

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

DATE: December 9, 2024

TO: Agricultural Advisory Committee

FROM: Olivia Boo, Project Planner, oboo@smcgov.org

SUBJECT: Consideration of a Coastal Development Permit (CDP) and a Planned Agricultural District Permit, pursuant to Sections 6328.4 and 6353 of the County Zoning Regulations, and a Grading Permit, pursuant to Section 9283 of the County Ordinance Code, to construct two 1,820 sq. ft. duplex buildings to accommodate a total of four new farm labor housing units, a fire turnaround, a new septic system, and two new 5,000-gallon water tanks on a legal 549-acre property located at 4309 Cloverdale Road in the unincorporated Pescadero area of San Mateo County. A total of 850 cubic yards of grading is proposed, no tree removal and minimal vegetation removal. The project is located in the Cloverdale Road County Scenic Corridor and the CDP is appealable to the California Coastal Commission.

County File Number: PLN2023-00297 (Sommer/Peninsula Open Space Trust)

PROPOSAL

The applicant is proposing to construct two 1,820 sq. ft. duplex buildings that will accommodate four new farm labor housing units, a fire turnaround, a new septic system, and two new 5,000-gallon water tanks for fire suppression on a 549-acre property located at 4309 Cloverdale Road in the unincorporated Pescadero area of San Mateo County. A minimal amount of vegetation will be removed, 850 cubic yards of grading is proposed, and no tree removal. The property supports farming and grows organic artichokes, parsnips, potatoes and winter squash.

DECISION MAKER

Planning Commission

QUESTIONS FOR THE AGRICULTURAL ADVISORY COMMITTEE

1. Will the development have any negative effect on surrounding agricultural uses? If so, can any conditions of approval be recommended to minimize any such impact?

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

BACKGROUND

Report Prepared By: Olivia Boo, Project Planner, 650/363-1818

Applicant: Sandy Sommer, c/o Peninsula Open Space Trust

Owner: Peninsula Open Space Trust and Midpeninsula Regional Open Space District

Location: 4309 Cloverdale Road, Pescadero

APN: 086-270-010

Parcel Size: 549 acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Williamson Act: N/A

Existing Land Use: The property is developed with several barns, a packing shed, a storage shed, one (1) 5,000 gallon domestic water tank and 10 agriculture storage tanks that support farming on site. Butano Creek borders along the east property line, with a portion of the creek encroaching into the parcel, at a location north of the proposed development. The subject parcel is covered with non-native vegetation.

Water Supply: The project proposes to convert an existing agricultural well to a domestic well to support the farm labor housing. An existing well, approved and drilled in 2018 is currently used for agricultural purposes and would become the domestic water source for the farm worker housing. The property has riparian water rights to Butano and Arroyo de los Frijoles Creeks. An in-stream diversion from Butano Creek supplies sufficient surface water for the agricultural operations. When stream flow is low and pumping from the creek is not adequate, an existing small off-stream reservoir is used. There are nine 5,000-gallon water tanks on site for agricultural water storage and one 5,000-gallon potable water storage tank.

Sewage Disposal: A new 2,500-gallon septic system is proposed.

Flood Zone: Zone A (area with a 1% annual chance of flooding) and Zone X (area of minimal flood); Community Panel Number 06081C0451E, effective October 16, 2012.

Environmental Evaluation: An Initial Study and Mitigated Negative Declaration were prepared for this project and posted to the State Clearinghouse on October 18, 2024 (State Clearinghouse No.: 2024100854). The public review period for the document commenced on October 18, 2024 and ended on November 7, 2024.

Setting: The parcel is developed with several barns, a packing shed, a storage shed, and 1 potable water storage tanks that support farming on site. Butano Creek borders along the east property line, with a portion of the creek encroaching into the parcel, at a location north of the proposed development. The subject parcel is covered with non-native vegetation. The project site area is relatively flat and screened from public views along Cloverdale Road by dense vegetation along Butano Cree and existing low hills

Will the project be visible from a public road?

The project parcel is flat, the proposed farm labor units will be located in a western area of the parcel, close to Butano Creek. The proposed structures will be located over 1 mile south of Pescadero Creek Road and approximately 800 feet west of Cloverdale Road. There are hills existing between Cloverdale Rd. and the proposed structures, the structures are not expected to be visible from Cloverdale Rd.

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

The subject parcel is covered with non-native vegetation. No tree removal is proposed. Minor vegetation will be removed to construct and locate the two farm labor housing duplexes and associated infrastructure.

A biological report prepared by Sol Ecology, biological consultant, concludes that with proper mitigations (as recommended by Sol Ecology and included in the Initial Study/Mitigated Negative Declaration), the project will not have any significant adverse impacts to sensitive habitats areas.

Sol Ecology cites eleven (11) special-status plants documented within five miles of the Project Study Area. Of these 11 species, none are present or have the potential to occur in the Project Study Area due to past disturbance and historic tilling of the project area.

Riverine

More than 100 feet away from the proposed project footprint to the northeast is Butano Creek which flows along the north to south, along the eastern boundary of the Project Study Area. Butano Creek is a perennial creek that is within the Pescadero Creek Watershed. At the time of the April 2023 biological survey, no aquatic vegetation was present in the creek due to recent rain.

Riparian

The riparian corridor associated with Butano Creek consists of dense vegetation dominated by a contiguous canopy consisting of red willow and arroyo willow; this habitat is located more than 50 feet to the northeast of the proposed project footprint. Plant species observed in the understory consisted of blue elderberry, California blackberry, and annual stinging nettle. Abundant wildlife was present in the riparian corridor, including birds and the San Francisco dusky-footed woodrat (SFDFW) nest complex.

Wildlife

Eighteen special-status wildlife species including the San Francisco Garter Snake (SFGS) have been documented within five miles of the Project Study Area footprint. The SFGS is not likely to be present in the project area due to the lack of available cover and limited refugia close to water. The SFGS is also not likely to be present outside nearby riparian habitat since the site is not within any dispersal corridor and lacks necessary cover.

The California Red-Legged Frog (CRLF) has moderate occurrences within five miles; the nearest is within one mile of the Project Study Area. The site is outside the designated critical habitat. The CRLF may disperse into the project footprint, but a lack of suitable upland features nor breeding habitat indicates the project study area would not include the CRLF.

