

ORDINANCE NO. 4919

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

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**ORDINANCE AMENDING SECTION 8.106.150 (PROCEDURAL CRITERIA FOR
ISSUANCE OF A PLANNED AGRICULTURAL PERMIT), SUBDIVISION A (MASTER
LAND DIVISION PLAN) OF CHAPTER 8.106 (PLANNED AGRICULTURAL
DISTRICT) OF THE COUNTY'S ZONING REGULATIONS**

The Board of Supervisors of the County of San Mateo, State of California,

ORDAINS as follows:

WHEREAS, in 1980, the Board of Supervisors approved and the California Coastal Commission certified the San Mateo County Local Coastal Program (LCP), establishing policies, consistent with the California Coastal Act, to guide development within the County's Coastal Zone while protecting coastal resources and providing coastal access for all; and

WHEREAS, for a development permit to be issued in the Coastal Zone, proposed development must comply with the policies of the LCP and those regulations adopted to implement the LCP; and

WHEREAS, the San Mateo County Zoning and Subdivision Regulations are the implementation plans of the LCP, or land use regulatory instruments in which the LCP is applied; and

WHEREAS, the County Zoning and Subdivision Regulations are local regulations that shall be consistent with state law, as local law cannot conflict with general state law; and

WHEREAS, in order to consistently implement the LCP and allow for local and state law to be consistent, the text of Zoning Regulations Chapter 8.106 Planned Agricultural District (PAD) must be amended to reflect consistency as it relates to future public recreational facility projects on lands owned, or to be acquired by public agencies; and

WHEREAS, the proposed Zoning and Subdivision Regulations text amendments are consistent with the County General Plan and the LCP; and

WHEREAS, in the course of processing associated development permits, the County retains the right to review a public agency's agricultural and conservation open space easements for consistency with County policy and regulation; and

WHEREAS, the proposed Zoning and Subdivision Regulations text amendments will allow for a desirable guide for the future growth of this area of the County, will not be detrimental to the character, social, and economic stability of this area and its environs, will assure the orderly and beneficial development of this area, and will be in harmony with the zoning in adjoining unincorporated areas; and

WHEREAS, the environmental review for the proposed Zoning and Subdivision Ordinances text amendments pursuant to the provisions of the California Environmental Quality Act (CEQA) is the responsibility of the California Coastal Commission and would be subject to the provisions of CEQA pursuant to Section 21080.5. in which a functionally equivalent CEQA analysis will be performed by the California Coastal Commission in lieu of any otherwise required CEQA analysis, as a state agency's (in this case the California Coastal Commission) certified regulatory program (in this case the Local Coastal Program) is statutorily exempt from CEQA; and

NOW, THEREFORE, the Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. Section 8.106.150 (Procedural Criteria for Issuance of a Planned Agricultural Permit), Subdivision A (Master Land Division Plan) of Chapter 8.106 (Planned Agricultural District) of the County's Zoning Regulations is amended to add the following language to that section:

“For land divisions brought about in connection with the purchase of agricultural lands by a public agency for public recreational use, parcels that are suitable for agriculture shall be designated as agriculture (alone or in combination with open space, recreation or other compatible uses) in the Master Land Division Plan and be configured to minimize the potential for conflicts between agricultural and recreational uses. The agricultural production of thusly acquired lands shall be reported by the public agency to the San Mateo County Agricultural Commissioner for inclusion in the Department of Agriculture/Weights & Measures' annual crop report.”

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