

PESCADERO MUNICIPAL ADVISORY COUNCIL (PMAC)
MEETING NOTICE AND PROPOSED AGENDA

www.pescaderocouncil.org

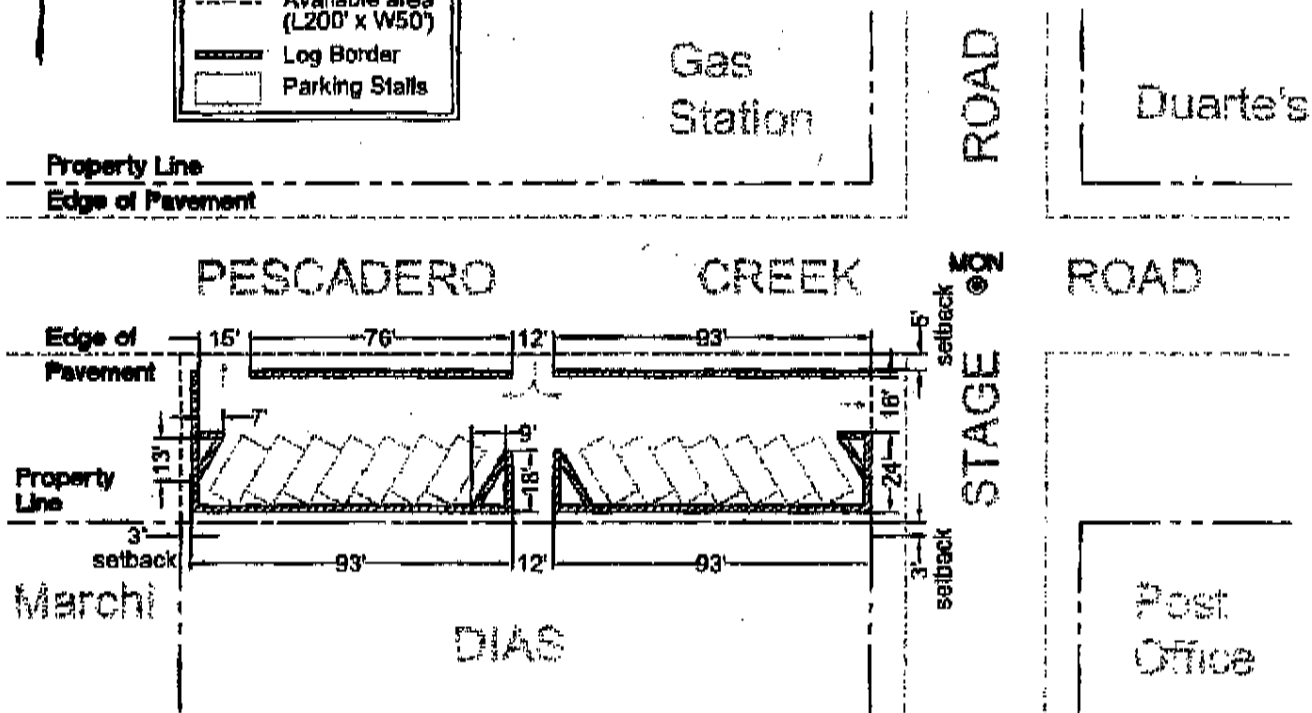
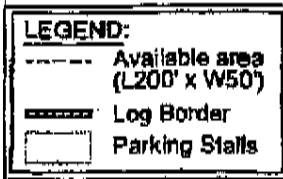
Thursday, August 11, 2005, 7:30 PM, Multipurpose Room
Elementary School, 620 North Street, Pescadero CA 94060

1. CALL TO ORDER/ROLL CALL
2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
Note: Public comment is limited to 5 minutes per speaker
3. ANNOUNCEMENTS/PRESENTATIONS— Presentation on LHPUSD School Board's recent resolution to put a \$100 parcel tax on the ballot, why its needed.
4. APPROVAL OF MINUTES OF REGULAR MEETING, July 14, 2005.
5. FINANCIAL REPORT – Paisley Nash-Dooley
 - a. Sign up to support our fundraiser at the PMAC booth this year.
6. REPORTS FROM CURRENT COMMITTEE CHAIRS, including any budget requests.
 - A. Emergency Preparedness –Lary Lawson or Pattie Brixen
 - B. Land Use– Parking Lot, Sewer System,. John Dixon
 - C. Workforce Housing –Warheit Site –current status—Catherine Peery
 - D. Flood Committee – Roy or Pattie Brixen
 - E. Website update – -Rodger Reinhart
 - F. Public Works – roads and water – Herb Hamor
 - G. Community Services – newsletter and website calendar – Paisley Nash-Dooley or Catherine Peery
 - H. Environmental Issues – Jackson Robertson
7. OLD BUSINESS:
 - A. Search for PMAC candidates District 1, Loma Mar, At-Large
 - B. Resolution pending regarding SamCoast—recent meeting with local nonprofits.
 - C. Meeting being organized through the auspices of PVA (Pescadero Village Association) to discuss the fire suppression issue for commercial buildings and how to resolve it.
8. NEW BUSINESS: Graffiti removal in town – Rodger Reinhart
9. Next Meeting Sept. 8, 2005
10. Adjournment

Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting; or who have a disability and wish to request an alternative format for the agendas, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Catherine Peery at least 3 working days before the meeting at 650-879-1846, fax 650-879-1847, cpeery@pescaderocouncil.org. Notification in advance of the meeting will enable PMAC to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it.

SPANISH TRANSLATION AVAILABLE UPON REQUEST. Traducción en español esta disponible si es solicitado.

Option 1: Angled Stalls w/Center Access



NOTES:

1. Parking lot to be:
 - (a) Bordered by logs;
 - (b) Graded with gravel for all-weather surface;
 - (c) Signed as appropriate, but no marked stalls; and
 - (d) Provide access through the parking lot to the parcel (Lands of Dias) south of it
 - (e) Traffic to be signed as "One-Way" through parking lot for angled parking.
2. Standard Stall Dimensions: L-18' x W-9'. As there will be no stall markings, these dimensions are for capacity estimates only, with no "Compact" handicap stalls accounted for in said capacity estimates.
3. Assumed 2-foot diameter logs on average, with re-bar anchors drilled through log and 2 feet into the ground to prevent rolling.
4. Distance from logs to property lines/buildings: 3 feet.
5. Parking Angle: With no stall markings, this is assumed to vary from 45 to 60 degrees.
6. Aisle Width: Assumed to vary from 12 feet (for 45 degrees) to 14 feet (for 60 degrees).



DESIGNED BY: EPC
 CHECKED BY: LAE
 DRAWN BY: EPC

**PROPOSED PARKING LOT AT
 PESCADERO CREEK ROAD AND STAGE ROAD
 OPTION 3**

SCALE: NONE
 DATE: 05/26/03
 FILE NO: N/A

NEIL R. CULLEN, DIRECTOR OF PUBLIC WORKS
 SAN MATEO COUNTY

555 COUNTY CENTER, 5TH FLOOR
 REDWOOD CITY, CALIFORNIA 94063-1665



**Supervisor Rich Gordon
County of San Mateo**

Memo

To: Agricultural Advisory Committee, Pescadero Municipal Advisory Committee,
MidCoast Community Council, Farm Bureau, SAMCAR, Committee for Green
Foothills, Half Moon Bay Chamber of Commerce and Visitors Bureau

From: Rich Gordon *[Signature]*

Date: July 31, 2005

Re: Draft Right to Farm Ordinance

Attached please find a draft of a proposed Right to Farm Ordinance. This ordinance is being prepared in response to the County Agricultural Summit of two years ago.

Two key provisions of the ordinance are the disclosure requirements and the process for grievances. The disclosure requirements are accomplished via a notice in the tax bill and a declaration related to certain planning and building permits. Grievances are proposed to be handled by a three person committee.

I am planning to present this ordinance for adoption at the October 4, 2005 meeting of the Board of Supervisors.

I would like your input and feedback on the draft ordinance. Please respond no later than mid-September, so that I will have time to consider your thoughts prior to preparing a final draft to forward to the full Board of Supervisors. If you have any questions or need additional information, please contact Jeremy Dennis on my staff at 599-1016.

Cc: Lisa Grote
Gall Raabe
Jeremy Dennis

(DRAFT)

RIGHT TO FARM ORDINANCE

Section 1. Definitions.

As used in this Ordinance:

- (a) “Agricultural Land” shall mean all that real property within the boundaries of San Mateo County for which the zoning permits agricultural operations.
- (b) “Agricultural Operation” shall mean and include, but not be limited to, the cultivation and tillage of the soil; dairying; the production, irrigation, frost protection, cultivation, growing, harvesting and processing of any agricultural commodity, including viticulture, horticulture, timber or apiculture; and raising of livestock, fur bearing animals, fish or poultry; and any commercial agricultural practices performed as incident to or in conjunction with such operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market.