Allen's hummingbird has low potential for occurrence; however, the species was observed in Butano Creek riparian corridor adjacent to the project footprint during the April 14, 2023 biological survey. The species could be affected during the nesting season. Staff would include mitigation measures recommended by the biologist to minimize potential impacts. There is no suitable nesting substrate in the project footprint for Allen's hummingbird.

San Francisco Dusky-Footed Woodrat (SFDFW) has low potential to occur due to the lack of cover within the project footprint. The SFDFW may rarely disperse through the footprint.

Other identified species are not likely to occur due to the absence of suitable habitat elements or vegetation communities (which include coastal prairie, dune habitat, pond habitat, refugia, logs, rock outcrops, large burrows, suitable bat roosts, friable soils, appropriate elevations, etc.). The project study area's disturbed nature and regular tilling likely preclude most native flora and fauna.

Based on the results of the biological assessment, no Environmentally Sensitive Habitat Areas (ESHA) have been identified in the study area, including no coastal wetlands or unique or occupied habitats. Much of the site is dominated by invasive or ornamental plants or areas that have been disturbed, tilled or farmed. Butano Creek riparian habitat is located more than 50 feet away from the proposed project and will not be affected by the project scope. Additionally, habitat to the south of the existing access road will be completely avoided.

Is there prime soil on the project site?

The farm labor housing units are proposed on Land Capability Classification (LCC) Class 2 soils. Based on review of the Natural Resources Conservation Service Web Soil Survey and Soil Survey San Mateo Area, the soil types are CuA and Ma. CuA is classified as Class II agricultural soil if irrigated and has a California Revised Storie Index Rating of Grade 2 – Good, which is considered prime agricultural land under the County’s definition. Ma is Grade 3 - Fair grading, which is not classified as prime agricultural land. The project will convert a small area of Class 2 soils; however, the remainder of the parcel remains available for continued farming. The proposed farm labor housing units are proposed to be located in an area, along the western property line, to avoid active farming areas.

DISCUSSION

A. **KEY ISSUES**

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

1. **Compliance with Planned Agricultural District (PAD) Regulations:**

The project complies with the applicable development standards and criteria of the PAD Zoning District, as discussed below.

a. **Development Standards**

As shown in the table below, the project conforms to Sections 6358 and 6359 of the San Mateo Zoning Regulations, which regulate the height and setbacks of structures in the PAD Zoning District.

Development Standard	Required	Proposed
Minimum Building Site	N/A	549 acres
Minimum Front Yard	30 feet	288 feet
Minimum Side Yard	20 feet	20 feet (left side) 280 feet (right side)
Minimum Rear Yard	20 feet	130 feet
Maximum Building Height	36 feet	19 feet

b. PAD Criteria

The project conforms to the substantive criteria for the issuance of a PAD permit, as applicable and outlined in Section 6355 of the Zoning Regulations.

General Criteria

- (1) *The encroachment of all development upon land which is suitable for agricultural use shall be minimized.*

The San Mateo County Planning and Building Department's Geographic Information System (GIS) shows that approximately half of the parcel consists of prime soils, LCC class 2, and the location of the proposed farm labor housing units and associated infrastructure will be located on these prime soils; there is limited option to avoid land conversion of prime soils, the parcel is dominated with prime soils. The farm labor housing units and the proposed infrastructure are at the far southeast portion of the parcel which avoids prime soils and thus will minimize impacts to agricultural activities on the parcel as much as possible. The current agricultural production of the parcel includes artichokes, parsnips, potatoes and winter squash. Per Section 6353.A.2 of the PAD Regulations, farm labor housing may be permitted on prime agricultural land subject to compliance with the criteria for conversion of prime agricultural land.

- (2) *All development permitted on a site shall be clustered*

The proposed infrastructure and development is considered clustered with the existing agriculture structures, the proposed structures will be located approximately 300 feet from existing development, along the western and southern edge of the parcel. This is to continue preserving the remainder of the land for continued farming.

Clustering the proposed development would physically impact the agricultural crops.

- (3) *Every project shall conform to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code.*

The project will conform to the following applicable Development Review Criteria of Chapter 20A.2 of the San Mateo County Ordinance Code.

Section 6324.1 (*Environmental Quality Criteria*), Section 6324.2 (*Site Design Criteria*) and Section 6325.2 (*Primary Fish and Wildlife Habitat Areas Criteria*) seek to cluster development, minimize grading and changes in vegetative cover, locate development so that it is subordinate to the pre-existing character of the area and protect primary wildlife habitat areas.

The farm labor housing units are not expected to be visible from Cloverdale Road due to low hills that separate the project parcel from Cloverdale Road. The project site area is flat and approximately 840 cubic yards of grading is proposed for the farm labor housing units, the new septic system, two new water tanks, and new fire turnaround. No tree removal is proposed. The biologist report did not find any unique, rare or endangered species within the project area that will be impacted; see further discussion under “Background: *Will any habitat or vegetation need to be removed for the project?*”.

Water Supply Criteria

- (1) *Adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished.*

The project proposes to convert an existing agriculture well to domestic use. County Environmental Health Services has provided conditional approval for the project.

The project proposes to convert an existing agricultural well to a domestic well to support the farm labor housing. An existing well, approved and drilled in 2018 is currently used for agricultural purposes and would become the domestic water source for the farm worker housing. The property has riparian water rights to Butano and Arroyo de los Frijoles Creeks. An in-stream diversion from Butano Creek supplies sufficient surface water for the agricultural operations. When stream flow is low and pumping from the creek is not adequate, an existing small off-stream reservoir is used. There are nine 5,000-gallon water tanks on site for agricultural water storage and one 5,000-gallon potable water storage tank.

Criteria for the Conversion of Prime Agricultural Lands

The PAD Regulations allow the conversion of prime agricultural land to uses permitted with a PAD permit, such as farm labor housing, when the following can be demonstrated.

- (1) *No alternative site exists on the parcel for the use.*

The project parcel does support commercially viable agricultural operations consisting of growing artichokes, parsnips, potatoes and winter squash. The proposed project supports farming activities onsite by providing onsite housing for the farm workers.

