCUSSION

### A. KEY ISSUES

#### 1. Compliance with Conditions of Last Approval

The applicant is proposing to renew the existing PAD and CDP permit granted in 2015. The conditions of approval are identified below with staff's discussion on compliance and a recommendation to retain/not retain each condition. Subsequently, staff also recommends additional conditions identified below.

#### 2015 Conditions of Approval

##### Current Planning Section

- a. Condition No. 1: This approval applies only to the proposal described in this report and submitted to and approved by the Planning Commission on July 22, 2015. Minor revisions or modifications may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with the approval. Any other changes, modifications or additions shall require an amendment to the permit at a public hearing.

*Compliance with Condition? Yes.*

*Recommend to Retain? Yes, but modified to reflect the current Planning Commission hearing date of May 10, 2017.*

- b. Condition No. 2: The Planned Agricultural District Permit and Coastal Development Permit shall expire two (2) years from the date of approval and shall be subject to annual administrative reviews in 2015 and 2016, including inspection, and the applicable fee. Annual inspections shall be scheduled by the applicant/property owner with Planning staff and shall be completed prior to September 30 of each year. Renewal/amendment of the permit shall be subject to review by the Agricultural Advisory Committee and the Planning Commission. Complaints received by the Planning and Building Department shall be considered by the Planning Commission in its review of any renewal or amendment of the permit. At the time of permit renewal, lengthening of the two-year term shall be considered based on permit compliance.

*Compliance with Condition? Yes.*

*Recommend to Retain? Yes, but modified to: This permit shall be valid for five (5) years until May 10, 2021. The applicant shall file for a*

renewal of this permit six (6) months prior to expiration with the Planning Department by submitting the applicable application forms and payment of applicable fees, if continuation of this use is desired. Renewal/amendment of the permit shall be subject to review by the Agricultural Advisory Committee and the Planning Commission. Complaints received by the Planning and Building Department shall be considered by the Planning Commission in its review of any renewal or amendment of the permit.

This permit shall be subject to annual administrative reviews which shall include annual inspections scheduled by the applicant/property owner with Planning staff and completed prior to September 30 of each year.

- c. Condition Nos. 3-10, 12, 15, 17-19, 22-23, 25, 27-32 speak to operational requirements, required signage, prohibited signage, and use of the property during Halloween/Pumpkin Season.

*Compliance with Condition?* Yes. Annual inspections of the property to verify that the conditions of approval have been implemented prior to seasonal operations, during operations, and after operations have concluded. No violations regarding the seasonal operations were reported to San Mateo County for 2015 or 2016.

*Recommend to Retain?* Yes, but modified dates in conditions where appropriate.

- d. Condition No. 11: The applicant/property owner shall strictly adhere to the following hours/days of operation:

**July 1 - November 1 (except October)**

Monday - Friday: 9:00 a.m. - 6:00 p.m.

Saturday: 9:00 a.m. - 9:00 p.m.

Sunday: 9:00 a.m. - 8:00 p.m.

**October**

Monday - Thursday: 9:00 a.m. - 7:00 p.m.

Friday and Saturday: 9:00 a.m. - 10:00 p.m.

Sunday: 9:00 a.m. - 7:00 p.m.

Violation of the hours of operation, as confirmed by Planning staff, may result in the revocation of this permit.

*Compliance with Condition?* Yes.

*Recommend to Retain?* Yes, but modified October hours only to:

**October**

Monday - Thursday: 9:00 a.m. - 9:00 p.m.

Friday and Saturday: 9:00 a.m. - 10:30 p.m.

Sunday: 9:00 a.m. - 7:00 p.m.

- e. Condition Nos. 13, 14, 26 relate to parking operations during the Halloween/Pumpkin Season, the requirement for parking attendants, and exploring the possibility of off-site parking.

*Compliance with Condition?* Yes.

*Recommend to Retain?* Yes.

- f. Condition No. 16: The applicant/property owner must commit areas of the property to active agricultural production, according to the timeframes in the table below:

Crop Production by Zone, as Shown on Map						
	A	B	C	D	E	F
November	No Crops	Fallow/Cover Crop				
December						
January						
February						
March						
April	No Crops	Peas*/ Christmas Trees *	Fava Beans	Corn/ Pumpkins*	Pumpkins	Seedlings/ Starter Plants
May						
June						
July						
August						None (Parking)
September	No Crops	Harvest/Sales				None (Parking)
October						
*Entire zone planted, excluding areas of the hay maze for the month of August. Note: Crop type may change, as long as an active agricultural use is maintained.						

*Compliance with Condition?* Yes. Annual inspections of the property to verify that the conditions of approval have been implemented have occurring prior to seasonal operations, during operations, and after operations have concluded.

*Recommend to Retain?* Yes, but modified to:

Crop Production By Zone, as Shown on Map								
	A	B	C	D	E	F		
November	Christmas Trees	Fallow/Cover Crop					Seedlings/ Starter Plants	
December								
January								
February								
March								
April		Peas*/ Fava Beans/ Christmas Trees	Fava Beans	Corn/ Pumpkins*	Christmas Trees	None (Parking)		
May								
June								
July		Harvest/Sales						None (Parking)
August								
September	Harvest/Sales					None (Parking)		
October								
* Entire zone planted, excluding areas of the hay maze for the month of August. Note: Crop type may change, as long as an active agricultural use is maintained.								

- g. Condition Nos. 20 and 21 are conditions of approval regarding Environmental Health Division required permits and review.

*Compliance with Condition? Yes.*

*Recommend to Retain? Yes.*

- h. Condition No. 24: The property owner shall remove gravel and restore the quality of the soil in all parking areas on prime soil, as necessary to maintain the existing agricultural productivity of these soils, immediately upon the conclusion of each annual event (i.e., during the month of November). Specific remediation actions shall be determined in consultation with an agricultural specialist familiar with County lands, submitted for the review and approval of the Community Development Director by November 7 of each year, and completed no later than November 30. The property owner shall farm the land within areas of prime soil during non-recreational months (container farming is not allowed in this area).

*Compliance with Condition?* The applicant has placed container farming on the areas allowed for parking at the conclusion of the annual event on the property. The parking area on the site is comprised of compact gravel, totaling an area of 1.2 acres. Of this parking area, approximately 0.13 acres are considered prime soil. The removal of the gravel parking area, would require cutting into the soil and digging up the parking surface. Some soil would be removed during this process as the gravel has been compacted into the soil. The gravel and soil mixture would then be required to be removed from the site and new top soil would have to be introduced to the

parking area. Prior to seasonal operations, this area would be required to have a gravel base layer of parking. This process would be required on an annual basis as long as the permit is active. The removal of gravel and soil, replacement with new top soil for farming operations for 8 months, and then the covering the soil again with gravel can have impacts to soil composition and health and agricultural operations.

The continued removal of soil and gravel and the importing of soils can reduce the viability of the soil, by removing the existing soil on the site. The new imported soils, may not have the same qualities on the site and may lead to reduced agricultural productivity if the area is returned to such use at a later date. While the existing gravel parking has temporarily converted this area of the property, the yearly removal of gravel and dirt and the importing of new soil would potentially lessen the agricultural viability of the soil. It may also alter agricultural operations, as each year the gravel would be required to be removed and new soil brought in. During this time, the land could not be used for agricultural activities. Leaving the temporary covered parking area would minimize the disturbance in the area and would preserve the agriculture capability of the soil. Staff proposes modifying the condition to allow the gravel parking area to remain and to allow container farming in this area, and if the seasonal recreation use stops in the future, to require that the property owner remove the gravel parking area from the site.

*Recommend to Retain?* Yes, but modified to: The property owner shall remove gravel and restore the quality of the soil in all parking areas on prime soil, as necessary to maintain the existing agricultural productivity of these soils, immediately upon the ceasing of seasonal operations as described in PLN 2015-00084, either by the applicant no longer pursuing such seasonal operations on the property or due to revocation of the permit by the County. The gravel parking area shall not be expanded from the area shown on the submitted map received by the County on January 10, 2017. Specific remediation actions shall be determined in consultation with an agricultural specialist familiar with County lands. Container farming is permitted within the existing gravel parking area during non-recreational months.

#### Department of Public Works

- i. Condition Nos. 33-34 are regarding compliance and operation requirements with the approved parking plan for vehicle parking along Verde Road.

*Compliance with Condition?* Yes.

*Recommend to Retain? Yes.*

Coastside Fire Protection District

- j. Condition Nos. 35-36, 38-44 related to Coastside Fire Protection District requirements for the project.

*Compliance with Condition? Yes.*

*Recommend to Retain? Yes.*

- k. Condition 37: An approved automatic fire system meeting the requirements of NFPA-13 shall be required to be installed for your project. Plans shall be submitted to the San Mateo County Building Inspection Section for review and approval by the Coastside Fire Protection District. The sprinkler system design shall be based on an at least Ordinary-Group 2 classification or higher classification based on stored commodity. Unobstructed fire sprinkler coverage shall extend to all areas in the occupancy. Any areas creating compartmentalization due to new walls shall have additional sprinklers heads installed to provide unobstructed coverage.

*Compliance with Condition?* For the operational year of 2015 and 2016, Coastside Fire Protection District allowed the haunted barn on property to operate during the Halloween/Pumpkin Season with a fire warden on duty. For 2017-2021, a fire warden for this operation will no longer be permitted and the applicant must install an automatic fire system in the haunted barn.

*Recommend to Retain?* Yes, but modified to: An approved automatic fire system meeting the requirements of NFPA-13 shall be required to be installed for use of the barn as a haunted barn. A fire sprinkler plan shall be received, reviewed, and approved by the Coastside Fire Protection District prior to the use of the haunted barn. Plans shall be submitted to the San Mateo County Building Inspection Section for review and approval by the Coastside Fire Protection District. The sprinkler system design shall be based on an at least Ordinary-Group 2 classification or higher classification based on stored commodity. Please provide information as to the commodity. Unobstructed fire sprinkler coverage shall extend to all areas in the occupancy. Any areas creating compartmentalization due to new walls shall have additional sprinkler heads installed to provide unobstructed coverage.

Additional Recommended Conditions of Approval

Planning recommends the addition of the following new conditions of approval.

### Coastside Fire Protection District

- I. Condition No. 38: Along with the automatic fire sprinkler system, this project is required to install fire sprinkler hardware (Post Indicator Valve, Fire Department Connect, and Exterior Bell). Plans shall be submitted, reviewed, and approved by the Coastside Fire Protection District.

### Environmental Health Division

- m. Condition No. 45: For all events where food or beverages are distributed to the public, Arata Farms must obtain timely permits from the Environmental Health Division Food Program and comply with the California Retail Food Code. Foods must be stored and distributed in accordance to the California Retail Food Code. It should be noted that the on-site sale of non-pre-packaged food is not permitted at this site. Potable water must be available in sufficient quantity for handwashing and food utensil washing. Lavatories for food/beverage handlers must be located within 200 feet of every food/beverage distribution site. Trash must be contained to as not becoming an attractive nuisance to vermin. Petting zoos shall have hand wash stations for patrons.
- n. Condition No. 46: The applicant shall provide information on the proposed number of portable toilets and supporting documentation or calculations demonstrating the proposal is an adequate number of portable toilets for the commercial recreational activities. The applicant must identify the frequency (number of days in a year) of the limited events. The applicant shall demonstrate that adequate potable water supply is available to patrons and employees.

### Building Inspection Section

- o. Condition No. 47: A building permit is required for the snack building and play set.

## 2. Conformance with the General Plan

The County General Plan designates the property for Agriculture and describes the primary feasible uses associated with this land use designation as “resource management and production uses including, but not limited to, agriculture and uses considered accessory and ancillary to agriculture” (Table 7.1P, *General Plan Land Use Designations*). Policy 9.7 (*Rural Lands*) further defines such land uses to also include public or private recreation or open space.

The applicant has maintained compliance with the previous permit approval for the commercial recreational uses in conformance with General Plan

Policies 9.4 (*Land Use Objectives for the Rural Lands*) and 9.38 (*Encourage Private Recreation Land Uses*) which promotes the provision of diverse private and public outdoor recreational opportunities for existing and future County residents. Modification of the hours of operation for the month of October is consistent with the policies in that the extended hours will allow the public who may be traveling to the property during commute hours to have additional time to enjoy the recreational activities. Extending the time frame Monday through Thursday by 2 hours and by a 1/2-hour on Friday and Saturday will not adversely affect the agricultural activities which remain the predominate use of the property. The percent of land use is unchanged from the previous approval as shown below.

