

RESOLUTION NO. .

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

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**RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE
AND AUTHORIZING EXECUTION OF FARMLAND SECURITY ZONE CONTRACT**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Peninsula Open Space District (POST) is the owner of certain land in the County of San Mateo used for agricultural purposes within the meaning of the California Land Conservation Act of 1965 (Act) , and has requested to have said land designated as an Agricultural Preserve, and has submitted such request with a properly executed contract form heretofore approved by this Board, for execution by this Board; and

WHEREAS, the County of San Mateo is authorized to establish Agricultural Preserves by the Act; and

WHEREAS, all procedural requirements of the Act and Board of Supervisors of San Mateo County Resolution No. 071565 related to the establishment of Agricultural Preserves have been followed; and

WHEREAS, this Board has received and reviewed the report of the Planning Commission establishing that this Preserve is consistent with the General Plan of San Mateo County; and

WHEREAS, this Board deems it desirable to enter into land conservation contracts, under the provisions of the Act, with owners of land that is appropriately used for agriculture or other purposes authorized by said Act, or purposes left within the discretion of the Board of Supervisors under the terms of the Act; and

WHEREAS, the Board of Supervisors does hereby establish the policy and rules that will govern the administration of this Preserve, to wit:

1. Establishment, Disestablishment, Alterations. The procedures set forth in Resolution No. 071565 of the Board of Supervisors of San Mateo County shall govern the establishment, disestablishment, and alteration of the boundaries of this Preserve. The procedures in said Resolution are incorporated herein and made a part hereof as it fully set forth.
2. Policy. This Board recognizes that:
 - a. The preservation of a maximum amount of the limited supply of agricultural land is necessary for the conservation of the State's economic resources, and is necessary not only for the maintenance of the agricultural economy of the State, but also for the assurance of adequate, healthful and nutritious food for future residents of this State and Nation.
 - b. The discouragement of premature and unnecessary conversion of agricultural and open spaces to urban uses is a matter of public interest and will be of benefit to urban dwellers themselves in that it will

discourage discontinuous urban development patterns that unnecessarily increase the costs of community services to community residents.

- c. In a rapidly urbanizing society, agricultural and other open space lands have a definite public value as open space, and the preservation in agricultural production of such lands, the use of which may be limited under the provisions of the Williamson Act, constitutes an important physical, social, aesthetic, and economic asset to existing or pending urban or metropolitan developments.
 - d. Within this Preserve, the lands shall be used only for the commercial production of agricultural commodities and other compatible uses herein designated.
 - e. Property owners executing a contract for property within this Preserve should understand that the Board of Supervisors intends that the contract will run for the full term provided therein.
3. Permitted Agricultural Uses. Permitted agricultural uses on this Preserve are defined in EXHIBIT "B" hereto, which is incorporated herein and made a part of this Resolution.

4. Compatible Uses. Compatible uses on the Preserve are defined in EXHIBIT “C” hereto, which is incorporated herein and made a part of this Resolution.

5. Limitation on Uses. If a contract is entered into, incorporating the agricultural and compatible uses specified in EXHIBITS “B” AND “C” hereto, the property owner shall be limited to said uses even though the Zoning Ordinance or other codes, ordinances, or regulations applicable to parcels within the Preserve authorize different uses. In the event other codes, ordinances, or regulations are or should become more restrictive than the uses authorized by the contract, the codes, ordinances, or regulations shall prevail.

6. Continuation of Preserve. Pursuant to the Act, this Preserve shall continue in full effect following any annexation, incorporation or disincorporation of the land described in EXHIBIT “A”, except as provided for in Subsection 51243(b) of the Government Code.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED AS FOLLOWS:

1. That the area of San Mateo County described in EXHIBIT “A” of this Resolution is hereby designated and established as an Agricultural Preserve within the meaning of and pursuant to the California Land Conservation Act of 1965, subject to the policy and rules specified herein.

2. That the form of the Land Conservation Contract presented to this Board along with this resolution be, and the same is hereby, approved.