The proposed farm labor housing project is located in a narrow valley between the Butano Ridge to the east and coastal hills to west. The housing site sits at an elevation of approximately 66 to 68 feet above sea level. The proposed location, close to the parcel boundary, continues to preserve the majority of the parcel for farming. The western level area is actively farmed and developed with a farm center, described below. The grassy upland areas support livestock grazing. A portion of the large Butano Creek alder / willow marsh is located on the parcel's northwestern edge. The balance of the property is maintained in a natural open space condition. The farm work force housing site has low productivity due to poor drainage.

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

The existing and proposed agricultural infrastructure and development is located and limited to the western property line, thus creating an invisible but clearly defined buffer area that separates the crop farming and agriculture structures. Although the farm labor housing and infrastructure is not agriculture use, the scope directly supports the farming by providing on site housing for the farm works.

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

The project proposes two new duplex buildings to accommodate a total of 4 farm labor housing units, and associated infrastructure, to support ongoing farming on the property. The ongoing farming of crops onsite is not expected to be impacted by the project. Both the existing structures and the proposed structures are, and will, be located along the western property

line, creating an invisible buffer that separates the development from the crops. The new septic system is propose and will occupy an area of the row crop, at the southern portion of the parcel, the row crop will not continue in this area.

The project is bordered by Butano Creek to the east. The adjacent lands support mixed development and non-developed parcels. The developed parcels consist of low density residential and/or agricultural development. None of the adjacent parcels will be impacted by the added farm labor housing units. The farm laborers will benefit from the on-site farm labor housing while they work on Giusti farms.

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

The proposed farm labor housing units is not expected to impair for impact the agriculture productivity (ie assessment cost) degrading air or water quality. The Initial Study/Mitigated Negative Declaration (IS/MND) concluded the project would not have significant long term impacts and not dimmish adjacent agriculture production.

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

The project complies with the following applicable LCP Policies:

a. Land Use Component

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

The proposed farm labor housing units and water tanks would have minimal impact on coastal resources, including sensitive habitat, wetland, riparian corridor and scenic views subject to the mitigation measures recommended in the Initial Study/Mitigated Negative Declaration and conditions that would be recommended for the project. The housing units will be located along the western property line where visual impacts are minimized. This location will best minimize and protect, and allow for continued, crop farming on the parcel. The proposed location of the new infrastructure, is considered

clustered with the existing agricultural buildings, approximately 300 feet. The proposed farm labor housing units will provide needed supportive use to aid in preserving and continuing crop farming on the property. The farm labor housing location will be least impactful to the farmed crop areas. The water tanks will be conditioned to be painted an earth tone color to blend with the surrounding area, and earthwork and vegetation removal is limited to that necessary to construct the development.

b. Agricultural Component

LCP Policies 5.5(a) and (b) (*Permitted Uses on Prime Agricultural Lands Designated as Agriculture*) and 5.8(a) (*Conversion of Prime Agricultural Land Designated as Agriculture*) conditionally permit farm labor housing and water storage tanks on prime soils when related to agriculture; and prohibits the conversion of prime agricultural land within a parcel unless it can be demonstrated that no alternative site exists, clearly defined buffer zones exist between agriculture and non-agriculture uses, and that agricultural productivity will not be diminished.

Approximately 50% of the parcel consists of prime soils, specifically the land along the east and west property lines. The project parcel does support commercially viable agricultural operations, growing artichokes, parsnips, potatoes and winter squash. The proposed project will further facilitate the farming by providing on-site housing for the farm workers. See staff's discussion under Criteria for the Conversion of Prime Agricultural Lands, in Section A.

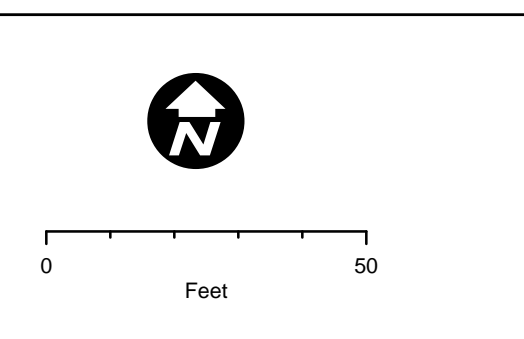
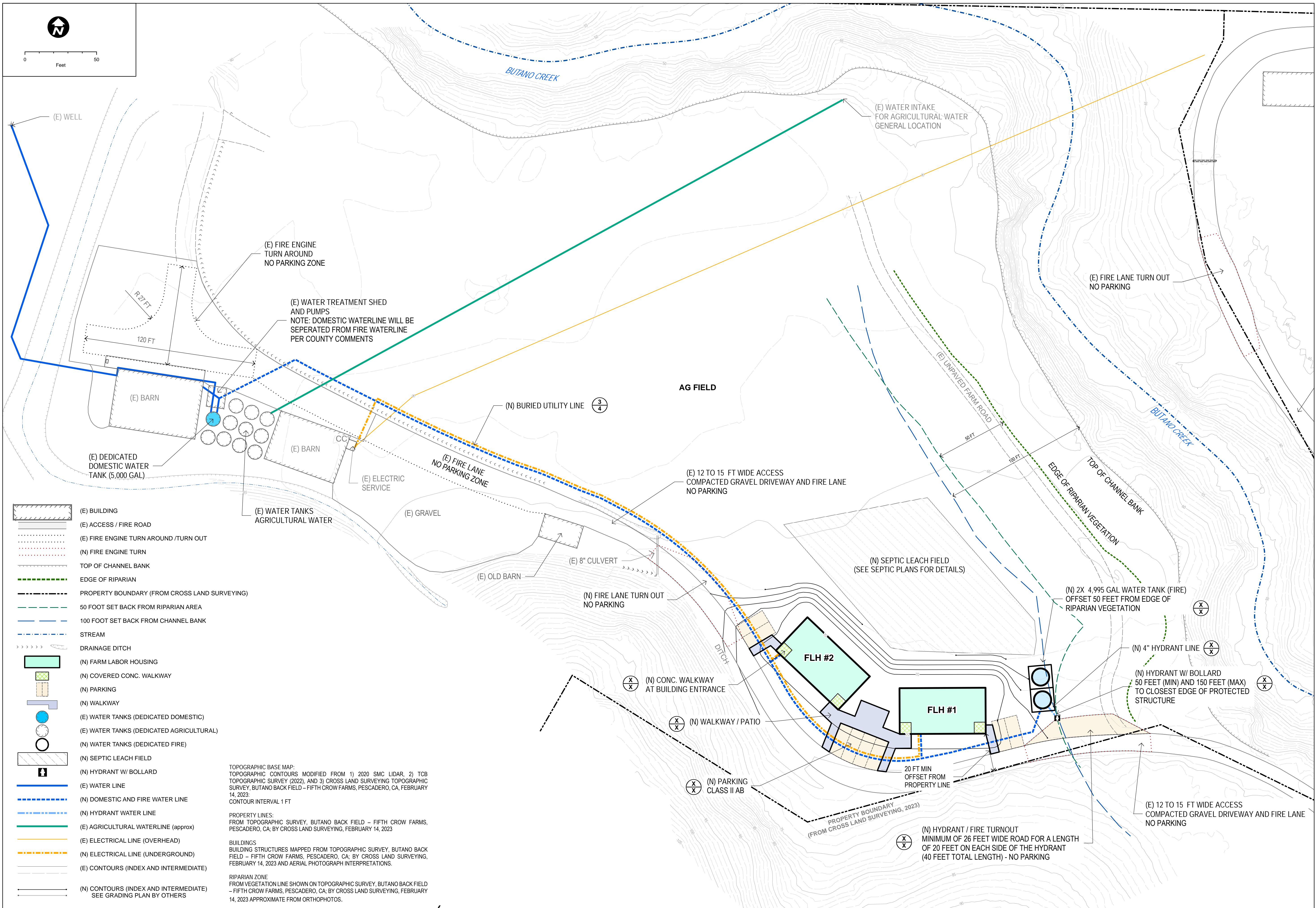
c. Sensitive Habitat Component