Percentages of Land Use During the Recreation Season		
Proposed Use	Area in Acres	% of Property
<i>Non-Recreational</i>		
Permanent Agriculture	3.77	45%
Undisturbed (e.g., shrubs and trees)	1.93	23%
Permanent Developed Area (structures, driveways)	0.88	11%
<b>Subtotal</b>	<b>6.58</b>	<b>79%</b>
<i>Recreational</i>		
Parking	1.20	14%
Maze and Play Set/Jumper	0.59	7%
<b>Subtotal</b>	<b>1.79</b>	<b>21%</b>
<b>Total</b>	<b>8.37</b>	<b>100%</b>

Similarly, agricultural uses outside of the recreation season also remain unchanged as identified below.

Crop Production By Zone, as Shown on Map								
	A	B	C	D	E	F		
November	Christmas Trees	Fallow/Cover Crop					Seedlings/ Starter Plants	
December								
January								
February								
March								
April		Peas*/	Fava Beans	Corn/ Pumpkins*	Christmas Trees	None (Parking)		
May		Fava Beans/ Christmas Trees						
June		Harvest/Sales						None (Parking)
July								
August								
September						None (Parking)		
October								

\* Entire zone planted, excluding areas of the hay maze for the month of August.  
 Note: Crop type may change, as long as an active agricultural use is maintained.

3. Conformance with the Zoning Regulations

As conditioned, the project remains consistent with Planned Agricultural District regulations, including development standards (e.g., setbacks), in that uses are not being expanded, no new structures are proposed, and no existing structures are being relocated; thus, no impacts to Prime or Non-Prime Agricultural Lands are occurring under this permit renewal and amendment. Should future amendments be proposed, compliance with the applicable policies and regulations will be reviewed at that time.

4. Conformance with the Local Coastal Program (LCP)

The project and amended hours of operations are consistent with LCP Policy 5.5 (*Permitted Uses on Prime Agricultural Lands*) which allows agricultural and agriculturally-related development on prime agricultural lands and non-residential development customarily considered accessory to agricultural uses including barns, storage/equipment sheds, water wells, and temporary road stands, among other uses. Below is the discussion from the prior permit approval updated to take into consideration this renewal and amendment.

a. Prime Agricultural Lands

For areas designated Prime Agricultural Lands, the following uses are occurring and were approved on such lands: (1) the use of the existing barn and the location of the petting zoo and the pony ride within the developed area; (2) the temporary construction of a portion of the hay maze; and (3) the location of temporary parking adjoining developed areas of the property for the proposed commercial recreation use. The following is a discussion of each project component and policy compliance:

- Use of Barn and the Location of Petting Zoo and Pony Ride within the Developed Area for Commercial Recreation Use: Existing uses within the developed areas of Prime Agricultural Lands are consistent with this policy, as the uses remain clustered in an area where existing development prevents the use of Prime Agricultural Land for agricultural production.
- Temporary Construction of a Portion of the Hay Maze: The area of Prime Agricultural Land that is occupied temporarily by a portion of the hay maze (approximately 5,600 sq. ft.) has been used in a similar matter since at least 2005. The hay maze is a temporary structure used from August 1 to November 1 and would not deplete the productivity of the soil.

- Location of Temporary Parking Adjoining the Developed Area: Temporary parking that supports the commercial recreation is located in the same area historically used for parking and this area has been approved for this use. Leaks from automobiles may deplete the productivity of the soil. However, contaminated soil can be removed and replaced with soil amendments to restore soil productivity in the future for agriculture in this area. Condition No. 24 remains as part of this permit renewal and amendment to which the applicant has complied. A requirement of this condition has been added to the condition to require the property owner to restore the productivity of the soil in all parking areas on Prime Agricultural Land immediately upon the ceasing of seasonal operations as described in PLN 2015-00084, either by the applicant no longer wanting to have such seasonal operations on the property or due to revocation of the permit by the County. The gravel parking area shall not be expanded from the area shown on the submitted map received by the County on January 10, 2017. Specific remediation actions shall be determined in consultation with an agricultural specialist familiar with County lands. Therefore, as proposed and conditioned, parking would not permanently deplete the productivity of the soil.

b. Lands Suitable for Agriculture

LCP Policy 5.6 (*Permitted Uses on Lands Suitable for Agriculture Designated as Agriculture*) permits agricultural and agriculturally-related development on lands suitable for agriculture, including agricultural and non-soil dependent agricultural uses such as greenhouses and nurseries. The policy also conditionally permits commercial recreation uses including country inns, stables, riding academies, campgrounds, rod and gun clubs, and private beaches. In portions of the property that are suitable for agriculture, but do not contain Prime Agricultural Lands, the project was approved for the following: (1) maintenance of a play set/jumper; (2) construction of a hay maze; (3) location of temporary parking to support commercial recreation uses; (4) hay bale storage during non-recreational months; and (5) container-based agriculture in parking areas. Container-based agriculture is permitted as a type of non-soil dependent agricultural use. No changes are proposed to the approved uses.

c. Sensitive Habitat Component

The project also remains consistent with Policy 7.11 (*Establishment of Buffer Zones*) that requires a buffer zone of 50 feet from the edge of riparian vegetation for perennial streams. Lobitos Creek runs along the project parcel's northeastern property line. The section of

Lobitos Creek adjoining the property does not contain riparian vegetation, per the biologist report prepared by Deborah Peterson, dated September 12, 2011. The required buffer from the centerline of the stream is 30 feet. No activities or development have occurred or are proposed within the required buffer zone. The creek is located down a slope from the proposed hay maze. Due to the location of the creek on the property, access to the creek by members of the public would be difficult.

d. Visual Resources Component

The project is consistent with Policy 8.5 (*Location of Development*) which requires that new development be located on a portion of a parcel where the development: (1) is least visible from State and County Scenic Roads; (2) is least likely to significantly impact views from public viewpoints, including coastal roads; and (3) best preserves the visual and open space qualities of the parcel overall. The policy also requires clustering of new development with existing development. The hay maze is located approximately 250 feet from Highway 1, in excess of the 100-foot scenic corridor setback required by LCP Policy 8.31 (below). Existing structures and parking uses are clustered with existing development and minimize encroachments on prime soils. While the use is visible from Highway 1, the hay maze is visually compatible with the existing agricultural uses on the property and in the surrounding area. It is clustered with existing development on the property and will be temporarily located on the property. Condition of Approval No. 15 stated that at the end of the Halloween/Pumpkin Season on November 1, operation of all recreational activities will cease immediately and, within 30 days, the applicant/property owner shall deconstruct the hay maze. Hay that is stacked for future use shall be clustered and located outside of prime soil areas and within areas minimally visible from Highway 1. The applicant is also conditioned (Condition of Approval No. 4) to maintain vegetation screening between the recreational uses and Highway 1.

In addition to applying the Primary Scenic Resources Areas Criteria of the RM Zoning District (addressed in Section C, above), Policy 8.31 (*Regulation of Scenic Corridors in Rural Areas*) requires a minimum setback of 100 feet from the right-of-way line, and greater where possible. The closest proposed recreational structure, the hay maze, is located approximately 250 feet from Highway 1.

Policy 8.21 (*Commercial Signs*) seeks to prohibit off-premises commercial signs, brightly colored, illuminated, rotating, reflective, blinking, flashing or moving signs, pennants or streamers and requires such directional signs to be simple, easy to read and harmonize with surrounding elements. Per Condition No. 12, during the Halloween/

Pumpkin season (September 15 to October 31), the applicant is permitted to temporarily install on-site up to four (4) directional traffic signs, maximum 2 feet x 3 feet, each visible from Highway 1. Signage is not allowed on or along Highway 1. Signage shall prohibit parking along Verde Road and Highway 1.

5. Conformance with the Confined Animal Regulations

Per Section 7700 of the San Mateo County Confined Animal Regulations, the keeping of up to five ponies on lands designated as Planned Agricultural District can be exempted from by application to and approval by the Planning and Building Department. In 2003, the applicant applied for and received a Confined Animal Permit Exemption for the keeping of five ponies (County File No. PLN 2003-00264) for proposed pony rides. The applicant has met all requirements for manure and stormwater management per the stated regulations. Any increase in the number of ponies beyond five ponies will require an application for the keeping of confined animals.

B. CONFORMANCE WITH THE WILLIAMSON ACT

In 2017, the applicant submitted a Williamson Act survey confirming the minimum annual income requirement of \$10,000 from the sale of crops which was generated by the agricultural operations on the property. The property is compliant with the minimum income requirement and, in 2015, was granted an exception to the minimum parcel size of 8.37 acres where a minimum of 40 acres is required for lands comprised of Prime and Non-Prime Agricultural Lands under the County's Williamson Act Program. Staff granted the exception in 2015 based on input from the Agricultural Commissioner that the agriculture on the property is highly productive and that continued agricultural production has a significant public benefit. No changes to the size of the parcel are proposed. The contracted area is otherwise in compliance with the minimum eligibility requirements.

C. REVIEW BY THE AGRICULTURAL ADVISORY COMMITTEE

On April 10, 2017 the Agricultural Advisory Committee reviewed the project as proposed and recommended approval of a 1-year permit for the project. The AAC also recommended that the Planning Commission not grant the proposed extended hours, instead leaving in place the hours of operation that were approved in 2015.

D. ENVIRONMENTAL REVIEW

In 2011, Planning staff prepared an Initial Study/Mitigated Negative Declaration (2011 IS/MND) in compliance with the California Environmental Quality Act (CEQA) Guidelines, which analyzed potential environmental impacts from recreational activities at the Arata Farm site from July 1 through November 31 annually, including a hay maze, pony rides, train rides, hay rides, haunted

barn, pumpkin sales and private parties. The 2011 IS/MND is included as Attachment E. The public review period for this document was from April 20, 2011 to May 2, 2011. The Board of Supervisors adopted the IS/MND on September 13, 2011. No changes are proposed with this renewal and amendment such that additional significant effects on the environment would occur. Thus, the adopted IS/MND remains valid and the renewal and amendment therefore qualifies for a Categorical Exemption Section 15301, Class 1 *Existing Facilities*, as a continued operation of an existing facility involving negligible or no expansion of use.

E. REVIEWING AGENCIES

Building Inspection Section  
Coastside Fire Protection District  
California Coastal Commission  
Department of Public Works  
Environmental Health Division  
San Mateo County Agricultural Advisory Committee

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map of Project Parcel
- C. Map of Prime Soils and Seasonal Commercial Recreation Activities 2017
- D. Applicant's Planting Plan 2017
- E. Initial Study/Mitigated Negative Declaration (2011 IS/MND), dated April 20, 2011
- F. Amended Williamson Act Contract
- G. Biologist Report, prepared by Deborah Peterson, dated September 12, 2011
- H. Street Parking 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 2015-00084

Hearing Date: May 10, 2017

Prepared By: Rob Bartoli  
Project Planner

For Adoption By: Planning Commission

**RECOMMENDED FINDINGS**

Regarding the Mitigated Negative Declaration, Find:

1. That the proposed renewal and amendment is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Class 1, Section 15301 for continued operation of an existing facility involving negligible or no expansion of use.

Regarding the Planned Agricultural District Permit, Find:

2. That the project, as described and conditioned, conforms with the Planned Agricultural District regulations in accordance with Section 6350 of the San Mateo County Zoning Regulations as described in the staff report dated May 10, 2017 because no changes are proposed to the project other than the hours of operation which will not adversely affect the current and foreseeable use of the property for agricultural purposes.

Regarding the Coastal Development Permit, Find:

3. 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. Specifically, the applicable policies of the Agriculture Component, Sensitive Habitat Component, and the Visual Resources Component because the project scope remains consistent with the prior approval and that the hours of operations modification will not adversely affect the agricultural uses, potential sensitive habitats or visual resources.

## **RECOMMENDED CONDITIONS OF APPROVAL**

### **Current Planning Section**

1. This approval applies only to the proposal described in this report and submitted to and approved by the Planning Commission on May 10, 2017. Minor revisions or modifications may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with the approval. Any other changes, modifications or additions shall require an amendment to the permit at a public hearing.
2. This permit shall be valid for five (5) years until May 10, 2022. The applicant shall file for a renewal of this permit six (6) months prior to expiration with the Planning Department by submitting the applicable application forms and payment of applicable fees, if continuation of this use is desired. Renewal/amendment of the permit shall be subject to review by the Agricultural Advisory Committee and the Planning Commission. Complaints received by the Planning and Building Department shall be considered by the Planning Commission in its review of any renewal or amendment of the permit.

This permit shall be subject to annual administrative reviews which shall include annual inspections scheduled by the applicant/property owner with Planning staff and completed prior to September 30 of each year.