3. That the President of the Board of Supervisors be, and is hereby authorized and directed to execute, a contract with POST in materially the form approved by this resolution for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto.

4. That a copy of this Resolution, and a Map of the property described in EXHIBIT "A" hereof, be filed with the County Recorder of San Mateo County and with the Director of Conservation, State of California, and that said Resolution and Map be kept current by the County of San Mateo for said County Recorder and Director of Conservation.

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EXHIBIT "A"

To

RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND AUTHORIZING EXECUTION OF FARMLAND SECURITY ZONE CONTRACT

APN: 081-250-020

The land referred to is situated in the unincorporated area of the County of San Mateo, State of California, and is described as follows:

Beginning at a point at the intersection of the center line of the county road running from San Gregorio to La Honda, with the center line of a small creek emptying into San Gregorio Creek, said point being the common corner of Lots No. 1 and 3 as shown on the Map of the Quentin Ranch, surveyed and subdivided in January, 1899 by D. Bromfield; thence along said center line of said county road North 73° West 3 chains; South 70° West 17 chains; South 32° West 3.40 chains; South 23° West 7 chains; South 33° West 1 chain; South 51° West 4 chains; South 43° West 5 chains; South 54° West 1 chain; South 66° West 5 chains to a stake marked "Q.R.-2" standing at the intersection of the center line of the county road; running from La Honda to San Gregorio with the Easterly line of the county road leading from Half Moon Bay to San Gregorio; thence South 09° 59' East along the East line of said last mentioned county road 2.33 chains; thence continuing South 00° 25' East 5.30 chains along said Easterly line of said county road to a point where the East line of the county road leading from Spanishtown to Pescadero intersects the center line of San Gregorio Creek; said point being distant 20 feet Easterly from a line drawn perpendicularly through the center longitudinally of the East line of the present bridge over said creek, and at which point is an iron spike driven in the creek bed; thence from said last named point up and along the center line of said San Gregorio Creek South 67° East 3.00 chains; South 37° East 4.40 chains; South 66° East 3.00 chains; South 89° East 3.00 chains; South 65° East 3.50 chains, North 88° East 6.00 chains, North 33° East 3.00 chains; North 18° East 17.30 chains; North 38° East 5.00 chains, North 60° East 2.00 chains; North 86° East 2.00 chains to a point where the centerline of the creek running South through the Quentin Ranch near the late residence of James Quentin, deceased, intersects the same; thence leaving said San Gregorio Creek and following up and along the center line of said small creek North 54° East 2.80 chains and South 82° East 2.00 chains to a point from which a redwood stake marked "Q.R.17" bears South 15° East distant 1.00 chains and from which stake a cotton wood tree 18 inches to diameter marked "Q.R." bears South 2-1/2° West distant 23 links and a willow tree 18 inches in diameter marked "Q.R." bears North 26-1/2° East distant 42 links; thence continuing up and along the center line of said small creek North 15° West 2.00 chains; North 25° West 2.00 chains; North 09° East 3.00 chains; North 24° West 5.51 chains; North 7-1/2° East 1.55 chains to a point under the center of a bridge on the county road leading from San Gregorio to La Honda and point of beginning.

Being all of Lot No. 1 as shown on the Map aforesaid.

EXCEPTING THEREFROM, however, from the above described property that certain parcel of land conveyed by Arthur F. Rousseau to George C. Ross, by Deed dated October 16, 1916, and described as follows:

Beginning at a stake marked "Q.R.2" standing at the intersection of the center line of the County Road running from La Honda to San Gregorio with the Easterly line of the county road leading from Half Moon Bay to San Gregorio; running thence Easterly along the center line of said La Honda road about 5-1/4 chains to a point where a fence which forms in part the Easterly boundary of the parcel of land on which stand the farm house, horse barn and out-buildings of what is commonly known as and called the Dora Wilson Ranch near San Gregorio, would, if extended, intersect the said center line of said road; thence Southerly in a straight line to a point distant three feet East of the most Easterly of said out-buildings, and continuing on same line to a point in the center of the San Gregorio Creek; thence down the center of said San Gregorio Creek to its intersection with the Easterly line of the county road from San Gregorio to Half Moon Bay; thence Northerly along the Easterly line of said road to the point of beginning.