Policy 7.3 (*Protection of Sensitive Habitats*) seeks to protect sensitive habitats from adverse impacts caused by development.

See discussion under "Background: *Will any habitat or vegetation need to be removed for the project?*".

ATTACHMENTS

- A. Vicinity Map
- B. Plans
- C. Initial Study/Mitigated Negative Declaration
(Due to file size, document accessible online,
<https://www.smcgov.org/planning/mitigated-negative-declaration-four-4-farm-labor-housing-units>)



- (E) BUILDING
- (E) ACCESS / FIRE ROAD
- (E) FIRE ENGINE TURN AROUND / TURN OUT
- (N) FIRE ENGINE TURN
- TOP OF CHANNEL BANK
- EDGE OF RIPARIAN
- PROPERTY BOUNDARY (FROM CROSS LAND SURVEYING)
- 50 FOOT SET BACK FROM RIPARIAN AREA
- 100 FOOT SET BACK FROM CHANNEL BANK
- STREAM
- DRAINAGE DITCH
- (N) FARM LABOR HOUSING
- (N) COVERED CONC. WALKWAY
- (N) PARKING
- (N) WALKWAY
- (E) WATER TANKS (DEDICATED DOMESTIC)
- (E) WATER TANKS (DEDICATED AGRICULTURAL)
- (N) WATER TANKS (DEDICATED FIRE)
- (N) SEPTIC LEACH FIELD
- (N) HYDRANT W/ BOLLARD
- (E) WATER LINE
- (N) DOMESTIC AND FIRE WATER LINE
- (N) HYDRANT WATER LINE
- (E) AGRICULTURAL WATERLINE (approx)
- (E) ELECTRICAL LINE (OVERHEAD)
- (N) ELECTRICAL LINE (UNDERGROUND)
- (E) CONTOURS (INDEX AND INTERMEDIATE)
- (N) CONTOURS (INDEX AND INTERMEDIATE) SEE GRADING PLAN BY OTHERS

PENINSULA OPEN SPACE TRUST
 222 HIGH STREET BALO, ALTO, CA 94301
 (925) 854-7696

PROJECT:
 FIFTH CROW FARMS
 BACKFIELD FARM LABOR HOUSING PROJECT
 4309 CLOVERDALE ROAD, PESCADERO, CA
 APN 086-270-010
 SAN MATEO COUNTY, CA