3. The applicant shall install a durable sign near or on the snack bar, outside of areas used for agricultural production, which provides contact information (name, phone number, and email address) of the applicant's designated representative who shall be responsible for responding to complaints regarding project operation. The sign shall be posted from August 1 to November 1, each year. The sign shall also include contact information to direct complaints to a designated County representative (Ana Santiago, Code Compliance Section, 650/363-4825). The complaint would be investigated within four (4) working days of the filing date of the complaint and, if confirmed, a violation case would be opened, written correspondence would be sent to the applicant/owner, and enforcement would be escalated according to standard procedure, until the violation is corrected to the satisfaction of the Community Development Director. The applicant shall submit the precise wording of the sign for review and approval by the Community Development Director at least two (2) weeks prior to August 1 of each year.
4. The applicant/property owner shall maintain native vegetation outside of agricultural production areas to screen all aspects of the commercial recreation use (i.e., hay maze, jump houses, etc.) such that structures are minimally visible from Cabrillo Highway, to the extent feasible, in accordance with a planting plan that shall be submitted for review and approval by the Community Development Director at least two (2) weeks prior to August 1, 2017.

5. The property owner is responsible for maintaining the health of intervening vegetation necessary for screening all structures associated with commercial recreation as viewed from the Cabrillo Highway. Per Section 6324.2 of the Zoning Regulations (Site Design Criteria), the removal of any mature trees (those over 55 inches in circumference) would be subject to the issuance of a PAD Permit.
6. The petting zoo shall be limited to animals traditionally associated with California coastal agriculture (i.e., sheep, goats, chickens, etc.).
7. Any increase in the number of ponies beyond five (5) ponies will require an application for the keeping of confined animals. The applicant shall comply with the approved manure and stormwater management plan per the San Mateo County Confined Animal Regulations.
8. The applicant shall locate all uses according to the site plans submitted by the applicant (Attachment C). Compliance with this requirement shall be demonstrated to the satisfaction of the Community Development Director prior to the start of project operation.
9. All structures (i.e., haunted barn and sales kiosk) and signage associated with the commercial recreation use are required to maintain the same earth and vegetative tones as the predominant colors of the site, as determined by and to the satisfaction of the Community Development Director.
10. The applicant/property owner shall maintain the gravel-surface parking lot, maze structures, and other development such that pollutants (including trash and sediment) do not enter Lobitos Creek or any right-of-way.
11. Mitigation Measure 6: The applicant/property owner shall strictly adhere to the following hours/days of operation:

**July 1 - November 1 (except October)**

Monday - Friday: 9:00 a.m. - 6:00 p.m.

Saturday: 9:00 a.m. - 9:00 p.m.

Sunday: 9:00 a.m. - 8:00 p.m.

**October**

Monday - Thursday: 9:00 a.m. - 9:00 p.m.

Friday and Saturday: 9:00 a.m. - 10:30 p.m.

Sunday: 9:00 a.m. - 7:00 p.m.

Violation of the hours of operation, as confirmed by Planning staff, may result in the revocation of this permit.

12. Mitigation Measure 7: During the Halloween/Pumpkin Season (September 15 to October 31), the applicant/property owner is permitted to temporarily install up to four (4) directional traffic signs, maximum 2 feet x 3 feet each in size, which may

be visible from Cabrillo Highway. Such signs shall be installed on-site and not in the public right-of-way and shall be of the same earth and vegetative tones as the predominant colors of the site, as determined by and to the satisfaction of the Community Development Director. All signage shall be removed from the site by November 1. No signage shall be allowed on or along Cabrillo Highway.

13. Mitigation Measures 2 and 4: During the Halloween/Pumpkin Season (September 15 to October 31), the applicant/property owner shall employ at least three (3) parking attendants to assist in the facilitation of pedestrian and vehicular movement along Cabrillo Highway and Verde Road, and entering and exiting the site. The applicant/property owner shall be responsible to ensure that no parking or standing occurs on or along Cabrillo Highway or Verde Road.
14. The applicant/property owner is encouraged to explore off-site parking opportunities (i.e., a formal off-site parking agreement with property owner(s) in the area), to ease parking challenges at the site. Off-site parking shall comply with permitting requirements of the Planned Agricultural District (PAD) Coastal Development (CD) Zoning Districts.
15. At the end of the Halloween/Pumpkin Season on November 1, operation of all recreational activities will cease immediately and, within 30 days, the applicant/property owner shall deconstruct the hay maze. Hay that is stacked for future use shall be clustered and located outside of prime soil areas and within areas minimally visible from Highway 1.
16. The applicant/property owner must commit areas of the property to active agricultural production, according to the timeframes in the table below:

Crop Production by Zone, as Shown on Map							
	A	B	C	D	E	F	
November	Christmas Trees	Fallow/Cover Crop					
December							
January							
February							
March							
April		Peas*/ Stone Pines*/ Christmas Trees/ Fava Beans	Fava Beans	Corn/ Pumpkins*	Pumpkins	Seedlings/ Starter Plants	
May							
June							
July							
August						None (Parking)	
September	Harvest/Sales					None (Parking)	
October							
* Entire zone planted, excluding areas of the hay maze for the month of August. Note: Crop type may change, as long as an active agricultural use is maintained.							

17. The applicant/property owner shall manage trash and debris by providing covered containers placed in locations throughout publicly accessible areas of the

- property. Trash shall be removed in a timely manner such that there is no trash overflow.
18. The use of flashing lights on the property is prohibited.
  19. A building permit shall be obtained from the Building Inspection Section prior to any construction on the property, and all construction shall be in accordance with approved plans. No hay bale structure shall exceed 6 feet in height from grade.
  20. The applicant shall apply for and obtain a farm-stand license from the Environmental Health Division for and prior to the operation of the store and sales kiosk. Copies of permits shall be submitted to the Current Planning Section. Depending on the extent of both food services and water use offered by Arata Farms during the recreation season, Arata Farms must remain in compliance with all directives of the San Mateo County Environmental Health Division and the California Department of Public Health - Drinking Water Division.
  21. Additional demand on the existing septic system or the existing well to serve the commercial recreation use is subject to Environmental Health Division review and permitting.
  22. The applicant/property owner shall apply for and obtain any required permits from Coastside Fire Protection District. Copies of permits shall be submitted to the Current Planning Section.
  23. Off-premises commercial signs, brightly colored or illuminated, rotating, reflective, blinking, flashing or moving signs, and pennants or streamers are prohibited, per Local Coastal Program Policy 8.21 (*Commercial Signs*). Directional signs shall be simple, easy to read and harmonize with surrounding elements.
  24. The property owner shall remove gravel and restore the quality of the soil in all parking areas on prime soil, as necessary to maintain the existing agricultural productivity of these soils, immediately upon the ceasing of seasonal operations as described in PLN 2015-00084, either by the applicant no longer pursuing such seasonal operations on the property or due to revocation of the permit by the County. The gravel parking area shall not be expanded from the area shown on the submitted map received by the County on January 10, 2017. Specific remediation actions shall be determined in consultation with an agricultural specialist familiar with County lands. Container farming is permitted within the existing gravel parking area during non-recreational months.
  25. Mitigation Measure 1: The applicant/property owner shall utilize no more than 1.79 acres of the total undeveloped area of land for recreational activities. This permit does not allow any intensification or expansion of use beyond the scope of the approved project. All structures associated with the recreational use of the property (other than the barns, store, snack bar, and single-family dwelling) shall

be removed, and the land made available for agricultural purposes, by November 7 of each year.

26. Mitigation Measure 3: The applicant/property owner shall maintain the 135 on-site parking spaces. All spaces shall be clearly marked with chalk prior to September 15; the applicant shall submit to the Planning Department for review and approval a parking management plan that includes placement of attendants and vehicular movement within the site. At no time shall vehicles be allowed to park along Cabrillo Highway or along areas of Verde Road where parking is prohibited.
27. Mitigation Measure 5: The applicant/property owner shall be responsible for ensuring that all visitors have left the premises within 30 minutes of the site activities' closing time.
28. Per LCP Policy 11.15(c)(2) (*Private Recreation and Visitor-Serving Facilities*), the property owner/applicant shall execute and record a deed restriction over the entire parcel and shall specify that: "Conversion of any portion of the commercial recreation facilities to a non-public, private, or member only use, or the implementation of any program to allow extended or exclusive use or occupancy of such facilities by an individual or limited group or segment of the public, shall require an amendment to the applicable permits." The applicant shall demonstrate compliance with this condition at least two (2) weeks prior to August 1, 2017.
29. The one bounce house shall be operated in compliance with the standards of the "Safe Inflatable Operators Training Organization" and/or other comparable best management practices for the safe operation of the bounce house.
30. The applicant shall comply with the Williamson Act contract, as amended by the Board of Supervisors on September 25, 2012. The contract allows for limited seasonal recreation uses, as listed in the contract. It should be noted that the contract does not permit the on-site sale of non-pre-packaged food.
31. During the recreation season, the applicant/property owner shall erect temporary fencing and signage to prevent public access to areas within 20 feet of the top of the creek bank. The signage shall contain verbiage directing the public to stay away from the Lobitos Creek. The signs and fence shall be self-anchored signs and shall minimize land disturbance.
32. Administrative annual reviews of PLN 2015-00084 shall occur prior to December 1 of each year of the permit to confirm that all conditions of approval have been met. The applicant shall pay the inspection fee per the San Mateo County Planning and Building Department fee schedule to cover staff costs to conduct the administrative reviews. If there are any significant compliance problems, these shall be reported to the Planning Commission.

## Department of Public Works

33. All owners, employees, visitors and individuals otherwise associated with the property shall park on-site, or within the length of Verde Road approved by Cal-Fire and the Department of Public Works staff shown in Attachment J of the staff report. Parking along Verde Road shall accommodate a maximum of 58 parking spaces and maintain a minimum 20-foot wide paved road clearance. Applicant must discontinue use of on-street parking until Department of Public Works (DPW) requirements, including those listed below, have been met; otherwise, any on-street parking authorized by this permit will be void.

Prior to commencing any commercial recreation activities on the site, the applicant/property owner shall be required to: (1) submit a parking plan and traffic control plan to the Department of Public Works and (2) install on standard poles with temporary CA Manual on Uniform Traffic Control Devices (MUTCD) M26F “No Parking - Fire Lane” signs at 300-foot intervals along Verde Road, with the exception of the portion of road described above, subject to the approval of the DPW via an encroachment permit. The signage plan shall describe the location, type, color, size, and mounting of proposed signage to be located along Verde Road. The applicant/property owner is responsible for the cost of all improvements and long-term maintenance of improvements. Violation of parking restrictions, as confirmed by County staff, may result in the revocation of this permit. Temporary signs shall be removed by November 7.

The applicant/property owner shall monitor all parking associated with this project within the Verde Road right-of-way. The applicant/property owner shall coordinate with the Coastside Fire Protection District and the Department of Public Works to mark sections of Verde Road where parking is allowed, as well as the individual 58 parking spaces to promote efficient parking. As required by Condition No. 32, the applicant shall contact the County Sheriff’s Office immediately if there are violations of the “No Parking” zones. Furthermore, as required by Condition No. 32, the applicant shall hire security guards and after-hour police/sheriff’s officers to ensure that the “No Parking” zones are adequately enforced.

34. Prior to the start of operation, the applicant/property owner shall restrict parking on Verde Road by complying with the following requirements, subject to the approval of the Department of Public Works (non-compliance with this condition may result in the revocation of this permit):
  - a. Prior to the start of operation each year, the applicant shall obtain a Special Events Road Closure/Encroachment Permit for Verde Road from the Department of Public Works and comply with all applicable requirements of the permit. The applicant shall submit a plan, subject to the Department of Public Works review and approval, to restrict parking within the closed-off section of Verde Road and ensure adequate pedestrian safety along Verde Road (no pedestrians are allowed on Cabrillo Highway). Issuance of the permit requires proof of authorization by the California Highway Patrol

(CHP), the County Sheriff's Office, and Cal-Fire. The applicant shall pay the applicable fee to the Sheriff's Office for the adequate enforcement of the parking plan (hourly or bihourly passing checks and ticketing as necessary). For all weekends of the month of October, the applicant shall utilize a minimum of six (6) parking attendants to ensure adequate levels of enforcement. The Road Closure Permit will allow local traffic, parking of patrons along designated areas of Verde Road, and access by emergency vehicles. The applicant shall maintain a minimum road clearance of 20 feet for emergency vehicles at all times.

- b. At no time should street parking block driveways to properties or impede vehicles turning along Verde Road (i.e., at Lobitos Creek Cutoff). The applicant shall coordinate with a fire service representative to mark the limits of parking along Verde Road prior to October 1 of each year or commencement of venue operations, whichever is later.