Being a portion of what is known as Lot No. 1 of the Quentin Ranch as surveyed and subdivided in January, 1899 by D. Bromfield, C.E.

ALSO EXCEPTING THEREFROM the lands acquired by the County of San Mateo, by that certain Final Order of Condemnation No. 46282 issued out of the Superior Court of the State of California, in and for the County of San Mateo, entitled "County of San Mateo, a Political Subdivision of the State of California, Plaintiff, vs. William J. Debenedetti, Angie Francis, Ross Estate Company, a corporation, First Doe, Second Doe, and John Doe Corporation, a corporation, Defendants," dated April 20, 1950, and recorded April 20, 1950, under File No. 52109-I, in Book 1841 of Official Records, at Page 253, records of San Mateo County, California.

FURTHER EXCEPTING THEREFROM the lands conveyed to the County of San Mateo by that certain Deed recorded April 22, 1953, under File No. 75863-K, in Book 2404 of Official Records, at Page 507, records of San Mateo County, California.

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EXHIBIT "B"

To

RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND AUTHORIZING EXECUTION OF FARMLAND SECURITY ZONE CONTRACT

"PERMITTED AGRICULTURAL USES" are defined as follows:

- A. Commercial production of agricultural commodities, as defined in the San Mateo County Land Conservation Act Regulations. Agricultural commodities shall mean an unprocessed product of farms, ranches, production nurseries and forests.

Agricultural commodities shall include fruits, nuts and vegetables; grains, such as wheat, barley, oats and corn; mushrooms; legumes, such as field beans and peas; animal feed and forage crops, such as grain, hay and alfalfa; seed crops; fiber, bio-fuel and oilseed crops, such as safflower and sunflower; nursery stock, such as Christmas trees, ornamentals and cut flowers; trees grown for lumber and wood products; turf grown for sod; livestock, such as cattle, sheep, alpacas, llamas and swine; poultry, such as chickens, ostriches and emus.

- B. Commercial grazing operation for the purpose of pasturing livestock such as cattle, sheep, alpacas, and llamas.

- C. Commercial horse breeding provided the annual breeding operation consists of a minimum of 15 broodmares. The keeping of horses does not constitute an agricultural use.

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EXHIBIT “C”

To

RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND AUTHORIZING EXECUTION OF FARMLAND SECURITY ZONE CONTRACT

“COMPATIBLE USES” are defined as follows:

1. Compatible uses include and shall comply with the provisions of Government Code Section 51238-51238.1 and the underlying San Mateo County land use designation and zoning of the parcel, including permitting requirements. The following uses are identified as “Compatible Uses”:
 - a. The erection, construction, alteration, or maintenance of gas, electric, water, communication, or agricultural laborer housing facilities.
 - b. Non-residential development customarily considered accessory to agricultural uses.
 - c. Soil dependent and non-soil dependent greenhouses and nurseries.
 - d. Temporary roadstands for seasonal sale of produce grown in San Mateo County.
 - e. Permanent roadstands for the seasonal sale of produce.
 - f. Single-family residences, including repairs, alterations and additions.
 - g. Keeping of pets in association with a one-family dwelling and the limited keeping of pets in association with a farm labor housing unit or multiple-family dwelling unit.

- h. Animal fanciers.
- i. Public recreation/shoreline access trail, commercial recreation.
- j. Onshore oil and gas exploration, production, and minimum necessary related storage.
- k. Multi-family residences if for affordable housing.
- l. Schools, fire stations.
- m. Aquacultural activities.
- n. Wineries.
- o. Timber harvesting, commercial woodlots and log storage.
- p. Facilities for the processing, storing, packaging, and shipping of agricultural products.
- q. Kennels or catteries.
- r. Scientific/technical research and test facilities.
- s. Some uses not listed could be considered as "Compatible Uses" upon determination by the Planning Commission and Board of Supervisors.

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