TITLE:
 SITE PLAN

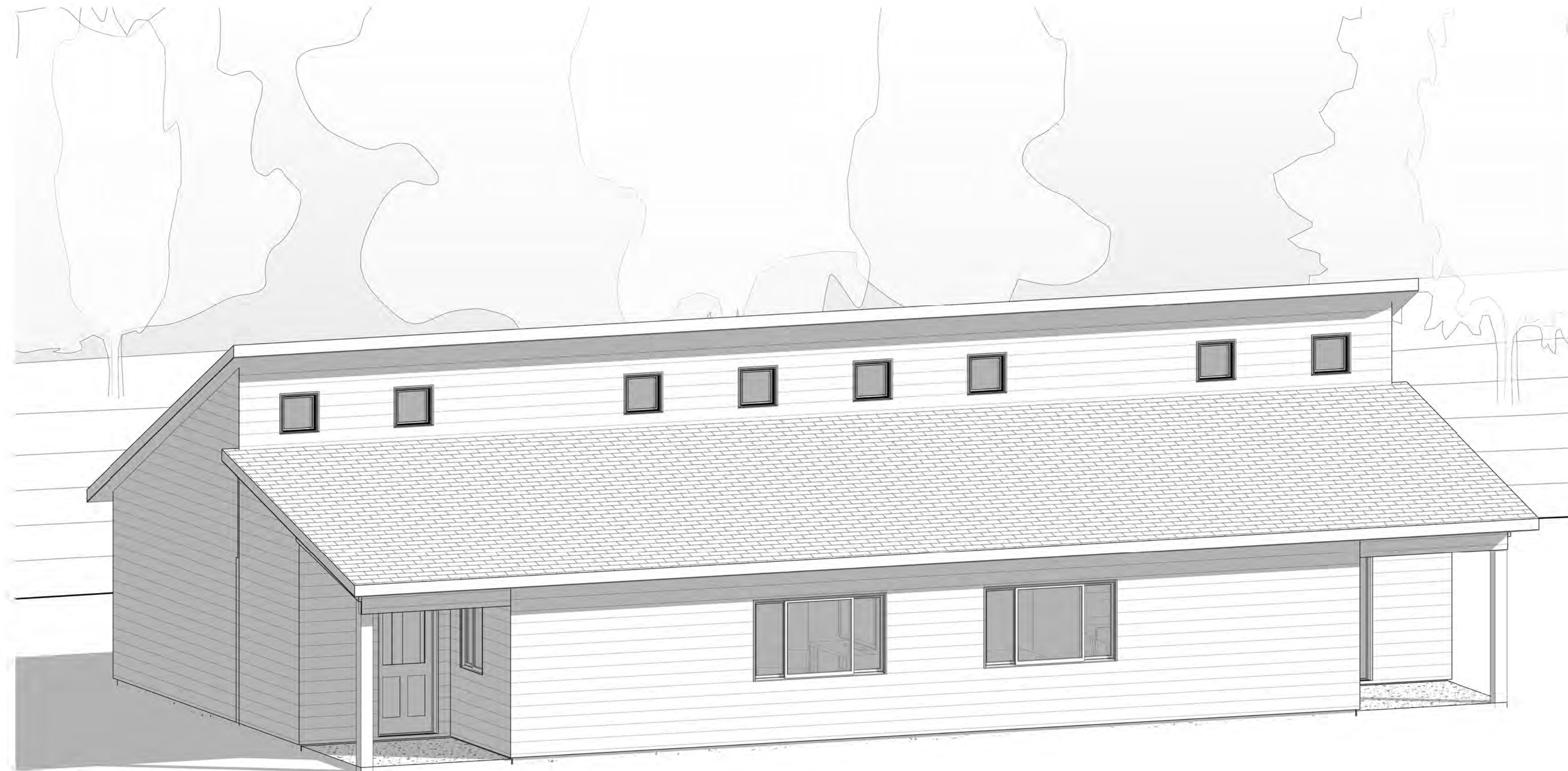
REVISIONS:
 No. Date Description

DATE: September 24, 2024
PROJECT: TB
DRAWN BY: TB
CHECKED BY: TBLO

SHEET NUMBER
2

Fifth Crow Farm Duplex Housing

4309 Cloverdale Rd. - Pescadero, CA 94060



**deltec
homes**



Sheet Index

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001	Notes
101-A	First Level Arch. Plan
301	Elevations
302	Elevations
401	Foundation Layout
701	Building Sections

No.	Description	Date
0	Initial Plans	3/8/2023

Fifth Crow Farm

Ridgeline A on Slab

Job Number	22067
Drawing Number	23RI-102
Project Manager	DO
Drafter	TH

Cover

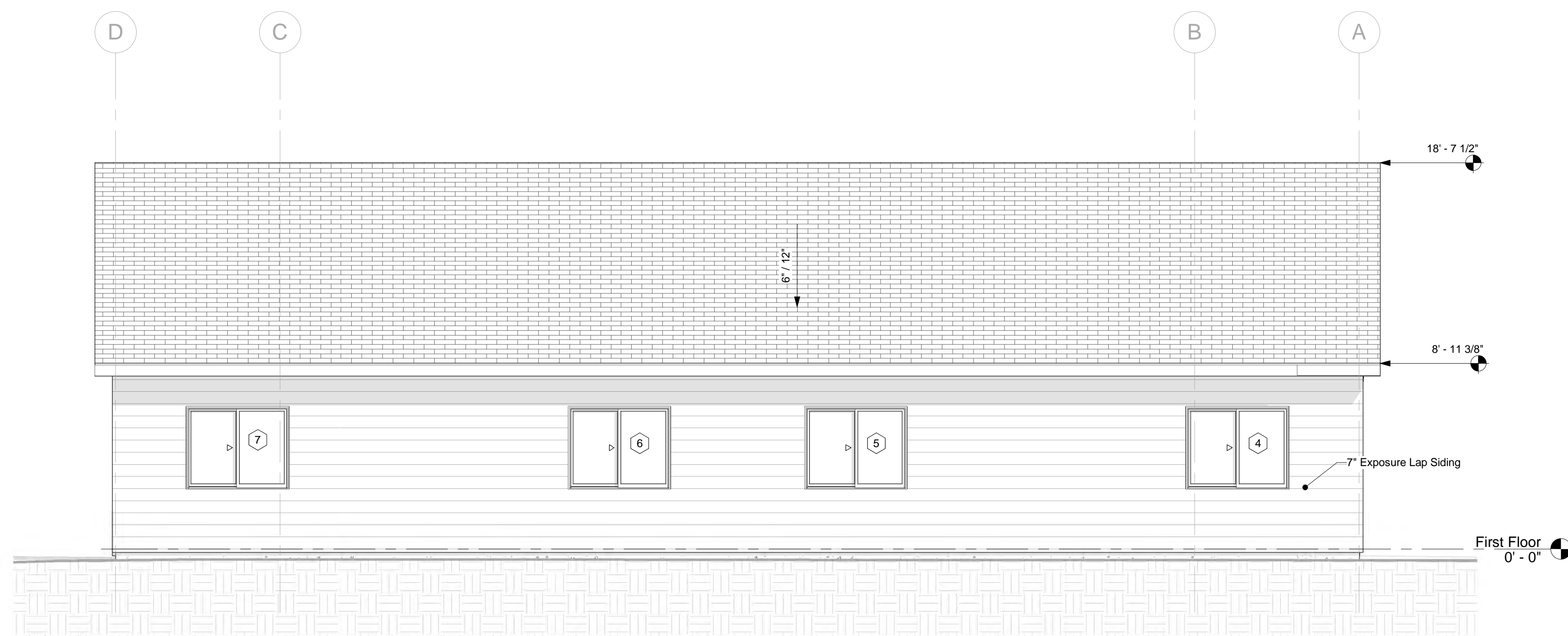
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Scale