#### Coastside Fire Protection District

35. Project must meet 2016 California Fire Code Sections 907.2.12, 907.2.12.1, 907.2.12.2, and 907.2.12.3, Special Amusement Parks. An automatic smoke detection system shall be provided in special amusement buildings in accordance with Sections 907.2.12.1 through 907.2.12.3.
36. The Haunted House must meet Appendix K Sections K101 through K103 of the 2016 California Fire Code and Coastside Fire District Ordinance #PI-011, Haunted Houses.
37. An approved automatic fire system meeting the requirements of NFPA-13 shall be required to be installed for use of the barn as a haunted barn. A fire sprinkler plan shall be received, reviewed, and approved by the Coastside Fire Protection District prior to the use of the haunted barn. Plans shall be submitted to the San Mateo County Building Inspection Section for review and approval by the Coastside Fire Protection District. The sprinkler system design shall be based on an at least Ordinary-Group 2 classification or higher classification based on stored commodity. Please provide information as to the commodity. Unobstructed fire sprinkler coverage shall extend to all areas in the occupancy. Any areas creating compartmentalization due to new walls shall have additional sprinkler heads installed to provide unobstructed coverage.
38. Along with the automatic fire sprinkler system, this project is required to install fire sprinkler hardware (Post Indicator Valve, Fire Department Connect, and Exterior Bell). Plans shall be submitted, reviewed, and approved by the Coastside Fire Protection District.
39. A Knox Box, Knox Key Switch, or Knox Padlock shall be installed to allow rapid response of emergency vehicles onto your property in case of a fire or medical

emergency. For an application or further information, please contact the San Mateo County Fire Marshal's Office.

40. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. New residential buildings shall have internally illuminated address numbers contrasting with the background so as to be seen from the public way fronting the building. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. An address sign shall be placed at each break of the road where deemed applicable by the Coastside Fire Protection District. Numerals shall be contrasting in color to their background and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke. Remote signage shall be a 6 inches x 18 inches green reflective metal sign.
41. Building plans shall include the proper exiting system (panic hardware and exit signs), including listing of hardware, as per the current California Building and Residential Codes. The system must be installed and inspected, prior to Coastside Fire Protection District final approval of a building permit.
42. All Occupancy Loads will be set by the San Mateo County Building Inspection Section and will be supported and enforced by the Coastside Fire Protection District. Any room having an occupant load of 50 or more, where fixed seats are not installed, and which is used for a classroom, assembly, or similar purpose, shall have the capacity of the room posted in a conspicuous place.
43. A fire alarm system shall be installed meeting California Fire and Building Codes and NFPA-72.
44. Portable fire extinguishers with a minimum rating of 2A-10BC are required to be placed throughout your project. Contact a licensed/certified fire extinguisher company for proper placement of the required extinguishers. Documentation is required on building plans at the building permit application stage. Proper installation is required prior to Coastside Fire Protection District final approval for the building permit.

#### Environmental Health Division

45. For all events where food or beverages are distributed to the public, Arata Farms must obtain timely permits from the Environmental Health Division Food Program and comply with the California Retail Food Code. Foods must be stored and distributed in accordance to the California Retail Food Code. It should be noted that the on-site sale of non-pre-packaged food is not permitted at this site. Potable water must be available in sufficient quantity for handwashing and food utensil washing. Lavatories for food/beverage handlers must be located within 200 feet of every food/beverage distribution site. Trash must be contained to as

not becoming an attractive nuisance to vermin. Petting zoos shall have hand wash stations for patrons.

46. Applicant shall provide information on the proposed number of portable toilets and supporting documentation or calculations demonstrating the proposal is an adequate number of portable toilets for the commercial recreational activities. The applicant must identify the frequency (number of days in a year) of the limited events. The applicant shall demonstrate that adequate potable water supply is available to patrons and employees.

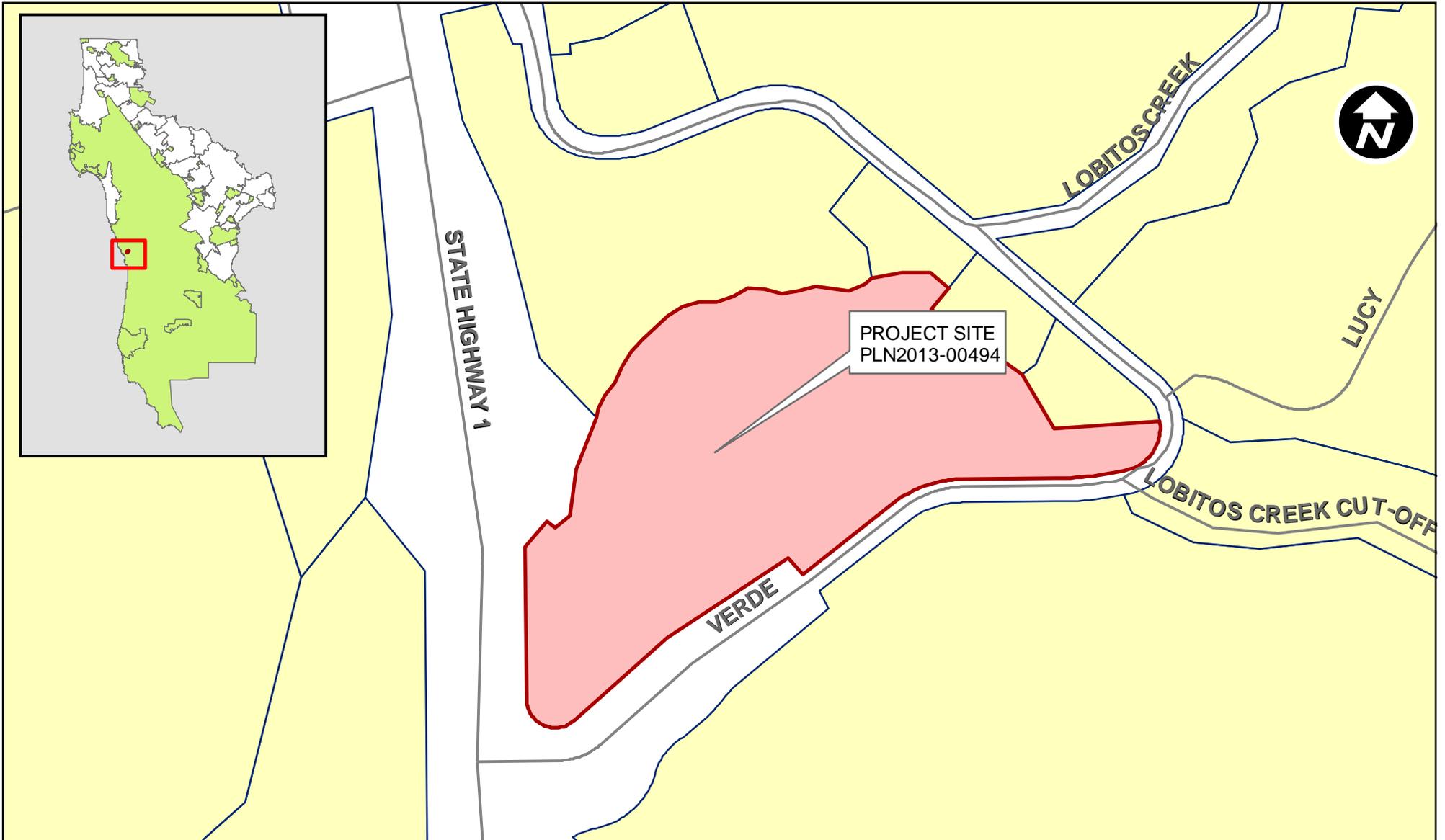
#### Building Inspection Section

47. A building permit is required for the snack building and play set.

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# Vicinity Map

0 80 160 320 480 640 Feet



## ***San Mateo County Agricultural Advisory Committee Meeting***

Owner/Applicant: \_\_\_\_\_

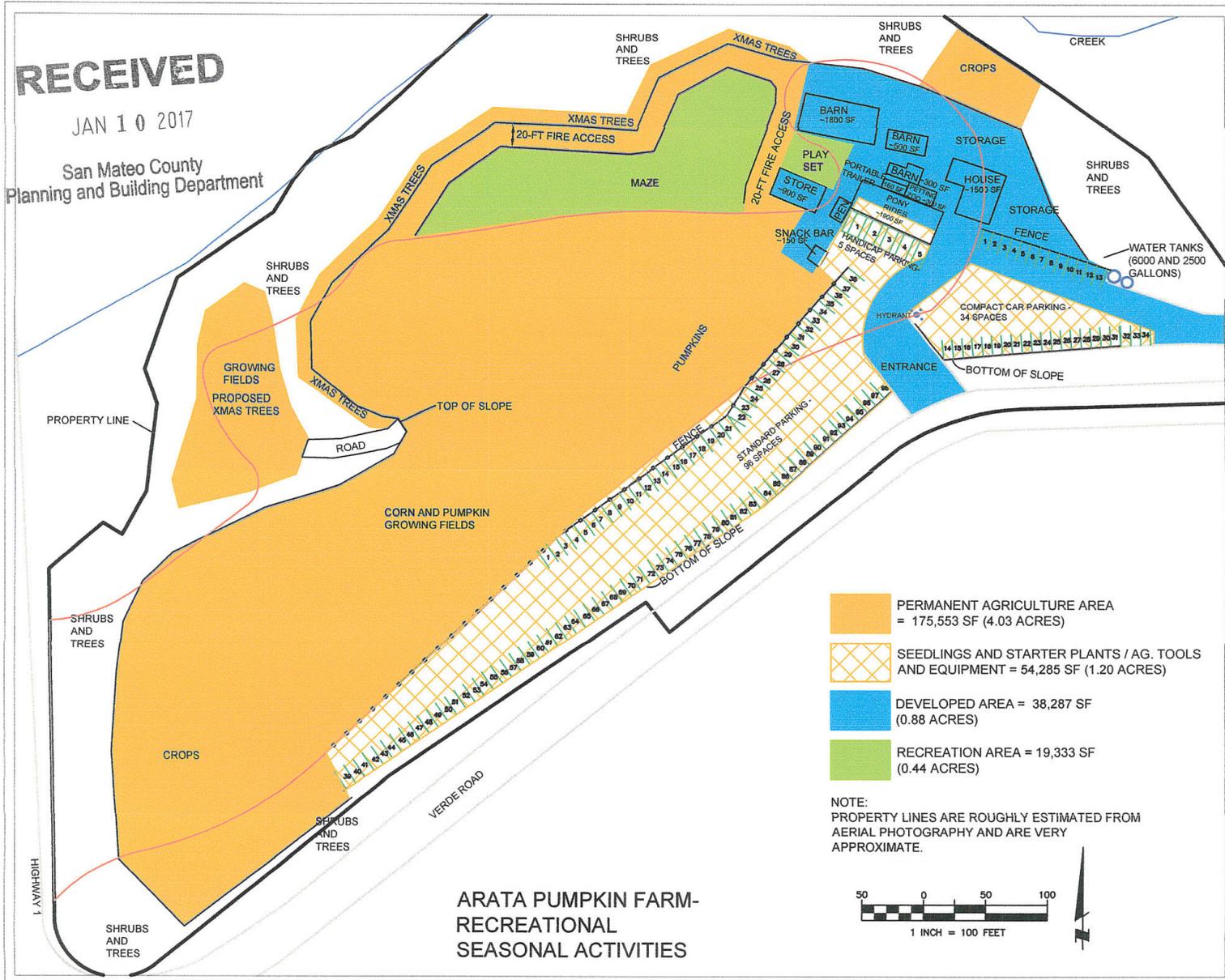
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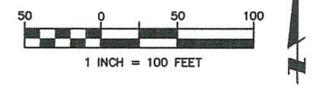
JAN 10 2017

San Mateo County  
Planning and Building Department



- PERMANENT AGRICULTURE AREA  
= 175,553 SF (4.03 ACRES)
- SEEDLINGS AND STARTER PLANTS / AG. TOOLS  
AND EQUIPMENT = 54,285 SF (1.20 ACRES)
- DEVELOPED AREA = 38,287 SF  
(0.88 ACRES)
- RECREATION AREA = 19,333 SF  
(0.44 ACRES)

NOTE:  
PROPERTY LINES ARE ROUGHLY ESTIMATED FROM  
AERIAL PHOTOGRAPHY AND ARE VERY  
APPROXIMATE.