Section 2. Findings and Policy.

- (a) It is the declared policy of this County to enhance and encourage agricultural operations within the County. It is the further intent of this County to provide to the residents of this County proper notification of the County’s recognition and support through this ordinance of those persons and/or entities’ right to farm.
- (b) The Board of Supervisors of San Mateo County finds that commercially viable agricultural land exists within the County, and that it is in the public interest to enhance and encourage agricultural operations within the County. The Board of Supervisors of San Mateo County also finds that residential and commercial development adjacent to certain agricultural lands often leads to restrictions on agricultural operations to the detriment of the adjacent agricultural uses and economic viability of the County’s agricultural industry as a whole.

(c) The purposes of the chapter are to promote public health, safety and welfare and to support and encourage continued agricultural operations in the County. This ordinance is not to be construed as in any way modifying or abridging state law as set out in the California Civil Code, Health and Safety Code, Fish and Game Code, Food and Agricultural Code, Division 7 of the Water Code, or any other applicable provision of State law relative to nuisances, rather it is only to be utilized in the interpretation and enforcement of the provisions of this code and County regulations.

Section 3. Nuisance:

No agricultural activity, operation, or facility or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards and with all chapters of the San Mateo County Ordinance Code, as established and followed by similar agricultural operations, shall be or become a nuisance, public or private, pursuant to the San Mateo County Ordinance Code, if it was not a nuisance when it began.

Section 4. Disclosure:

(a) The disclosure statement required by this chapter shall be used under the following circumstances and in the following manners:

- (1) The County of San Mateo shall mail a copy of the disclosure set out at subpart (b) with the annual tax bill to all owners of real property in those tax rate areas in San Mateo County that contain agricultural land.
- (2) Upon the issuance of a discretionary development permit, including but not limited to subdivision permits and use permits, for use on or adjacent to lands zoned for agricultural operations, the County Planning Division shall include a permit condition requiring that the owners of the property sign a statement of acknowledgment containing the disclosure set out in subpart (b), on forms

provided by the County Planning Division, and that the form shall then be recorded with the County Recorder.

(b) The disclosure statement shall read as follows: “The County of San Mateo supports agriculture and believes that the highest and best use of agricultural land is to develop or preserve these lands for agricultural production. The County of San Mateo does not consider any inconveniences or discomforts arising from agricultural operations to be a nuisance if such operations are legal, consistent with normal agricultural production, and operated in a non-negligent manner. If you live near agricultural operations, you should be prepared to accept any inconveniences caused by agricultural operations as normal and necessary in order to maintain a healthy agricultural sector.”

Section 5. Penalty for Violation:

Noncompliance with any provision of this chapter shall not affect title to real property, nor prevent the recording of any document. Any person who violates any provision of this chapter is guilty of an infraction punishable by a fine not exceeding one hundred dollars (\$100.00).

Section 6. Separability:

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of the ordinance.

Section 7. Resolution of Disputes:

(a) Should any controversy arise regarding any inconveniences or discomforts occasioned by agricultural operations, including, but not limited to, noises, odors, fumes, dust, the operation of machinery of any kind (including aircraft), the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and

pesticides, the parties may submit the controversy to a grievance committee as set forth below in an attempt to resolve the matter prior to the filing of any court action.

(b) Any controversy between the parties may be submitted to a grievance committee whose decision shall be advisory only, within thirty (30) days of the date of the occurrence of the particular activity giving rise to the controversy or of the date a party became aware of the occurrence.

(c) The committee shall be composed of the following three (3) members: i) the County Agricultural Commissioner (or his or her representative), who shall chair the committee; ii) the County Planning Director; and iii) where applicable, a member of the local municipal advisory council (e.g., Pescadero Municipal Advisory Council (PMAC) or Midcoast Community Council (MCC)). In areas where there is no municipal advisory council, the third member of the committee shall be selected by the Agricultural Commissioner and the Planning Director.

(d) The effectiveness of the grievance committee as a forum for resolution of disputes is dependent upon full discussion and complete presentation of all pertinent facts concerning the dispute in order to eliminate any misunderstandings. The parties are encouraged to cooperate in the exchange of pertinent information concerning the controversy.

(e) The controversy shall be presented to the committee by written request of one of the parties within the time limits specified. Thereafter the committee may investigate the facts of the controversy, but must, within thirty (30) days, hold a meeting to consider the merits of the matter and within twenty (20) days of the meeting must render a written decision to the parties. At the time of the meeting both parties shall have an opportunity to present what each considers to be pertinent facts.