**deltec
homes**

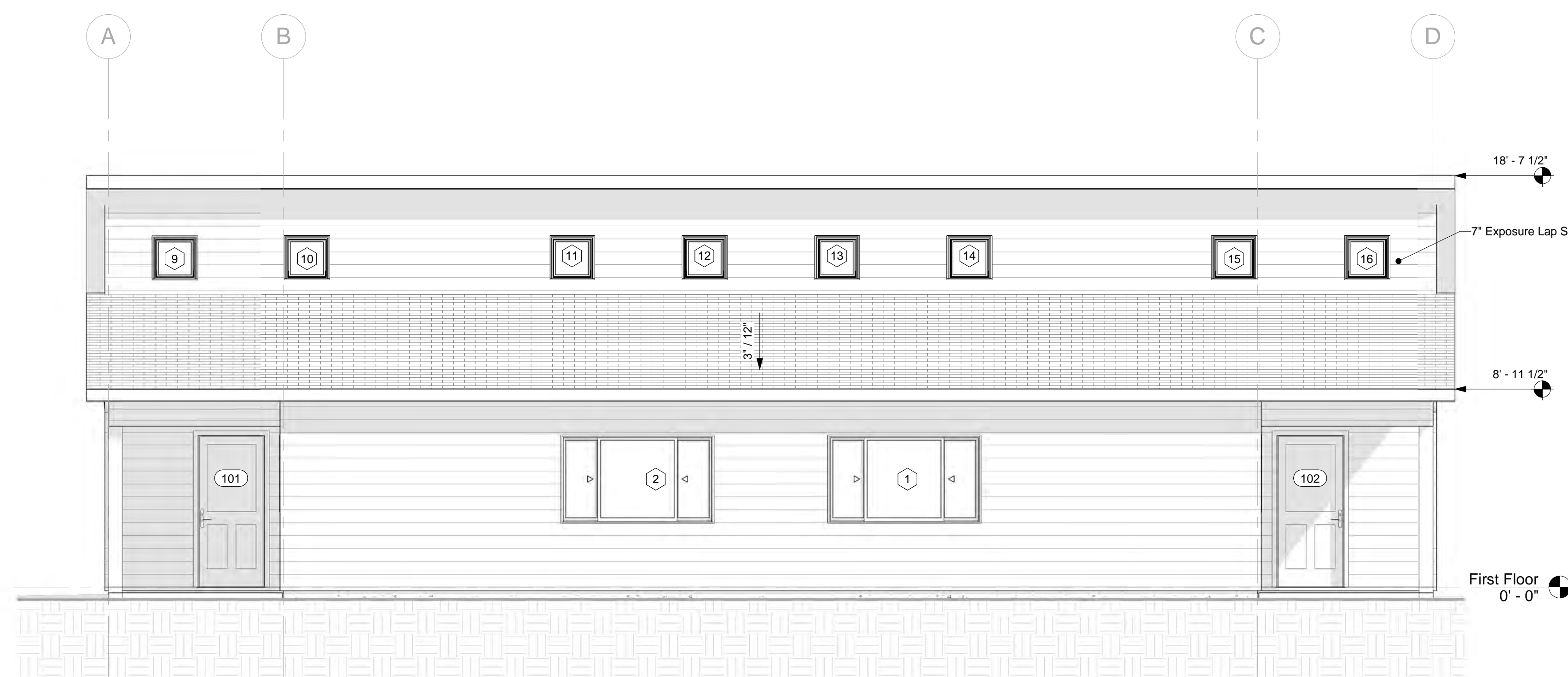


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① North
1/4" = 1'-0"

Exterior Finish Schedule			
Location	Material	Finish	Color
Corner Trim	Engineered Wood	Textured	TBD
Fascia	Engineered Wood	Textured	TBD
Roof	Engineered Wood	Textured	TBD
Siding	Engineered Wood	Textured	TBD
Soffit	Engineered Wood	Textured	TBD
Window Trim	Engineered Wood	Textured	TBD



② South
1/4" = 1'-0"