**ARATA PUMPKIN FARM-  
RECREATIONAL  
SEASONAL ACTIVITIES**

**San Mateo County Planning Commission Meeting**

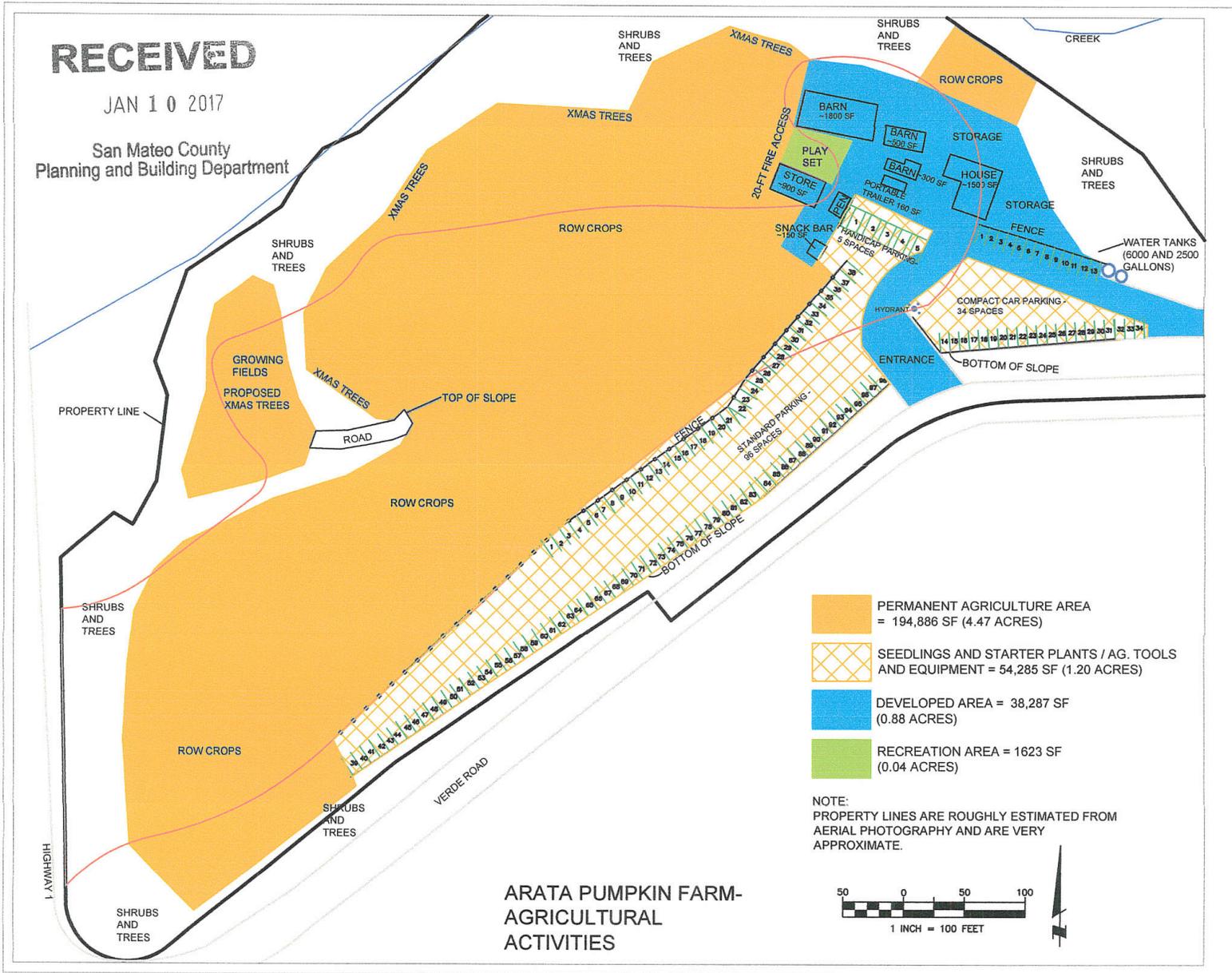
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JAN 10 2017

San Mateo County  
Planning and Building Department



**San Mateo County Planning Commission Meeting**

Owner/Applicant:

Attachment:

File Numbers:

PLN 2015-00084

Case

E

Attachment

APR 20 2015  
DESZ DELAVALLE  
POSTING  
ONLY

*This document includes pages 6 and 7 which were inadvertently omitted in the Answers to Questions portion of this document as well as corrections to dates of operation on page 2 of the Notice of Intent document.*

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT  
NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: *Planned Agricultural Permit and Coastal Development Permit*, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2010-00207

OWNER: Gary Arata/Lillian Arata

APPLICANT: Chris and Sunneva Gounalakis

ASSESSOR'S PARCEL NO.: 066-310-080

PROJECT LOCATION: 185 Verde Road, Half Moon Bay

**PROJECT DESCRIPTION:** Consideration of a Planned Agricultural Permit and a Coastal Development Permit to allow the incorporation of project activities at the Arata Farm site. Such activities include a hay maze, pony rides, train rides, hay rides, haunted barn, pumpkin sales and private parties.

These activities have been in existence for approximately ten (10) years without the benefit of permits, which the applicant is proposing to remedy by this application. The site is developed with a 1,500 sq. ft. single-family residence, three (3) barns measuring 1,800, 500 and 300 sq. ft., respectively, and a 900 sq. ft. store which sells packaged snacks, agricultural sales and local miscellaneous crafts. A Confined Animal Exemption for the keeping of four (4) ponies has previously been applied for and approved on the subject property.

The following table describes the applicant's requested months and time periods of operation, Staff has presented an alternative recommendation in order to lessen any negative impacts on the surrounding neighborhood.

Elements/Structures of the Facility	Proposed	Staff Recommendation
<b>Hours of Operation</b>	<b>May – November</b> Daily: 8:30 a.m. – 11:00 p.m.	<b>July – November (excepting October)</b> Monday-Friday 9:00 a.m. - 6:00 p.m. Saturday: 9:00 a.m. – 9:00 p.m. Sunday: 9:00 a.m. – 8:00 p.m.  <b>October</b> Monday – Friday: 9:00 a.m. – 7:00 p.m. Saturday: 9:00 a.m. – 11:00 p.m. Sunday: 9:00 a.m. – 8:00 p.m.
Ponies/Rides	May - November	July – November
Maze/Labyrinth/Coliseum	May - November	July – November
Train Ride	May - November	July – November
Petting Zoo	May - November	July – November
Air Jumpers	May - November	July – November
Private Party Rentals	May - November	July – November
School Field Trips	May - November	July – November
Pumpkin Picking	September - November	September – November
Haunted Barn	September - November	September – November
Movie Nights	October (Friday and Saturday) Sunset – 11:30 p.m.	October (Saturday) Sunset – 11:00p.m.

The project parcel which is located on the east side of Cabrillo Highway is developed with a 1,500 sq. ft. single-family residence, three barns measuring 1,800, 500 and 300 sq. ft., respectively, and a 900 sq. ft. store building which is being used for pumpkin sales. The parcel has been a Williamson Act contract County File Number AP67-39, since 1968. The areas for project activities are located throughout the entire parcel with some of those activities occurring on prime soils.

The area for growing of pumpkins and corn is located toward the western portion of the parcel that is designated as prime soil. Parking for 144 vehicles is located toward the southern portion of the parcel. Lobitos creek runs along the northeast perimeter of the parcel and intersects with School House Creek intersects at the northwest portion of the property. Neither creek is impacted by the activities contained on the subject parcel.

#### FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.

3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
  - a. Create impacts which have the potential to degrade the quality of the environment.
  - b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
  - c. Create impacts for a project which are individually limited, but cumulatively considerable.
  - d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

**Mitigation Measure 1:** The applicant shall not be allowed to utilize more than 3 acres of the total area of land to activities not producing agriculture. At such time that the farm related uses cease, any structures (other than the barns and single-family dwelling) shall be removed and the land made available for agricultural purposes.

**Mitigation Measure 2:** During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the designated parking area on the site. During the Halloween/Pumpkin Festival season, the applicant shall install no more than four directional signs within the property for the purposes of directing traffic. Such signs may be double-sided and each sign shall not exceed twenty (20) sq. ft. in area.

**Mitigation Measure 3:** The applicant shall maintain the 144 parking spaces within the property. All spaces shall be clearly marked with chalk prior to September 1; the applicant shall submit to the Planning Department for review and approval a parking management plan that includes placement of attendants and vehicular movement within the site. At no time shall vehicles be allowed to park along Cabrillo Highway or along Verde Road.

During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the property site.

During the Halloween/Pumpkin festival season (September 15 to October 31), the applicant no more than four signs within the property for the purposes of directing traffic only. Signs may be double-sided and each sign shall not exceed 20 sq. ft. in area.

**Mitigation Measure 4:** During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of vehicular movement from and to Cabrillo Highway, and within the site.

**Mitigation Measure 5:** The applicant shall be responsible for ensuring that all visitors have left the premises within 30 minutes of the site activities closing time.

**Mitigation Measure 6:** The months, days and hours of operation are as follows: July 1 to November 30 (excepting October), Monday – Friday, 9:00 a.m. – 6:00 p.m., Saturday 9:00 a.m. – 9:00 p.m., and Sunday 9:00 a.m. – 8:00 p.m.

During the month of October, Monday - Friday 9:00 a.m. – 7:00 p.m., Saturday 9:00 a.m. – 11:00 p.m. and Sunday 9:00 a.m. – 8:00 p.m.

**Mitigation Measure 7:** During the Halloween/Pumpkin Season (September 15 to October 31) the applicant is permitted to temporarily install up to four (4) directional traffic signs, maximum 2 ft. x 3 ft. each visible from Cabrillo Highway. Such signs shall be installed on-site and not in the public right-of-way. No signage shall be allowed on or along Cabrillo Highway.

#### RESPONSIBLE AGENCY CONSULTATION

None.

#### INITIAL STUDY

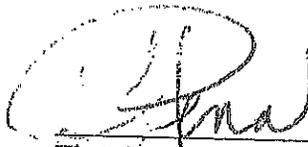
The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

**REVIEW PERIOD:** April 20, 2011 to May 2, 2011

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., May 2, 2011.**

#### CONTACT PERSON

Tiare Pefia, Project Planner  
Telephone 650/363-1850



Tiare Pefia, Project Planner

**INITIAL STUDY  
ENVIRONMENTAL EVALUATION CHECKLIST**  
(To Be Completed By Current Planning Section)

**I. BACKGROUND**

Project Title: Arata Pumpkin Farm/Seasonal Recreational Activities

File No.: PLN 2010-00207

Project Location: 185 Verde Road, Half Moon Bay

Assessor's Parcel No.: 066-310-080

Applicant/Owner: Chris Gounalakis/Gary Arata and Lillian Arata

Date Environmental Information Form Submitted: April 2010

**PROJECT DESCRIPTION**

Consideration of a Planned Agricultural Permit and a Coastal Development Permit to allow the incorporation of seasonal and recreational activities into the normal pumpkin selling activities to occur at the Arata Farm site from July 1 through November 31. Such activities include a hay maze, pony rides, train rides, hay rides, haunted barn, pumpkin sales and private parties.

These activities have been in existence for approximately ten (10) years without the benefit of permits, which the applicant is proposing to remedy by this application. The site is developed with a 1,500 sq. ft. single-family residence, three (3) barns measuring 1,800, 500 and 300 sq. ft., respectively, and a 900 sq. ft. store which sells packaged snacks, agricultural sales and local miscellaneous crafts. A Confined Animal Exemption for the keeping of four (4) ponies has previously been applied for and approved on the subject property.

II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 11 and 12.