No.	Description	Date
0	Initial Plans	3/8/2023

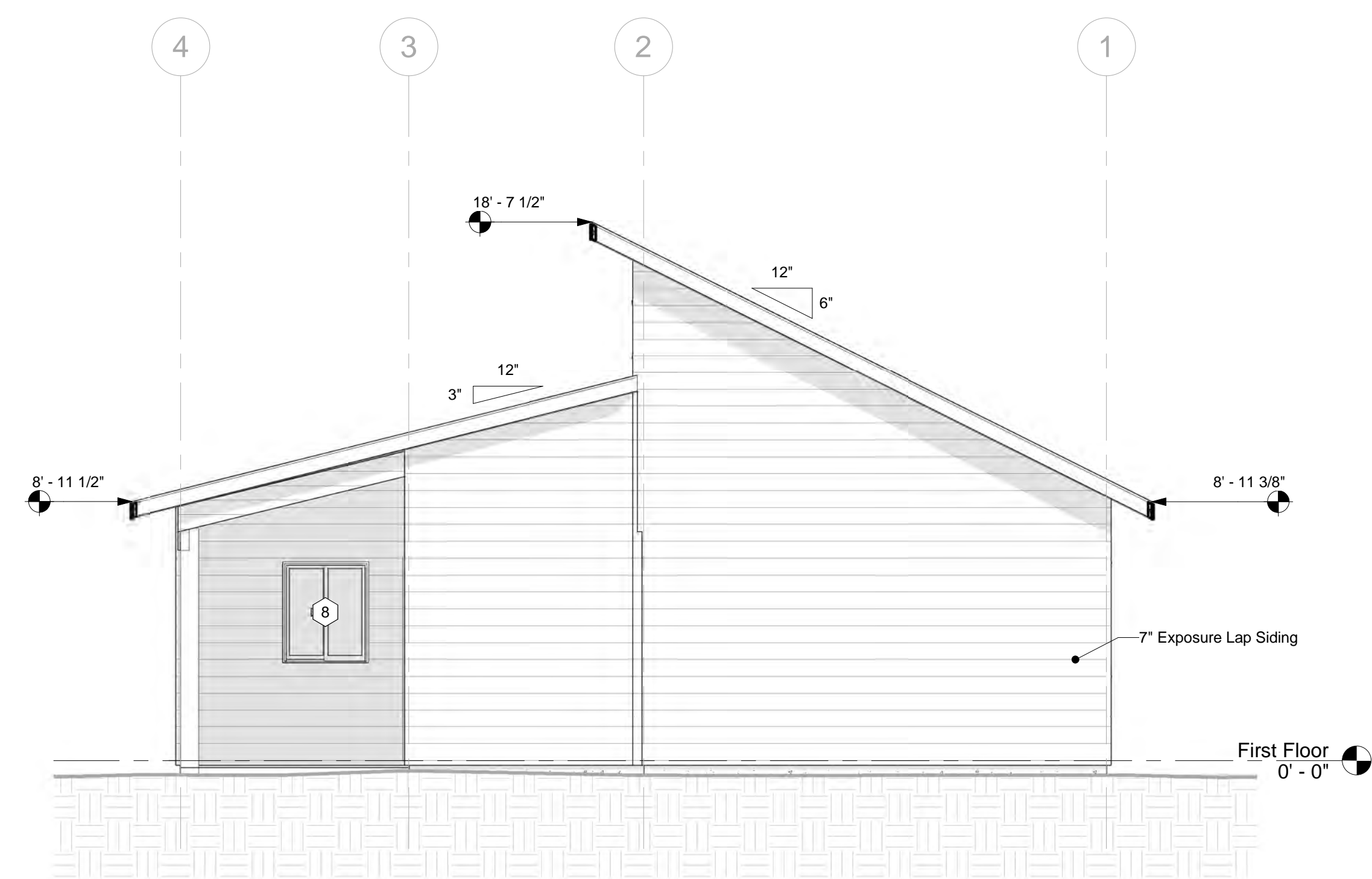
Fifth Crow Farm
Ridgeline A on Slab

Job Number 22067
Drawing Number 23RI-102
Project Manager Designer
Drafter TH

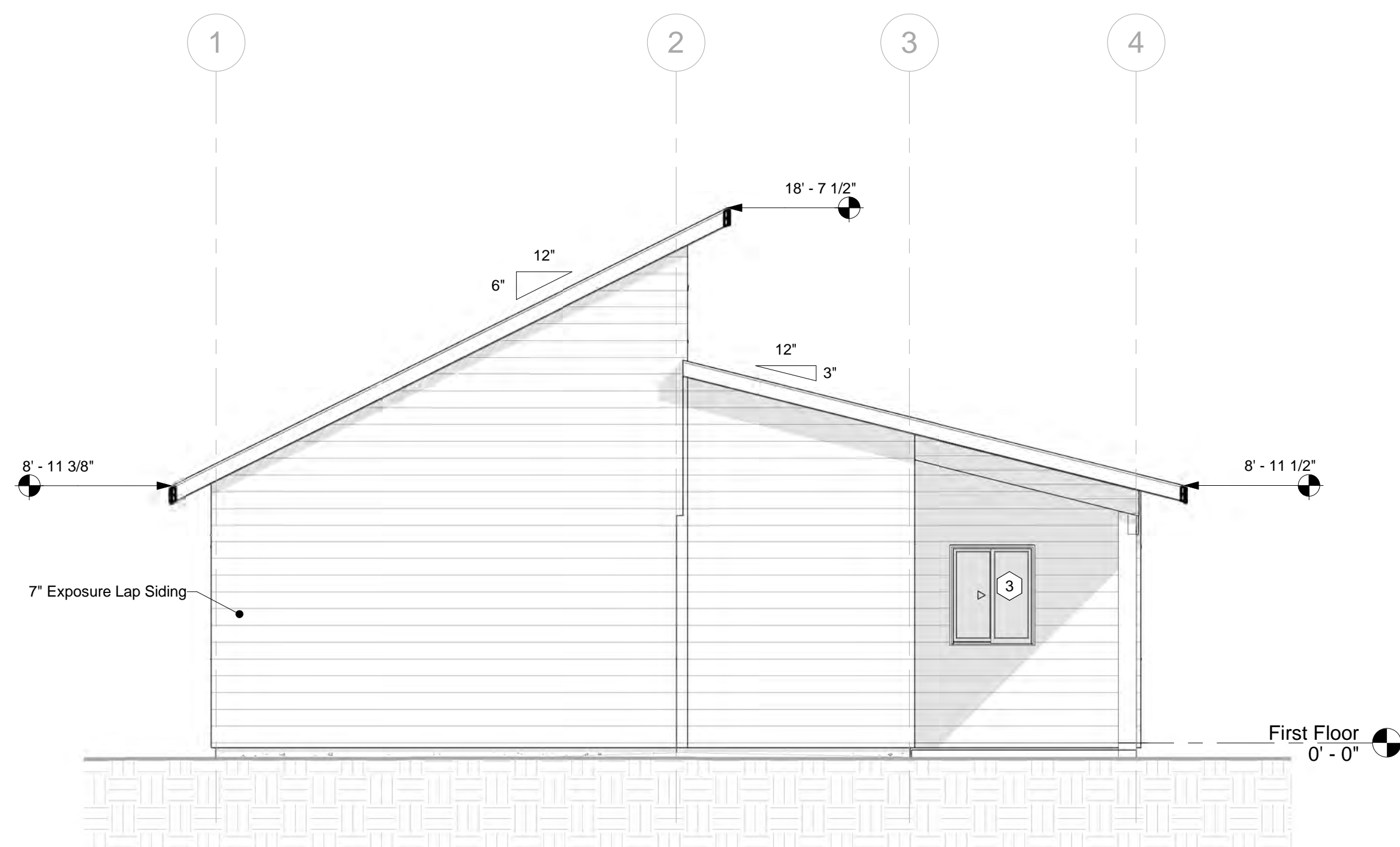
Elevations

301

Scale 1/4" = 1'-0"



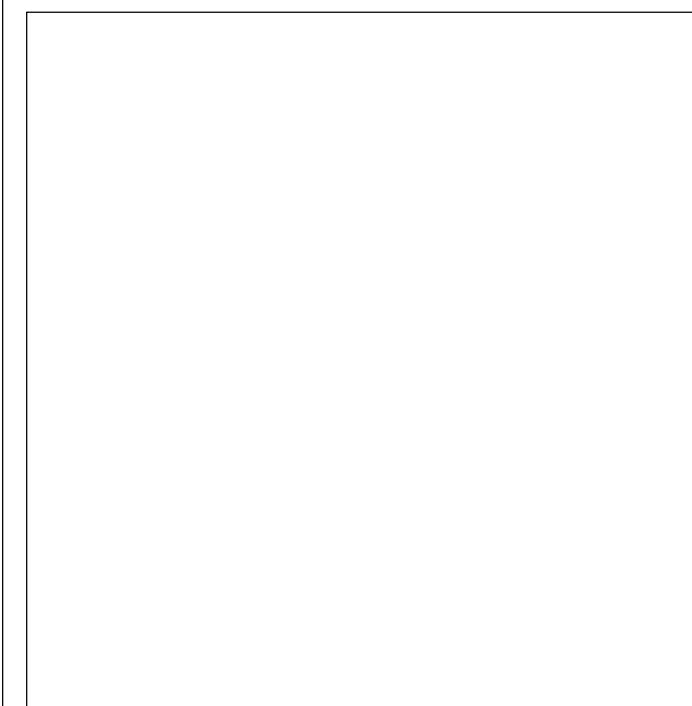
① East
1/4" = 1'-0"