	IMPACT				SOURCE
	NO	YES		Cumulative	
		Not Significant	Significant Unless Mitigated		
<b>1. LAND SUITABILITY AND GEOLOGY</b>					
Will (or could) this project:					
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay?	X				B,F,O
b. Involve construction on slope of 15% or greater?	X				E,I
c. Be located in an area of soil instability (subsidence, landslide or severe erosion)?	X				Bc,D
d. Be located on, or adjacent to a known earthquake fault?	X				Bc,D
e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?		X			M
f. Cause erosion or siltation?	X				M,I
g. Result in damage to soil capability or loss of agricultural land?		X			A,M
h. Be located within a flood hazard area?	X				G
i. Be located in an area where a high water table may adversely affect land use?	X				D
j. Affect a natural drainage channel or streambed, or watercourse?	X				E

	IMPACT				SOURCE
	YES		NO		
	Significant Unless Mitigated	Not Significant	Significant	Significant	
<b>2. <u>VEGETATION AND WILDLIFE</u></b>					
Will (or could) this project:					
a.	Affect federal or state listed rare or endangered species of plant life in the project area?	X			F
b.	Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?	X			I, A
c.	Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?	X			F
d.	Significantly affect fish, wildlife, reptiles, or plant life?	X			I
e.	Be located inside or within 200 feet of a marine or wildlife reserve?	X			E, F, O
f.	Infringe on any sensitive habitats?	X			F
g.	Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?	X			I, F, Bb
<b>3. <u>PHYSICAL RESOURCES</u></b>					
Will (or could) this project:					
a.	Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or topsoil)?	X			I

	IMPACT				Cumulative source
	NO	YES		Cumulative source	
		Not Significant	Significant Unless Mitigated		
b. Involve grading in excess of 150 cubic yards?	X				I
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement?		X			I
d. Affect any existing or potential agricultural uses?			X		A, K, M
<b>4. AIR QUALITY, WATER QUALITY, SONIC</b>					
Will (or could) this project:					
a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?	X				I, N, R
b. Involve the burning of any material, including brush, trees and construction materials?	X				I
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?		X			Ba, I
d. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?	X				I
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?	X				A, Ba, Bc
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?	X				I

	IMPACT				SOURCE
	NO		YES		
	Not Significant	Significant Unless Mitigated	Significant	Cumulative	
g. Generate polluted or increased surface water runoff or affect groundwater resources?	X				I
h. Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?	X				S
<b>5. TRANSPORTATION</b>					
Will (or could) this project:					
a. Affect access to commercial establishments, schools, parks, etc.?	X				A,I
b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?	X				A,I
c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?		X			I
d. Involve the use of off-road vehicles of any kind (such as trail bikes)?	X				I
e. Result in or increase traffic hazards?		X			S
f. Provide for alternative transportation amenities such as bike racks?	X				I
g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway?		X			S

	IMPACT				SOURCE
	NO		YES		
	Not Significant	Significant Unless Mitigated	Significant	Cumulative	
<b>6. LAND USE AND GENERAL PLANS</b>					
Will (or could) this project:					
a. Result in the congregating of more than 50 people on a regular basis?	X				I
b. Result in the introduction of activities not currently found within the community?	X				I
c. Employ equipment which could interfere with existing communication and/or defense systems?	X				I
d. Result in any changes in land use, either on or off the project site?	X				I
e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?	X				I, Q, S
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?	X				I, S
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity?		X			I, S
h. Be adjacent to or within 500 feet of an existing or planned public facility?	X				A

	IMPACT				SOURCE
	YES		CUMULATIVE		
	Not Significant	Significant Unless Mitigated	Significant	Cumulative	
i. Create significant amounts of solid waste or litter?	X				I
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)?	X				I
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?	X				B
l. Involve a change of zoning?	X				C
m. Require the relocation of people or businesses?	X				I
n. Reduce the supply of low-income housing?	X				I
o. Result in possible interference with an emergency response plan or emergency evacuation plan?	X				S
p. Result in creation of or exposure to a potential health hazard?	X				S
<b>7. AESTHETIC, CULTURAL AND HISTORIC</b>					
Will (or could) this project:					
a. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?		X			A, Bb
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads?	X				A, I
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height?	X				I

	IMPACT				SOURCE
	YES		NO		
	Significant Unless Mitigated	Significant	Not Significant	Cumulative	
d. Directly or indirectly affect historical or archaeological resources on or near the site?			X		H
e. Visually intrude into an area having natural scenic qualities?			X		A-I

III. **RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)			
State Water Resources Control Board			
Regional Water Quality Control Board			
State Department of Public Health			
San Francisco Bay Conservation and Development Commission (BCDC)			
U.S. Environmental Protection Agency (EPA)			
County Airport Land Use Commission (ALUC)			
CalTrans			
Bay Area Air Quality Management District			
U.S. Fish and Wildlife Service			
Coastal Commission			
City			
Sewer/Water District:			
Other:			

**IV. MITIGATION MEASURES**

Yes No

Mitigation measures have been proposed in project application.

X \_\_\_\_\_

Other mitigation measures are needed.

\_\_\_\_\_ X \_\_\_\_\_

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

**Mitigation Measure 1:** The applicant shall not be allowed to utilize more than 3 acres of the total area of land to activities not producing agriculture. At such time that the farm related uses cease, any structures (other than the barns and single-family dwelling) shall be removed and the land made available for agricultural purposes.

**Mitigation Measure 2:** During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the designated parking area on the site. During the Halloween/Pumpkin Festival season, the applicant shall install no more than four directional signs within the property for the purposes of directing traffic. Such signs may be double-sided and each sign shall not exceed twenty (20) sq. ft. in area.

**Mitigation Measure 3:** The applicant shall maintain the 144 parking spaces within the property. All spaces shall be clearly marked with chalk prior to September 1; the applicant shall submit to the Planning Department for review and approval a parking management plan that includes placement of attendants and vehicular movement within the site. At no time shall vehicles be allowed to park along Cabrillo Highway or along Verde Road.

During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the property site.

During the Halloween/Pumpkin festival season (September 15 to October 31), the applicant no more than four signs within the property for the purposes of directing traffic only. Signs may be double-sided and each sign shall not exceed 20 sq. ft. in area.

**Mitigation Measure 4:** During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of vehicular movement from and to Cabrillo Highway, and within the site.

**Mitigation Measure 5:** The applicant shall be responsible for ensuring that all visitors have left the premises within 30 minutes of the site activities closing time.

**Mitigation Measure 6:** The months, days and hours of operation are as follows: July 1 to November 30 (excepting October), Monday – Friday, 9:00 a.m. – 6:00 p.m., Saturday 9:00 a.m. – 9:00 p.m., and Sunday 9:00 a.m. – 8:00 p.m. During the month of October, Monday - Friday 9:00 a.m. – 7:00 p.m., Saturday 9:00 a.m. – 11:00 p.m. and Sunday 9:00 a.m. – 8:00 p.m.

**Mitigation Measure 7:** During the Halloween/Pumpkin Season (September 15 to October 31) the applicant is permitted to temporarily install up to four (4) directional traffic signs, maximum 2 ft. x 3 ft. each visible from Cabrillo Highway. Such signs shall be installed on-site and not in the public right-of-way. No signage shall be allowed on or along Cabrillo Highway.

V. MANDATORY FINDINGS OF SIGNIFICANCE

	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?		X
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable?		X
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?		X

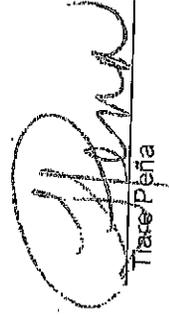
On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Current Planning Section.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

4/15/2011  
Date

  
Tere Perla

Project Planner  
(Title)

## VI. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
  - a. General Plan Chapters 1-16
  - b. Local Coastal Program (LCP) (Area Plan)
  - c. Skyline Area General Plan Amendment
  - d. Montara-Moss Beach-El Granada Community Plan
  - e. Emerald Lake Hills Community Plan
- C. County Ordinance Code
- D. Geotechnical Maps
  - 1. USGS Basic Data Contributions
    - a. #43 Landslide Susceptibility
    - b. #44 Active Faults
    - c. #45 High Water Table
  - 2. Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H.)
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map - National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Diez, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties - 36 CFR 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Aerial Photography or Real Estate Atlas - REDI
  - 1. Aerial Photographs, 1941, 1953, 1956, 1960, 1963, 1970
  - 2. Aerial Photographs, 1981
  - 3. Coast Aerial Photos/Slides, San Francisco County Line to Año Nuevo Point, 1971
  - 4. Historic Photos, 1928-1937

- L. Williamson Act Maps
- M. Soil Survey, San Mateo Area, U.S. Department of Agriculture, May 1961
- N. Air Pollution Isoleth Maps – Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F. and H.)
- P. Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R. Environmental Regulations and Standards:
  - Federal
    - Review Procedures for CDBG Programs 24 CFR Part 58
    - NEPA 24 CFR 1500-1508
    - Protection of Historic and Cultural Properties 36 CFR Part 800
    - National Register of Historic Places
    - Floodplain Management Executive Order 11988
    - Protection of Wetlands Executive Order 11990
    - Endangered and Threatened Species
    - Noise Abatement and Control 24 CFR Part 51B
    - Explosive and Flammable Operations 24 CFR 51C
    - Toxic Chemicals/Radioactive Materials HUD 79-33
    - Airport Clear Zones and APZ 24 CFR 51D
  - State
    - Ambient Air Quality Standards Article 4, Section 1092
    - Noise Insulation Standards
- S. Consultation with Departments and Agencies:
  - a. County Health Department
  - b. City Fire Department
  - c. California Department of Forestry
  - d. Department of Public Works
  - e. Disaster Preparedness Office
  - f. Other

**COUNTY OF SAN MATEO**  
Planning and Building Department

**Initial Study Pursuant to CEQA**  
**Project Narrative and Answers to Questions for the Negative Declaration**  
**File Number: PLN 2010-00207**  
**Arata Pumpkin Farm/Seasonal Recreational Activities**

**PROJECT DESCRIPTION**

Consideration of a Planned Agricultural Permit and a Coastal Development Permit to allow the incorporation of seasonal and recreational activities into the normal pumpkin selling activities to occur at the Arata Farm site from July 1 through November 30. Such activities include a hay maze, pony rides, train rides, hay rides, haunted barn, pumpkin sales and private parties.

These activities have been in existence for approximately ten (10) years without the benefit of permits, which the applicant is proposing to remedy by this application. The site is developed with a 1,500 sq. ft. single-family residence, three (3) barns measuring 1,800, 500 and 300 sq. ft., respectively, and a 900 sq. ft. store which sells packaged snacks, agricultural sales and local miscellaneous crafts. A Confined Animal Exemption for the keeping of four (4) ponies has previously been applied for and approved on the subject property.

**ANSWERS TO QUESTIONS**

**1. LAND SUITABILITY AND GEOLOGY**

- a. **Will (or could) this project involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands or San Francisco Bay?**

**No Impact.** The project site is located on the east side of Cabrillo Highway and does not involve a unique landform or biological area.

- b. **Will (or could) this project involve construction on slopes of 15% or greater?**

**No Impact.** The project area is relatively flat and no permanent construction is proposed.

- c. **Will (or could) this project be located in an area of soil instability (subsidence, landslide or severe erosion)?**

**No Impact.** There are no known soil instability issues on this subject parcel.

- d. **Will (or could) this project be located on, or adjacent to, a known earthquake fault?**

**ANSWERS TO QUESTIO.**

County File No. PLN 2010-00207

Page 2

**Yes, Not Significant.** The San Andreas Fault is located approximately 13 miles northeast of the subject site. The proposed hay maze/coliseum will be constructed in compliance with current building codes and standards, therefore, no mitigation is necessary in the event of an earthquake.

- e. **Will (or could) this project involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?**

**Yes, Significant.** The eight (8) acre parcel is designated as prime soils on the San Mateo Area Prime Soils Map specifically "Loamy Soil." This soil consists of sand, silt and clay to some extent. The proposed uses upon this soil are temporary by nature and no additional permanent structures are proposed.

- f. **Will or could this project cause erosion or siltation?**

**No Impact.** Breakdown is a natural occurring outcome of hay as it ages, the applicant spreads the spent hay throughout the site after each pumpkin season, therefore, the project is not expected to cause an unusually significant amount of erosion or siltation.

- g. **Will (or could) this project result in damage to soil capability or loss of agricultural land?**

**Yes, Not Significant.** The proposed uses are temporary and do not require conversion of prime soils; therefore, no loss of agricultural lands is expected.

- h. **Will or could this project be located within a flood hazard area?**

**No Impact.** The project site is located within Flood Zone C (area of minimal flooding) as defined by the Federal Emergency Map Act (FEMA) map number 060311 0225 C.

- i. **Will (or could) this project be located in an area where a high water table may adversely affect land use?**

**No Impact.** There is no indication of the presence of a high water table occurring in this area.

- j. **Will (or could) this project affect a natural drainage channel or streambed, or watercourse?**

**No Impact.** The proposed uses are located at least 100 feet away from both Lobitos Creek and School House Creek which run along the northeast and northwest perimeters of the parcel; therefore, no impact is identified.

2. **VEGETATION AND WILDLIFE**

- a. **Will (or could) this project affect federal or state listed rare or endangered species of plant life in the project area?**

**No Impact.** The project site is not located within or adjacent to a sensitive plant habitat, as determined by review of the California Natural Diversity Database (CNDDDB).

- b. **Will (or could) this project involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?**

**No Impact.** No tree removal is proposed or required as part of this project.

- c. **Will (or could) this project be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?**

**No Impact.** The project site is not located within or adjacent to a sensitive plant habitat, as determined by review of the California Natural Diversity Database (CNDDDB).

- d. **Will (or could) this project affect fish, wildlife, reptiles, or plant life?**

**No Impact.** The project will not have a significant effect on fish, wildlife, reptiles, or plant life.

- e. **Will (or could) this project be located inside or within 200 feet of a marine or wildlife reserve?**

**No Impact.** The proposed project is not located within 200 feet of a marine or wildlife preserve.

- f. **Will (or could) this project infringe on any sensitive habitats?**

**No Impact.** There are no identified sensitive habitats within the project site.

**ANSWERS TO QUESTIONS**

County File No. PLN 2010-00207

Page 4

- g. Will (or could) this project involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?