② West
1/4" = 1'-0"

Exterior Finish Schedule			
Location	Material	Finish	Color
Corner Trim	Engineered Wood	Textured	TBD
Fascia	Engineered Wood	Textured	TBD
Roof	Engineered Wood	Textured	TBD
Siding	Engineered Wood	Textured	TBD
Soffit	Engineered Wood	Textured	TBD
Window Trim	Engineered Wood	Textured	TBD

No.	Description	Date
0	Initial Plans	3/8/2023



Fifth Crow Farm

Ridgeline A on Slab

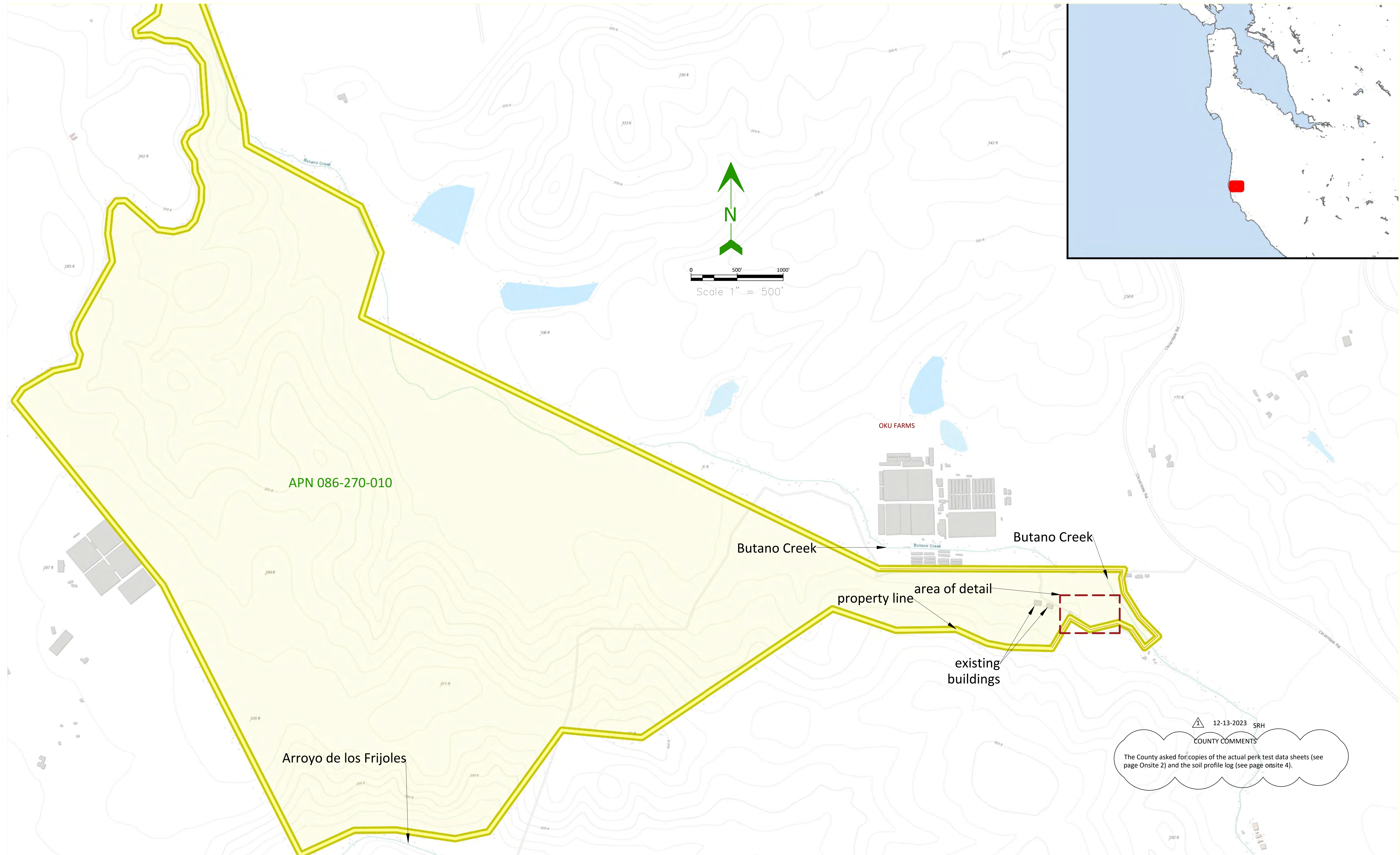
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Project Manager	DO
Drafter	TH

Elevations

302

Scale 1/4" = 1'-0"

Contour map of entire 543.45 acre parcel from County of San Mateo Planning and Building Map Viewer



APN 086-270-010

Butano Creek

Butano Creek

property line

area of detail

existing buildings

Arroyo de los Frijoles

12-13-2023 SRH
 COUNTY COMMENTS
 The County asked for copies of the actual perk test data sheets (see page Onsite 2) and the soil profile log (see page onsite 4).

REVISIONS

12-13-2023	SRH
County comments	



S. R. HARTSELL, R.E.H.S.
 202 WATERFORD DRIVE
 VACAVILLE, CA 95688
 srhartsel@gmail.com (650) 886-2419

SEPTIC SYSTEM
 OVERALL
 SITE PLAN

FARM LABOR HOUSING
 4309 CLOVERDALE ROAD
 PESCADERO, CA 94060
 APN 086-270-010

June 7, 2023

SCALE AS NOTED

BY SRH

PAGE

onsite 1

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