No Impact. No grading is proposed or required for the proposed project.

**3. PHYSICAL RESOURCES**

- a. Will (or could) this project result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or topsoil)?

No Impact. No removal of natural resources are proposed or required.

- b. Will (or could) this project involve grading in excess of 150 cubic yards?

No Impact. This project does not involve grading.

- c. Will (or could) this project involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement?

Not Significant. The project site is under a Williamson Act (AP 67-39). The site is an active farm producing pumpkins and corn.

- d. Will (or could) this project affect any existing or potential agricultural uses?

Yes, Significant Unless Mitigated. The property measures 8.37 acres, of which 2.2 acres has been designated for uses associated with project activities. However, the following mitigation measure is proposed to address the agricultural uses on the project site.

Mitigation Measure 1: The applicant shall not be allowed to utilize more than 3 acres of the total area of land to activities not producing agriculture. At such time that the commercial recreational uses cease, any structures (other than the barns and single-family dwelling) shall be removed and the land made available for agricultural purposes.

**4. AIR QUALITY, WATER QUALITY, SONIC**

- a. Will (or could) this project generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?

No Impact. No pollutants will be generated by the farm related uses on the site.

- b. Will (or could) this project involve the burning of any material, including brush, trees and construction materials?

No Impact. The project does not involve the burning of any material.

- c. Will or could this project be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?

Not Significant. During the pumpkin season, visitors to the site will generate some noise, however, such noise shall not exceed the levels determined appropriate according to the County Noise Ordinance standard.

- d. Will (or could) this project involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?

No Impact. The project does not involve the application, use or disposal of potentially hazardous materials.

- e. Will (or could) this project be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?

No Impact. There are no adjacent or nearby noise sources in excess of levels determined appropriate according to the County Noise Ordinance that would affect the project site and activities

- f. Will (or could) this project generate noise levels determined appropriate according to the County Noise Ordinance standard?

Yes, Not Significant. The project activities would produce noise levels that would exceed the limits of the County Noise Ordinance standard. Implementation of Mitigation Measures 5 and 6 will limit site noise levels to the site and will ensure that they will not create a significant impact beyond the operating hours of the daily project activities.

- g. Will (or could) this project generate polluted or increased surface water runoff or affect groundwater resources?

No Impact. There is no anticipated polluted or increased surface water runoff.

- h. Will (or could) this project require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?

**No Impact.** The installation of a septic tank/leachfield or hookup to an existing collection system is not required. The applicant provides portable facilities for use by visitors to the farm.

5. **TRANSPORTATION**

- a. **Will (or could) this project affect access to commercial establishments, schools, parks, etc.?**

**No Impact.** The project will not affect access to commercial establishments, schools, parks or other amenities or services.

- b. **Will (or could) this project cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?**

**No Impact.** All pedestrian traffic will be contained on the farm; no increase in pedestrian traffic will be on any adjacent property.

- c. **Will (or could) this project result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?**

**Yes, Significant Unless Mitigated.** During the pumpkin season it is anticipated that the volume of traffic will increase at the entrance and exit of the farm and along Cabrillo Highway, therefore, the following mitigation is proposed to address vehicular traffic.

**Mitigation Measure 2:** During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the designated parking area on the site. During the Halloween/Pumpkin Festival season, the applicant shall install no more than four directional signs within the property for the purposes of directing traffic. Such signs may be double-sided and each sign shall not exceed twenty (20) sq. ft. in area. Signage shall be removed within thirty (30) days of the end of the seasonal activities.

- d. **Will (or could) this project involve the use of off-road vehicles of any kind (such as trail bikes)?**

**No Impact.** The project will not involve the use of off-road vehicles of any kind.

- e. **Will (or could) this project result in or increase traffic hazards?**

**Yes, Significant Unless Mitigated.** During the weekends of the Halloween/Pumpkin Festival season (September 15 to October 31), it is anticipated that traffic will increase, therefore, to mitigate any possible traffic hazards the following mitigation measure is proposed:

**Mitigation Measure 3:** The applicant shall maintain the 144 parking spaces within the property. All spaces shall be clearly marked with chalk prior to September 1; the applicant shall submit to the Planning Department for review and approval a parking management plan that includes placement of attendants and vehicular movement within the site. At no time shall vehicles be allowed to park along Cabrillo Highway or along Verde Road.

During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in facilitation of pedestrian and vehicular movement from Cabrillo Highway and within the property site.

During the Halloween/Pumpkin festival season (September 15 to October 31), the applicant no more than four signs within the property for the purposes of directing traffic only. Signs may be double-sided and each sign shall not exceed 20 sq. ft. in area.

- f. **Will (or could) this project provide for alternative transportation amenities such as bike racks?**

**No Impact.** The applicant is not proposing to provide for alternative transportation amenities at the site.

- g. **Will (or could) this project generate traffic which will adversely affect the traffic carrying capacity of any roadway?**

**Yes, Significant Unless Mitigated.** During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), it is anticipated that traffic will increase and affect carrying capacity along Cabrillo Highway, therefore, to mitigate any possible traffic hazards the following mitigation measure is proposed:

**Mitigation Measure 4:** During the weekends of the Halloween/Pumpkin Festival Season (September 15 to October 31), the applicant shall employ at least three (3) parking attendants to assist in the facilitation of vehicular movement from and to Cabrillo Highway, and within the site.

6. LAND USE AND GENERAL PLAN

- a. Will (or could) this project result in the congregating of more than 50 people on a regular basis?

Yes, Significant Unless Mitigated. The number of visitors congregating at the farm will vary with the ebb and flow of the nature of the farm related activities on the site; it could exceed 50 people at any given time. The following mitigation measures are proposed to address any significant impacts to the surrounding area.

Mitigation Measure 5: The applicant shall be responsible for ensuring that all visitors have left the premises within 30 minutes of the site activities closing time.

Mitigation Measure 6: The months, days and hours of operation are as follows: July 1 to November 30 (excepting October), Monday – Friday 9:00 a.m. – 6:00 p.m., Saturday 9:00 a.m. – 9:00 p.m., and Sunday 9:00 a.m. – 8:00 p.m. During the month of October, Monday – Friday 9:00 a.m. – 7:00 p.m., Saturday 9:00 a.m. – 11:00 p.m. and Sunday 9:00 a.m. – 8:00 p.m.

- b. Will (or could) this project result in the introduction of activities not currently found within the community?

No Impact. While unincorporated Half Moon Bay is home to many farms that incorporate farm entertainment activities during the Halloween/Pumpkin Festival season, most of those farms are located along San Mateo Road. Further, the applicant has been providing these activities on the site for approximately ten (10) years.

- c. Will (or could) this project employ equipment that could interfere with existing communication and/or defense systems?

No Impact. This project will not employ equipment that could interfere with existing communication and/or defense systems.

- d. Will (or could) this project result in any changes in land use, either on or off the project site?

No Impact. This project will result in any changes in the current use of the land.

- e. Will (or could) this project serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?

**No Impact.** This project will not encourage off-site development.

- f. **Will (or could) this project adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?**

**Not Significant.** This project will not adversely affect the capacity of any public facilities. Cal-Fire, Environmental Health and the County Sheriff's Office, which are familiar with the activities on the site, conduct field inspections to confirm that the site meets with all requirements.

- g. **Will (or could) this project generate any demands that will cause a public facility or utility to reach or exceed its capacity?**

**Not Significant.** This project will not generate such demands. See discussion in previous question (6.f).

- h. **Will (or could) this project be adjacent to or within 500 feet of an existing or planned public facility?**

**No Impact.** The project site is not adjacent to or within 500 feet of an existing or planned public facility.

- i. **Will (or could) this project create significant amounts of solid waste or litter?**

**No Impact.** Any solid waste associated with the project will be contained in a portable facility and removed from the site. Both the County Sheriff's Office and Environmental Health, which are familiar with the activities on the site, conduct field inspections to confirm that the site meets with all requirements.

- j. **Will (or could) this project substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)?**

**No Impact.** This project will not substantially increase fossil fuel consumption.

- k. **Will (or could) this project require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?**

**No Impact.** This project does not require any amendments or exceptions.

- l. **Will (or could) this project involve a change in zoning?**

**No Impact.** This project does not involve a change in zoning.

- m. Will (or could) this project require the relocation of people or business?

**No Impact.** This project will not require the relocation of people or businesses.

- n. Will (or could) this project reduce the supply of low-income housing?

**No Impact.** This project will not reduce the supply of low-income housing.

- o. Will (or could) this project result in possible interference with an emergency response plan or emergency evacuation plan?

**No Impact.** This project will not result in the interference with an emergency response or evacuation plan.

- p. Will (or could) this project result in creation of or exposure to a potential health hazard?

**No Impact.** This project will not result in the creation of or exposure to a potential health hazard.

7. **AESTHETIC, CULTURAL AND HISTORIC**

- a. Will (or could) this project be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?

**Yes, Significant Unless Mitigated.** The project is located on the eastside of Cabrillo Highway a designated Scenic Highway. Signage is not permitted along a Scenic Highway, therefore, staff proposes the following mitigation measure:

**Mitigation Measure 7:** During the Halloween/Pumpkin Season (September 15 to October 31) the applicant is permitted to temporarily install up to four (4) directional traffic signs, maximum 2 ft. x 3 ft. each visible from Cabrillo Highway. Such signs shall be installed on-site and not in the public right-of-way. No signage shall be allowed on or along Cabrillo Highway.

- b. Will (or could) this project obstruct scenic views from existing residential areas, public lands, public water body, or roads?

**No Impact.** This project will not obstruct scenic views from existing residential areas, public lands, public water bodies or roads.

- c. **Will (or could) this project involve the construction of buildings or structures in excess of three stories or 36 feet in height?**

**No Impact.** This project will not involve the construction of buildings or structures in excess of three stories or 36 feet in height.

- d. **Will (or could) this project directly or indirectly affect historical or archaeological resources on or near the site?**

**No Impact.** This project will not directly or indirectly affect historical or archaeological resources on or near the site.

- e. **Will (or could) this project visually intrude into an area having natural scenic qualities?**

**Not Significant.** Although the proposed project is visible along Cabrillo Highway, the visual aspects of the project seek to blend with the rural scenic qualities of the site. The use of hay, corn and pumpkins grown on the site supports the goal of the preservation and continued farming along the San Mateo County Coastside.

#### **ATTACHMENTS**

- A. Initial Study Environmental Evaluation Checklist, March 30, 2011
- B. Site Plan
- C. Prime Soils Map
- D. Distance to Creeks Map

Recorded at the Request of,  
and When Recorded Return to:  
Melissa Ross, Project Planner  
Planning and Building Department  
455 County Center, 2nd Floor  
Mail Drop PLN122  
Redwood City, CA 94063  
County File. No.: PLN 2012-00178

Exempt from Fees Pursuant to Government  
Code § 27383

For Clerk

**2013-034269**

2:45 pm 03/04/13 WC Fee: NO FEE  
Count of Pages 6  
Recorded in Official Records  
County of San Mateo  
Mark Church  
Assessor-County Clerk-Recorder



\* R 0 0 0 1 6 1 1 3 2 8 \*

County of San Mateo  
Planning and Building Department

6p

**CALIFORNIA LAND CONSERVATION CONTRACT  
(AMENDED)**

On June 15, 2012, the County of San Mateo Planning and Building Department received a request from the property owner of APN 066-310-080 to amend the existing California Land Conservation Contract (File No. AP67-39) entered into on March 29, 1967 and recorded in Volume 5502, page 686.

This is an amended contract between the County of San Mateo, a political subdivision of the State of California (the "County"), and Gary Jay Arata, Trust ("Owner").

WITNESSETH:

WHEREAS, Owner is the Owner of certain real property in the County of San Mateo, which property is presently devoted to agricultural use and is described in Exhibit "A" attached hereto; and

WHEREAS, said property is located in an agricultural preserve that the County proposes to establish or has heretofore established; and

WHEREAS, both Owner and County desire to limit the use of said property to agricultural purposes in order to discourage premature and unnecessary conversion of such land to urban use, recognizing that such land has substantial public value as open space and that the preservation of such land in agricultural production constitutes an important physical, social, esthetic and economic asset to County; and

WHEREAS, the parties have determined that the highest and best use of such land during the life of the within contract, or any renewal thereof, is for agricultural purposes:

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

1. The within Agreement is made and entered into pursuant to the California Land Conservation Act of 1965, as amended.
2. During the term of this Agreement the above described land shall not be used for any purpose, other than the production of agricultural commodities for commercial purposes and certain compatible uses of the underlying land use designation and zoning of the parcel and subject to applicable permits, as follows: structures that are directly related to and compatible with agricultural use; residence buildings for such individuals as may be engaged in the management of said land, and their families; and agriculturally related seasonal visitor serving uses such as pony rides, hay rides, a farm animal petting zoo, a children's play area (including up to two inflatable play structures), a seasonally decorated barn, a farm-themed children's train ride, and a hay bale maze, provided, however, that for all such seasonal visitor serving uses the Owner will secure, at Owner's expense, private or public agency traffic safety services satisfactory to the Community Development Director, and further provided that no food shall be prepared on site for sale to visitors. Regardless of the applicability of permit requirements, any seasonal installation of compatible use structures and other materials on the parcel is subject to the timely approval by the Community Development Director of a site plan to ensure that annual agricultural productivity of the parcel is not substantially affected by seasonal activities. Nothing in this Agreement shall prohibit the use of the property as a farm education center pursuant to necessary permits issued by the County so long as the farm continues to be dedicated to the production of agricultural commodities for commercial purposes.
3. In the event that an action in eminent domain for the condemnation of any land described herein is hereafter filed by any public agency, the within contract shall be null and void upon the filing of such action and shall not thereafter be binding on any party hereto.
4. This Agreement shall be effective commencing on the 25th day of September, 2012, and shall remain in effect for a period of ten (10) years therefrom.

This Agreement shall be automatically renewed at the end of each year for an additional ten (10) year period, unless notice of non-renewal is given as provided in Section 51245 of the California Government Code.

5. Owner shall not receive any payment from County in consideration of the obligations imposed hereunder, it being recognized and agreed that the

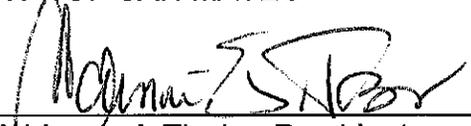
consideration for the execution of the within Agreement is the substantial public benefit to be derived therefrom and the advantage which will accrue to Owner as a result of any reduction in the assessed value of said property due to the imposition of the limitations on its use contained herein.

6. The within Agreement shall run with the land described herein and shall be binding upon the heirs, successors and assigns of the parties hereto.
7. This Agreement may be canceled by mutual agreement of parties to the contract after a public hearing has been held in accordance with the provisions of Section 51284 of the Government Code. Upon such cancellation and as soon thereafter as the land to which it relates is reassessed by the Assessor, the landowner shall pay to the County an amount equal to fifty percent of the new assessed valuation of the property. If at the date of cancellation the Agreement has less than ten years to run, the amount due shall be reduced in proportion to the number of years that the Agreement would have remained in effect had it not been cancelled.

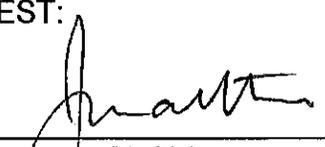
IN WITNESS WHEREOF, the parties hereto have executed the within Agreement on September 25, 2012.

COUNTY OF SAN MATEO

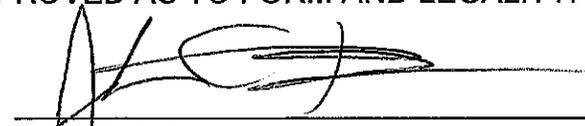
Dated: SEPTEMBER 25, 2012

By:   
Adrienne J. Tissier, President  
Board of Supervisors

ATTEST:

By:   
John L. Maltbie  
County Manager/Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:

By:   
John C. Beiers  
County Counsel

PROPERTY OWNER:

GARY JAY ARATA, TRUST

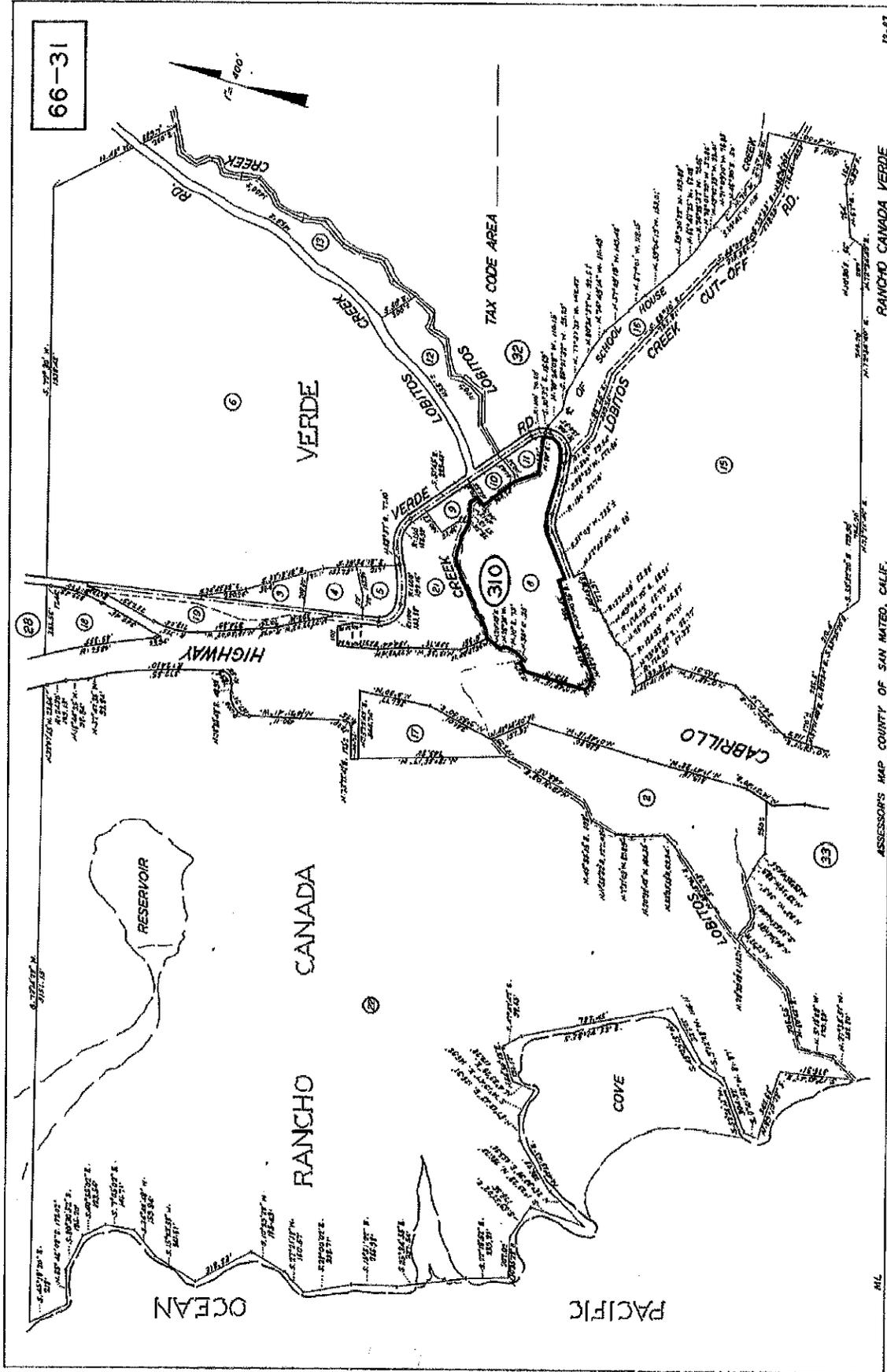
By: *Gary Jay Arata*  
Gary Jay Arata, Trustee

Dated: *Feb. 25, 2013*

Exhibits:

A – Property Map and Description

RECEIVED  
2013 MAR 13 A 10:11  
SAN MATEO COUNTY  
PLANNING AND BUILDING  
DEPARTMENT



APN: 066-310-080

Legal Description: 8.37 ACS MOL BND WLY & SL Y BY CABRILLO HWY ELY & SELY BY VERDE RD NLY BY LOBITOS CRK PTN OF RANCHO CANADA VERDE CABRILLO UNIFIED SCH DISTRICT

Owner: Arata Gary Jay, Trust

EXHIBIT A



# BioMaAS

333 Valencia St. #324, San Francisco, CA 94103

Phone (510)814-0433 Fax (925)887-4702 [www.BioMaAS.com](http://www.BioMaAS.com)

September 12, 2011

Mr. Chris Gounalakis  
Arata's Pumpkin Farm  
185 Verde Road  
Half Moon Bay, CA 94019

Re: Riparian vegetation along Lobitos Creek

Dear Mr. Gounalakis,

As requested, I have prepared an evaluation of the vegetation along the stretch of Lobitos Creek that lies roughly north of the maze site and runs parallel with it. The question of concern is whether or not the portion of the Lobitos Creek riparian area that is adjacent to the maze site is a "riparian corridor" as defined by San Mateo County Local Coastal Program (SMCLCP) Riparian Corridor Policies, Sensitive Habitat Component, Section 7.7. According to this definition, the boundaries of riparian corridors are to be determined by the "limit of riparian vegetation" and "riparian vegetation" is defined as consisting of red alder, jaumea, pickleweed, big leaf maple, narrow-leaf and broadleaf cattail, arroyo willow, horsetail, creek dogwood, black cottonwood, and box elder. It is further specified, "Such a corridor must contain at least a 50% cover of some combination of the plants listed."

To evaluate the species composition of the vegetation in the riparian area and determine the extent of riparian vegetation, two approaches were taken. First, at the site (on September 9, 2011), a tape was laid along the margin of the vegetation bordering the maze site. Visual estimates of vegetation were made within sequential 30-foot wide swathes (quadrats) extending across the creek along the length of the maze site. Visual observations along the margin of the riparian area were not entirely satisfactory because of the terrain's steepness and impenetrable brush, which, along with trees blocking views, made it difficult and even impossible to see all the area within a quadrat. However, it was possible to record significant components of the vegetation and establish the location of larger features, at least, while also developing a baseline estimate for riparian cover and boundaries.

For the second approach, the data from visual observation were used in conjunction with GoogleEarth to map areas of SMCLCP-defined riparian vegetation onto a recent (5/1/2011) aerial view of the area. With GoogleEarth, areas not visible from the margins of the riparian area could be viewed, but this method also had drawbacks, as discussed below. However, using both



methods together created a more reliable estimate by establishing the likely range of values for percent riparian cover within the area.

Of the listed riparian plant species, only three are present at the site: red alder (*Alnus rubra*), creek dogwood (*Cornus sericea*), and arroyo willow (*Salix lasiolepis*). By far the most abundant of these is red alder. From the visual estimates on site, riparian vegetation comprised 36% of the vegetation in the area (red alder 29%, creek dogwood 5%, and arroyo willow 2%). The balance of vegetation could largely be described as being coastal scrub and/or understory species, e.g., coyote brush (*Baccharis pilularis*), poison oak (*Toxicodendron diversilobum*), California blackberry (*Rubus ursinus*), hedge nettle (*Stachys* sp.), red elderberry (*Sambucus racemosa* var. *racemosa*), cream bush (*Holodiscus discolor*), and asters (*Symphotrichum* sp.). There were also a number of non-native and/or non-riparian trees: Monterey pine (*Pinus radiata*, both live and dead specimens), Douglas fir (*Pseudotsuga menziesii*), and *Eucalyptus* sp.

Estimating percent cover from the GoogleEarth aerial (map provided in Figure 1, below), total riparian cover was 41% (an estimated 18,100 sq. ft. of 44,000 sq. ft. total area), with red alder comprising 38% of cover, creek dogwood 3%, and arroyo willow 1%. The tendency with this method would be to over-estimate riparian vegetation because resolution in GoogleEarth aerials does not allow for fine distinctions within patches of vegetation. This would be especially true at this site where plant species are so tightly intermingled. For example, it is virtually impossible to distinguish red elderberry from red alder on a GoogleEarth aerial. In addition, estimates of area were made assuming that patches were rectangular in shape, which would also tend to overestimate extent of area. For these reasons, the estimates from GoogleEarth should be considered at the high end of the likely range of values for percent riparian vegetation cover.

Taking both estimates into consideration, total riparian vegetation cover in the riparian area of Lobitos Creek is likely between 36% and 41%. Although elements of riparian vegetation are present, the high level of disturbance apparent in this section of the creek has likely prevented full development of a riparian plant community. My professional opinion would be that this riparian area does not qualify as a riparian corridor as defined by San Mateo County Local Coastal Program (SMCLCP) Riparian Corridor Policies, Sensitive Habitat Component, Section 7.7.

Sincerely,

Deborah Petersen  
Botanist

**ARATA FARM  
STREET PARKING TALLY**

**TOTAL CARS=58**  
(Approximation, based on  
aerial photography)

Number of cars based on length  
divided by 23 feet.

----- Parking Side of Street

